

## **Notice: DE12 7DT, AB Produce PLC: environmental permit draft decision advertisement**

The Environment Agency consults the public on certain applications for waste operations, mining waste operations, installations, water discharge and groundwater activities. In some cases they also consult on draft decisions for environmental permits. The arrangements are explained in its [Public Participation Statement](#)

These notices explain:

- the Environment Agency's proposed decision and the reasons and considerations on which they've based this
- additional relevant information available since the application was advertised
- any information or guidance provided by the Secretary of State relevant to the application

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## **Decision: Richmondshire District Council: direction on Environment Agency functions**

*Updated:* Published a new version of this direction. The previous direction had an incorrect European Waste Catalogue (EWC) code within it and has been revoked and replaced by this one.

This direction gives Richmondshire District Council (rather than the Environment Agency) the role of regulating Thomas Armstrong (Concrete Blocks) Ltd for the operation of a facility receiving, storing and using Enhanced Pozzolanic Biomass Ash in the manufacture of concrete and other cement blocks in Bridge Road, Brompton on Swale, Richmond, North Yorkshire.

The direction is made by the Secretary of State under the powers in regulation 33(1) of the Environmental Permitting (England and Wales) Regulations 2016.

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## **Decision: East Riding of Yorkshire Council: direction on Environment Agency functions**

*Updated:* Published a new version of this direction. The previous direction had an incorrect European Waste Catalogue (EWC) code within it and has been revoked and replaced by this one.

This direction gives East Riding of Yorkshire Council (rather than the Environment Agency) the role of regulating H + H UK Ltd for the operation of a facility receiving, storing and using Enhanced Pozzolanic Biomass Ash in the manufacture of concrete and other cement blocks in Heck Lane, Pollington, Goole, East Riding of Yorkshire.

The direction is made by the Secretary of State under the powers in regulation 33(1) of the Environmental Permitting (England and Wales) Regulations 2016.

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## **Press release: Tesco hit with major £8million fine for pollution incident**

Tesco Stores Ltd has been ordered to pay over £8million in fines and costs after pleading guilty to a pollution incident.

The incident, which occurred in July 2014, sparked a huge multi-agency operation involving the Environment Agency, Lancashire County Council, United Utilities, Lancashire Fire and Rescue Service and Lancashire Police.

It had a massive impact on the local community and environment with residents having to leave their homes due to petrol odours coming from the sewer network.

The Environment Agency's joint investigation with partners found that the incident resulted from Tesco's failure to address a known issue with part of the fuel delivery system and an inadequate alarm system and was compounded by poor emergency procedures.

Tesco were fined a total of £8million – £5million for the health and safety offence and £3million for the environmental offence.

Between Wednesday 2 July and Thursday 3 July 2014 approximately 23,500 litres

of petrol escaped from a petrol filling tank at a petrol station in Haslingden operated by Tesco.

Petrol entered the sewerage system with the odours affecting residents up to 1km away causing people to seek medical attention with headaches and sickness. The odours remained in the homes for a number of days.

Some of the petrol also entered Langwood Brook and the River Irwell causing a significant environmental impact killing fish and other aquatic life.

Samples taken from the River Irwell detected oil up to three miles downstream. Over 40 dead fish, including brown trout, were found within 1.5 miles of where the pollution entered. Anglers reported dead fish in Bury, over six miles downstream.

About 23,500 litres of unleaded petrol leaked from the tank over a 29 hour period. Around 7,000 litres was later recovered at the site and the remainder escaped into the sewer system and watercourse.

Mark Easedale, an Environment Manager for the Environment Agency, said:

This pollution incident had a dramatically negative impact on the local community and the environment with Langwood Brook and the River Irwell severely affected. A week after the pollution incident an investigation by Environment Agency officers found fish populations in the River Irwell immediately downstream of Langwood Brook were around 90% lower than those found upstream.

The sentencing today sends out a clear message to anyone whose recklessness causes serious pollution to the environment – we will be relentless in our investigations and take action wherever needed.

Our staff work 24/7 to protect people and wildlife from pollution incidents and we encourage people to report such incidents to the Environment Agency's Incident Hotline on 0800 80 70 60.

This was a joint prosecution with Lancashire County Council and Tesco Stores Ltd also pleaded guilty to an offence under the Health and Safety at Work Act.

County Councillor Albert Atkinson, deputy leader of Lancashire County Council with responsibility for Trading Standards, said:

This was a major leak of fuel in a relatively built-up area and close to a busy superstore. The potential consequences are only too obvious.

The fact that the leak was allowed to continue for more than 24 hours undoubtedly contributed to a risk of harm to people living

and working nearby, as well as emergency services and other professionals attending the incident.

- Tesco Stores Ltd were fined a total of £8million at Preston Crown Court – £5million for the health and safety charge and £3million for the environmental offence. They were also ordered to pay Environment Agency costs of £35,434.30 and (approx.) £22,000 to Lancashire County Council.
- Tesco Stores Ltd pleaded guilty to causing a water discharge activity not under and to the extent authorised by an Environmental Permit, contrary to Regulation 12(1)(b) and 38(1)(a) of the Environmental Permitting (England & Wales) Regulations 2010. A guilty plea was entered at an earlier hearing at Burnley Crown Court on 12 September 2016.
- There was a further indictment led by Lancashire County Council: Contravention of Regulation 6(8) of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002 contrary to s.33(1)(c) of the Health and Safety at Work etc. Act 1974. A guilty plea was also entered for this charge.

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