

Mark Prisk MP  
House of Commons  
London  
SW1A 0AA

**Our ref:** JB/lb/6976

**Date:** 22 July 2016

Dear Mr Prisk

**Bengeo Quarry, Ware Park**

Thank you for your letter of 21 June 2016 to our Chief Executive, James Bevan, about the proposed Bengeo Quarry at Ware Park. James has read your letter and has asked me to respond on his behalf.

I note your concerns about the potential impact of this development on groundwater. The Environment Agency is a statutory consultee for mineral extraction applications as set out by The Town and Country Planning 2010 (DMPO). As a statutory consultee, we provide technical advice to the local planning authority (in this case Hertfordshire County Council) at all stages in the development process. We responded to the consultation for this quarry on 29 April 2016.

Our role is to ensure that the proposed activities do not cause unacceptable impacts on groundwater. We thoroughly reviewed the technical information submitted with this planning application. We concluded that the proposed mitigation and monitoring measures should prevent unacceptable impacts on groundwater. If we did not believe the proposals were sufficient to prevent these impacts then we would object to the application.

We have also recommended planning conditions to be included by Hertfordshire County Council (HCC) should they grant the scheme planning permission. The main risks identified to groundwater quality at this site are from turbidity (suspended solids) and hydrocarbons.

We have not requested a quantitative risk assessment for the storage of diesel. The applicant must comply with the Oil Storage Regulations (OSR) 2001, which are in place to reduce the risk of oil pollution. Quantitative risk assessments are not normally required if the applicants proposals are covered by the OSR.

Further details of the OSR and the proposed mitigation and monitoring measures are provided in the attached summary.





I hope this provides more information about how we assessed the risks to groundwater quality that this application poses. We continue to work with HCC to ensure that environmental issues are adequately addressed. We will also contact Councillor Stevenson directly to discuss the detailed concerns he has raised.

Should you have any queries please feel free to contact the acting Area Manager for Hertfordshire and North London, Julie Nunn on 0208 474 5714 or via email [julie.nunn@environment-agency.gov.uk](mailto:julie.nunn@environment-agency.gov.uk).

Yours sincerely



**David Rooke**  
**Deputy Chief Executive**



## Bengeo Quarry

July 2016

**Proposed measures to reduce the risk of contamination of drinking water by turbidity and oil from the proposed Bengeo Quarry, Ware Park, Hertford.**

### **Turbidity**

The applicant has proposed mitigation measures to minimise suspended solids from entering the chalk aquifer and thereby reduce the risk of increased turbidity at the public water supply abstraction. This includes a proposal to leave an undisturbed layer of mineral in the base of the excavation between 1- 5 metres thick. In addition, soil movements for restoration will only be carried out in dry conditions. This will further reduce the risks of turbidity.

### **Hydrocarbons (Diesel)**

The proposed volume of diesel to be stored on site is greater than 201 Litres. Therefore fuel storage must comply with the requirements of the Oil Storage Regulations (OSR) 2001. The National Planning Policy Framework (paragraph 122) makes it clear that where processes are subject to approval under pollution control regimes, Local Planning Authorities must assume that these regimes will operate effectively.

The applicant has submitted a Hydrogeological Risk Assessment which includes a qualitative assessment of the risks posed by diesel storage. Based on this volume of diesel and the mitigation measures proposed, we would not normally request a groundwater quantitative risk assessment to assess loss of diesel to ground to support this planning application. We do not believe it is necessary to request the level of detail required for a quantitative risk assessment for accident scenarios, if the applicant is required to meet OSR conditions.

The applicant outlines a number of mitigation measures for storage and refuelling to prevent incidents. The applicant proposes storing 3500 litres of diesel fuel in a primary containment tank. This will be located in a prefabricated bund located on a concrete pad. This pad is on top of clay deposits, which in turn overlays the Kesgrave sand and gravels, which is underlain by the chalk.

In our planning advice to Hertfordshire County Council (HCC) we recommended a period of groundwater monitoring prior to ground works commencing to establish the 'baseline conditions'. In addition, the applicant should carry out on-going monitoring, maintenance and prepare a contingency action plan during the operational period to ensure that there is no unacceptable impact to groundwater quality. We also recommended conditions for foul and surface water drainage. This is in accordance with the precautionary principle to the management and protection of groundwater as detailed in the Environment Agency's Groundwater Protection: Principles and Practice. [www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3](http://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3)

We continue to work with HCC to ensure that environmental issues are adequately addressed including the discharge conditions that we recommended.

