



Title	Working Together Agreement between Natural Resources Wales and the Food Standards Agency
Date:	April 2014
Version:	Version 1
Date to be reviewed:	April 2019
Authored By:	Anna Lewis
Sponsored By:	Stephen Attwood

Agreed by

.....(FSA)

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Environmental Permitting (England and Wales) Regulations 2010 (as amended)

What we want to achieve by working together on permitting decisions:

- Protection of the environment and the general public in relation to activities prescribed under the Regulations.
- A risk based approach to permitting and to requests for further information in connection with applications.
- Shared information on permitted activities and any potential impact on food safety.
- Better public awareness of the relationship between Natural Resources Wales and the Food Standards Agency.

Roles and Responsibilities (of each participating organisation):

- Natural Resources Wales is one of the regulators under the Environmental Permitting (England and Wales) Regulations 2010 (as amended) and has responsibility for the permitting of certain industrial, waste management, surface water and groundwater discharge activities and radioactive substances activities specified in the Regulations.
- Under the Regulations, Natural Resources Wales has responsibility for regulatory measures contributing to the implementation of all relevant European Directives.
- The Food Standards Agency is responsible for providing any necessary advice on food safety issues to Natural Resources Wales with respect to the activities regulated under the Environmental Permitting Regulations.

How we will work together:

Generally we will:

- Work together to ensure that statutory deadlines are met.
- Share information as appropriate.
- Use electronic media rather than paper.
- Share information about future regulatory changes and priorities.
- Review the agreement as required.

Specifically Natural Resources Wales will:

- Consult with the Food Standards Agency when developing the risk criteria to be complied with for standard permits.
- For installations and waste operations consult the Food Standards Agency on applications for bespoke permits and variations which entail a substantial change in accordance with an agreed screening criteria. The criteria will be reviewed periodically and be publicly available. Substantial change is defined in the Regulations at Schedule 5, Part 1, para 5(5). It only concerns changes which may have a significant negative effect.
- For activities involving radioactive substances consult the Food Standards Agency for:
 - applications for new nuclear sites (for example – new nuclear power stations, even if on an existing nuclear site) regardless of the estimated doses;
 - variation applications for existing nuclear sites where the discharge limits are **increasing and which increase** the dose via food pathways by greater than 10 micro Sv in a year;
 - on applications for non-nuclear sites if the dose via food pathways is greater than 20 micro Sv in a year.
- Consult on any specific matters of concern notified to us by Food Standards Agency staff.
- Take account of responses received within 20 working days, as required to meet the statutory deadlines.
- Alert the Food Standards Agency where further information is submitted which we consider pertinent to their interests.
- We will also consult on any other application which in the professional judgement of the permitting officer has potential food safety risks associated with it, or where the permitting officer is aware of local interest or concerns (historical or current).
- We will provide the Food Standards Agency with a weekly list of applications we have received to enable them to request a copy for comment.

Specifically the Food Standards Agency will:

- Prioritise applications for permits and variations received from Natural Resources Wales to focus available resources on effective and efficient assessment of selected applications for installations of certain types that the Food Standards Agency considers could potentially have an impact on food safety, providing a nil response where applications are not prioritised.
- Provide clear and concise advice on food safety issues where appropriate and necessary.
- Respond within 20 working days.

Screening criteria to identify Environmental permit applications that require consultation with the Food Standards Agency.

For applications for bespoke permits and variations which entail a substantial change we will consult the Food Standards Agency on applications using a risk based approach.

The risk based approach will be to consult the Food Standards Agency on certain types of applications from the installation and waste operation sectors.

Use the table below to identify which applications require consultation with the Food Standards Agency.

Installations	Need for consultation
➤ Energy from waste	All
➤ Cement and Lime	All
➤ Combustion	Only from coal or waste derived fuels
➤ Steel works	All
➤ Any plant with emissions of dioxins, cadmium, lead or mercury.	All
➤ Landfill	Only Hazardous Landfill

Waste / Installation operations	Need for consultation
➤ Composting	“Composting” activities that include wastes other than green waste or food waste.
➤ Anaerobic digestion	“Anaerobic Digestion” activities that include wastes other than green waste or food waste.
➤ Mechanical biological treatment	“Mechanical biological treatment” activities that include wastes other than green waste or food waste.
➤ Land spreading	No – but consider the need for FSA to contribute to technical guidance.
➤ WEEE	No – but to be reviewed