

## **Saxon Pit: Continuing Concerns About Unpermitted Discharge into King's Dyke**

We have today written to the Environment Agency after receiving documents which show that, for years, the water-quality testing used to assess the Saxon Pit trade effluent discharge fell far below the level of assessment set out in the Environment Agency's (EA) own guidance.

This pumping has gone on for years and without a permit and continues while the EA has spent nearly two years considering a permit request. The requested volume is 4,560 cubic metres per day, more than 4.5 million litres every day, the equivalent of 13 Olympic pools per week.

A Schedule 5 Notice issued by the Environment Agency on 19 November 2024 (attached) confirms that earlier assessments of the discharge were based on samples taken from King's Dyke rather than from the discharge point itself. The regime being used was created for the Eastern Buttress non-conforming-waste incident and was never designed to assess trade effluent being pumped into the Dyke. It is also not clear whether those samples were taken immediately after discharge events, which is required for them to be representative.

After the Schedule 5 notice the operator supplied lagoon samples, but only at the minimum screening level set out in the Agency's own guidance. This does not resolve years of non-representative assessments and it appears the full assessment required by that guidance has not yet been completed.

Meanwhile the discharge continues into King's Dyke without the legally required water-discharge permit, even though the Agency has been considering a permit application for almost two years.

Testing by both the operator and the Environment Agency shows the presence of chemical substances including metals, which is why proper, representative assessment is essential.

We have therefore asked the Environment Agency to confirm which testing standard it is now applying, whether the Agency intends to require the full robust assessment described in its own guidance, why the discharge continues without the legally required permit, and how the current assessment will take account of the IBA and IBAA processing operations the Agency has since authorised within the pit, especially as a further permit request is now being considered to expand those operations.

We have also sent this information to Fenland Environmental Health, UKHSA and local councillors. UKHSA is about to publish a public-health review specifically assessing health risks at Saxon Pit related to particulate matter like incinerator bottom ash, and that review will rely in part on EA-supplied chemistry data. This new information needs to be considered in the context of the UKHSA health review, the Environment Agency's ongoing permit processes, and the planning decision now before the Council to expand IBA and IBAA operations at Saxon Pit.

A copy of the Schedule 5 Notice (redacted by the Environment Agency) is attached

We also need to grow our membership so please do pass on our details. People can contact us on this email or via Facebook if they wish to join :- <https://www.facebook.com/SaxonGatePE7> or email [saxongate2022@gmail.com](mailto:saxongate2022@gmail.com)

# Notice of request for more information

The Environmental Permitting (England & Wales) Regulations 2016

East Midlands Waste Management Limited

Sent via email to [Redacted] at [Redacted]

Application number: EPR/YB3895AC/A001

The Environment Agency, in exercise of its powers under paragraph 4 of Part 1 of Schedule 5 of the above Regulations, requires you to provide the information detailed in the attached schedule. The information is required in order to determine your application for a permit duly made on 21/04/2024.

Send the information to either the email or postal address below by 14/01/2025. If we do not receive this information by the date specified then we may treat your application as having been withdrawn or it may be refused. If this happens you may lose your application fee.

Email address: [Redacted]

Postal address:

Permitting and Support Centre  
Quadrant 2  
99 Parkway Avenue  
Parkway Business Park  
Sheffield

S9 4WF

Name	Date
[Redacted]	19 November 2024

Authorised on behalf of the Environment Agency

## Schedule

- 1) Submit a revised H1 assessment utilising at least 12 samples taken from the monitoring point referenced SW10 (the lagoon in which discharge is pumped from).

*Reason: The original H1 assessment, submitted in the Surface Water Pollution Assessment Plan dated 18/08/2022 only utilised 4 samples for each of the determinants identified. The [Surface water pollution risk assessment for your environmental permit - GOV.UK](#) page outlines the process and minimum requirements for screening and specifically states that a minimum of 12 samples should be used. Additionally, the aforementioned document states that the samples used for the initial assessment were taken from the Kings Dyke. It is not clear within the document if this was immediately following a discharge event, if not it is unlikely that these samples would be representative of the effluent being discharged.*

- 2) Submit evidence that the discharge operator has the necessary rights of access to the proposed discharge point.

*Reason: As outlined on the [Discharges to surface water and groundwater: environmental permits - GOV.UK](#) page, in order to be the legal operator of a discharge an applicant must be able to demonstrate sufficient control of the activity; if they cannot legally access the point which is being proposed as the discharge location then it is unlikely they will be able to fulfil this requirement. The gov page also makes it clear that an environmental permit does not give you any right or permission to discharge where you do not own the land where you intend to discharge.*

- 3) Submit evidence that the discharge operator has the necessary permission in place for a discharge to be released to the Kings Dyke Internal Drainage board area.

*Reason: as part of the supporting documents submitted with this application a IDB discharge consent was provided from the Middle Level Commissioners granting 'Hanson Brick' consent. The operator which has applied for this discharge is 'East Midlands Waste Management Limited'. As per the Middle Level Commissions advice on consents and bylaws (found at the following link [discharge-consent-advice.pdf](#)) Under the bylaws of the Middle Level Commissioners and associated Internal Drainage Boards (known as The Board), consent is needed to discharge any increase in flow or volume of surface water or foul water. The consent must be given before the discharge can be made into the Board's drain.'*

On behalf of The Saxongate Residents Group.