

**This form will report compliance with your permit as determined by an Environment Agency officer**

Site	Hooton Park Sustainable Energy Facility				Permit Ref	CP3733QJ	
Operator/ Permit holder	HOOTON BIO POWER LIMITED						
Date	08/07/2025				Time in		Out
What parts of the permit were assessed	Emission monitoring, Dioxin and Furan Q1 (Jan-Mar) & Q2 (Apr-Jun) 2025						
Assessment	Report/data review	EPR Activity:	Installation	X	Waste Op	Water Discharge	
Recipient's name/position	MSA Operations Manager						
Officer's name	Phil Bridges				Date issued	10/07/2025	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the Detailed Assessment of Compliance (section 2) and the Actions (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	C3	3.1.2
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response			

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This report relates to reporting of Dioxin and Furan (D&F) monitoring for Q1 (Jan-Mar) and Q2 (Apr-Jun) 2025. Relevant permit conditions are: 3.1.2, 3.6.1, 4.3.1, 4.3.2. When assessing compliance of emissions we have assessed Dioxin / Furan (ITEQ) emission separately, because there remains ongoing work by the operator to identify and resolve the cause of emission failures.

Actions from report CP3733QJ/0535620, dated 13-12-24 – Emissions monitoring Dioxin & Furan, Q3 & Q4 (Jul -Dec) 2024:

In our report CP3733QJ/0535620, dated 13-12-24 we requested that actions specified in the HBPL D&F Action Plan R2, were completed by 31-05-25. We Inspected the plant on 04-06-25 and audited a selection of actions (Report Ref: CP3733QJ/0560556). We were satisfied during the inspection and subsequently, that actions stated in the plan were completed.

As part of the actions the operator submitted a revised dioxin human health exposure assessment. We have carried out check modelling of this assessment and confirmed that it is likely that total exposure is without appreciable risk to health.

Emissions monitoring of Dioxin and furan (ITEQ) over Q1 and Q2 (Jan-Jun) 2025.

The operator has fitted continuous D&F samplers as part of their action plan. These take samples of the stack emissions over a long-term period with the sample tubes being taken for analysis at an MCERTs laboratory. We anticipate that long-term sampling will be more representative of the emission. Short term periodic D&F samples of the stack emission were also taken over the period.

Line 20, emissions of D&F (I-TEQ) for both short term and long-term periodic samples have met the permit emission limit values (ELV).

Line 10, the operator has provided 3 test results for short term periodic sampling. One result on 27-01-25 exceeded the emission limit and was reported on a schedule 5 notification. Over the same period 8 periodic long-term results have been received, two of these slightly exceeded the emission limit, (28-04-25 to 12-05-25 and 12-05-25 to 02-06-25) and were also reported on a schedule 5 notice.

Schedule 5 reports received over Q1 and Q2 (Jan-Jun) 2025

- Reported 04-02-25. Line 10. Short term periodic sample D&F (I-TEQ) for period 12:35-18:35hrs, 27-01-25. Measured value 0.0764ng/m³ against the ELV of 0.06ng/m³
- Reported 11-06-25. Line 10. Long term continuous sample D&F (I-TEQ) for period 09:45 28/04/25 to 09:49 12/05/25. Measured value 0.085ng/m³ against the ELV of 0.08ng/m³.
- Reported 16-06-25. Line 10. Long term continuous sample D&F (I-TEQ) for period 11:15 12-05-25 to 08:47 02-06-25. Measured value 0.088ng/m³ against the ELV of

Emissions monitoring assessment and compliance with permit conditions

Permit, condition 3.6.1, Schedule 3, Table S3.1, requires periodic short term sampling of D&F between 6-8 hours and if agreed, long-term sampling of between 2-4 weeks. (Fitting of long-term continuous samplers was agreed through the operators HBPL D&F Action Plan R2). The emission limits applied for D&F (I-TEQ) are periodic short term - 0.06ng/m³ and periodic long-term - 0.08ng/m³, respectively.

The two schedule 5 notifications for Line 10, periodic long-term sample failures have not been assessed for compliance purposes as the sampling period (time when sample was collected onto the tube) does not meet the minimum criteria specified in the permit of 2 weeks and is therefore not a valid sample for compliance purposes. The operator is therefore advised to ensure that future long-term sampling meets the minimum period of two weeks or agree a variation to this. A non-compliance with permit 3.6.1, has not been recorded on this occasion because the operator had been replacing sample tubes on a two weekly basis for testing, believing that the sampling period specified in the permit related to frequency and length of time a sample tube was in place for, rather than the period it was actively receiving sampling to it.

Permit condition 3.1.2, Schedule 3, Table S3.1 requires the limit for D&F (I-TEQ) for periodic short-term sampling of 0.06ng/m³ not to be exceeded. This was exceeded on one occasion, 27-01-25, with a measured value of 0.0764ng/m³. This measurement was taken to verify a result from the continuous sampler, however, is a valid test for permit compliance purposes. We have assessed this breach of permit condition 3.1.2, at a Cat 3, as we have confirmed that it is likely that total exposure of D&F is without appreciable risk to health.

Permit conditions 4.3.1 and 4.3.2, require the operator to notify the Environment Agency of a breach of permit condition and send information listed in Schedule 5 to us. We are satisfied that the operator has done this, taking into consideration laboratory analytical times for D&F (I-TEQ) analysis.

Actions required

We have compared dioxin results in the APC residue produced at this plant with results from some other similar plants. We did this to identify any differences in amount being collected in the APC residue which might indicate more were being formed or reformed in the process. The results we found showed that the amount of dioxin collected in the APC residue at Hooton was higher than other plants, by a considerable margin, possibly indicating that more are being formed or reformed.

We need you to:

- Investigate the emission failure as part of an action plan, as well as consider what the two periodic long term sampling results above the emission limit may indicate and tell us what actions you intend to take.
- Produce a new action plan by 16 July 2025. Within this plan include any necessary investigations, proposed actions, and details of remedial action/works, together with timescales for completion. The plan should include steps to address potential elevated dioxin formation/reformation within the boiler.
- Ensure that future periodic long-term sampling meets the minimum sampling period of two weeks or agree a variation to this.

Section 3- Enforcement Response**Only one of the boxes below should be ticked**

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence* and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

X

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
E1	C3	Produce a detailed action plan to address emission failure	16/07/2025

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence* and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, **MSB** & **TCM** is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at

<https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency>.

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary and Health Service Ombudsman phone their helpline on 0345 015 4033.