
Environmental Permitting Programme,
Environment Agency,
Rio House,
710 -715 Waterside Drive,
Aztec West,
Almondsbury,
Bristol
BS32 4UD

Dear Sir,

Standard Rules Consultation No. 2 – draft Standard Rules Permit SR2009No. 8 – Inert Extractive Waste

CBI Minerals Group Response

Introduction

We refer to the above consultation. The following comments are submitted on behalf of the CBI Minerals Group and relate only to the final permit of the set of eight new standard rules permits which are being consulted upon.

The CBI Minerals Group (CBIMG) represents the minerals extraction industry within the United Kingdom including all major non-energy minerals and coal. The Group represents some 400 mineral extraction companies either directly through being members of the Group or indirectly through member trade associations.

The UK Minerals Industry produces about 350 million tonnes of minerals per annum, contributes directly £5 billion a year to the economy, though indirectly the figure is considerably more.

Minerals are essential for development and through that the quality of life of every UK citizen. Sustainable development is only achievable by ensuring an adequate and steady supply of minerals.

To the extent that any of the materials generated in mineral extraction and processing activities might be classified as “waste” after testing against the principles set out in the Avesta Polaris case the Mining Waste Directive has the effect of introducing an entirely new control regime on an aspect of the activities of a significant business sector in which the Environment Agency has hitherto only had little regulatory involvement beyond issues relating to water. The discussions held with Government departments and the Environment Agency have been helpful in providing a context for this response, particularly in relation to the checklist approach to the Waste Management Plan that we understand will underpin the Agency’s consideration of applications for the Standard Rules Permit that is the subject of this consultation. However, despite the Agency’s willingness to engage
with the industry over proposals for the implementation of the Directive we are disappointed to note that:

a) Contrary to the explicit request of the CBIMG that the full package of Environment Agency materials relevant to the transposition of the Mining Waste Directive through the EPP regime should be issued in a single consultation, the industry is now faced with material being issued on a piecemeal basis that does not allow our consultation response to be informed by a clear understanding of the relationship of the various control measures proposed, nor advised by consideration of the technical guidance that will be a vital adjunct to operation of the system.

b) The proposed Standard Rules Permit draws heavily on the approach adopted for other Standard Rules Permits for activities involving “controlled waste” without recognising the significant differences of context for managing operations involving extractive wastes and those activities involving controlled wastes. Mineral extraction and associated extractive waste handling has a totally different set of requirements to the handling of “controlled waste” particularly in landfills. Of particular concern in this respect are:

i) An apparent lack of appreciation of the prevalence and importance of point source discharges of water in mining waste operations.

ii) The fact that mining waste operations are likely to be only part of a larger and integrated minerals extraction operation, not a stand-alone activity. Such operations are normally and primarily aimed at ensuring the restoration of mineral extraction sites to beneficial after-uses, not to waste management operations or waste disposal per se.

iii) The special planning regime for minerals, including the deposit of mineral waste, in the UK. This ensures that all planning permissions for active sites will be subject to planning conditions considered every 15 years. This updating can be contrasted with the position that might apply to activities regulated by other Standard Rules Permits that, even if subject to specific planning conditions at all, will not be subject to periodic review in the same way. This review of mineral planning permissions, taken together with the integrated nature of operations at mineral extraction sites, indicates that a closer relationship between planning controls and the requirements of a Standard Rules Permit (or any other aspect of implementation of the Directive) is appropriate.

The Mining Waste Directive was originally conceived following two major incidents of tailings dam failure in Spain and Romania to reflecting concerns about the environmental damage that can result specifically from structural failure of dams in large scale metalliferous mining waste operations. Attempts to minimise the environmental impact from this form of mining is welcomed by the UK Minerals Industry. It should be noted however, that following the Aberfan incident on 21st October 1966, the UK introduced extensive mines and quarries legislation and regulation which has been proved to be effective in preventing similar structural failures and consequent environmental, health and safety issues.

The vast majority of extractive waste operations in the UK do not pose a significant environmental risk and are relatively shallow. Individual extractive waste operations usually involve relatively small volumes of low risk materials such as soils and clays associated with, for example, the extraction of sand and gravel. This is in stark contract to the large volumes of tailings generated by the large scale open pit or underground metalliferous mining and processing operations such as those referred to above. The definition of a "waste facility" contained in the Directive means that
relatively small features such as storage and screening bunds storing these materials may come within its scope.

The Government recognises therefore that the implementation of the Directive should be proportionate to the risks posed. As this SRP is currently drafted there is real concern amongst the industry that even the smallest and lowest risk mining waste operations will require a bespoke permit that will do no more than to duplicate existing planning permission conditions and other regulatory controls.

Important issues such as the process for determining what material will be classified as ‘extractive waste’ and whether such extractive waste will be classified as inert remain to be resolved. Thus, while we are responding to this consultation within the required timescale, we wish to make it clear that this response may not represent our final position. Further comment may be necessary once the full range of relevant material, both permits and, especially, the technical guidance, becomes available. We would also record that the CBIMG still awaits a response from the Agency to the submission of materials by some members in December 2007 and January 2008 to test the draft Avesta Polarit questionnaire produced by the Agency. Further, we have a number of concerns about the approach intimated by that questionnaire which require discussion.

The draft standard rules permit

We attach for your attention the draft SRP as amended by the CBIMG. By necessity, these amendments are extensive in order to reflect the actual requirements of the Directive and the practicalities of the type of mining waste operations it is aimed at regulating rather than what appears to be a largely generic SRP. These comments are made in the knowledge that, as explained by Environment Agency officials at their meeting with CBIMG representatives on 14th August 2008, it is intended that a checklist approach be used to cover the content of the Waste Management Plan. We take this opportunity to state that, in principle, the checklist approach as explained to us by the Agency officers is welcomed by industry as a proportionate method of dealing with Waste Management Plans for the mining waste operations that will be the subject of this Standard Rules Permit. We believe that it is capable of adaption to include situations where point source discharges are involved and have reflected this in our comments on the draft standard rules and the checklist below.

The reasons for these changes are set out in the footnotes and it is not proposed to repeat them all here, however, we would like to highlight a number of points:

- The title of the permit has been amended to reflect the scope of the Directive as set out in Article 2(3). If unpolluted soil is deemed to be extractive waste and thus coming within the scope of the Directive then it should be included in the Standard Rules Permit. The reference to “at mines and quarries” has been removed because the Directive also addresses disposal of extractive waste at remote locations.

- Rule 1 has been deleted because:
  a) It duplicates Rule 2
  b) It goes beyond the scope of the Directive because the “competence” requirements of the Directive do not apply to non-Category A inert waste facilities. This does not in any way detract from the industry’s commitment to the competence of its workforce but is intended to reflect the Government’s intention for implementation as expressed in Para 9(1), Schedule18A of the draft regulations.

- Rule 2 has been amended to be consistent with Article 5(4) of the Directive. Paragraph 2.2.3 has been amended to reflect the discussions that are taking place with the Agency independently of the consultation regarding the “approval” of the waste management plan by a process of self certification which is yet to be agreed - an example of the dangers of the piece meal approach to implementation which we referred to above.
• Rule 3 has a new section added as Rule 3.1 to allow point source emissions to land (groundwater) and water where these are authorised by a Discharge Consent issued under the Water Resources Act and as described in the waste management plan. It is understood from discussion with Agency officers that since the importance of point source discharges in mining waste operations was first raised by industry, proposals are awaited from the industry for a Standard Rules Permit, or Permits, that would contain generic discharge limits. An initial survey of relevant discharges by members of the CBI Minerals Group suggests that the range of limits on discharge consents (particularly with respect to volumes, flows and suspended solids) is very wide (reflecting the wide range of environments into which discharges take place (most usually surface watercourses)), so that a generic form of consent is impractical. Hence, we have included proposals in this response to include point source discharges by incorporation into the Waste Management Plan.

• Rule 3.3 (Rule 3.2 in draft SRP). This has been amended to reflect Article 4(1) of the Directive which refers to “nuisance”.

• Rule 4.3.2. This has been deleted because the Directive excludes inert extractive wastes from the notification requirements of Article 11(3) and 13(6) It also conflicts with Reg. 9(1), Schedule 18A of the draft regulations.

Generic risk assessment

Comments on the generic risk assessment for the draft standard rules set number SR2009No8 are attached to this letter as Appendix 1.

Checklist

As stated above, the checklist approach as explained to us by the Agency officers is welcomed in principle by industry as a proportionate method of dealing with Waste Management Plans for the mining waste operations that will be the subject of this Standard Rules Permit. We have a few comments on the draft checklist provided to us for the meeting with Agency officers on 14th August:-

• Additional questions as to whether a point source discharge to water or land is included in the Waste Management Plan and to confirm that there is a Discharge Consent in force for that discharge will be needed.

• With regard to Question 6 (“What is the estimated total weight of waste to be produced”), the following points are important:-

  o It is universal practice amongst the industry to estimate the total volume of extractive wastes that will be handled, rather than dealing with weight.

  o It must be clearly understood that any answer to this question is, most definitely, an estimate. The volume of (unpolluted) soil and extractive waste will be estimated from exploration records and (when applied to current active operations) the experience of waste factors obtained during extraction and processing operations (although this may change when different parts of a site are worked). It may be more relevant to seek data on the design capacity of the various activities that will be included within the Waste Management Plan, not forgetting that many mining waste operations will involve an (often substantial) element of double-handling of materials e.g. soils and overburden placed in storage before being returned to the excavation void for restoration purposes.
**Concluding comments**

These comments on the draft Standard Rules Permit are, as stated above, made without the benefit the draft technical guidance which will accompany it. It is hoped that this will be made available in the very near future and the CBIMG may wish to make further comments on the Standard Rules Permit in the light of this guidance.

These comments are made against a background of discussions that are taking place regarding other aspects of the transposition of the Directive. In particular they have been made in the absence of an agreed process for the application, on a site by site basis, of the tests set out in the *Avesta Polarit* case for determining if extracted material is “extractive waste” and agreement of the self certification process for approving the waste management plan although, as stated above, we welcome this process, in principle, as a proportionate method of dealing with Waste Management Plans for the mining waste operations that will be the subject of this Standard Rules Permit.

We were pleased that, from the outset, the Government agreed that the Directive should be implemented using a “light touch” and avoiding unnecessary duplication with existing legislative controls (for example with Planning, Health and Safety and Mines and Quarries legislation). We remain concerned that duplication and confusion of control will result from carrying across other areas of regulation into the proposed mine waste permitting regime. This concern is not helped by the “drip feed” approach adopted to implementation. The result is likely to be an unacceptable disproportionate additional cost burden on industry.

We would welcome the opportunity to discuss the proposed changes to this SRP further. Copies of this response have been sent to DEFRA, CLG, BERR and direct to Mr Roger Saxon at the Environment Agency for information.

Yours sincerely

Bob Le Clerc  
Executive Secretary  
CBI Minerals Group
Additions are in blue text
Deletions are in red strike through text

Draft Standard Rules SR2009 No.8 – the storage, treatment and disposal\(^1\) of inert wastes and unpolluted soil resulting from the prospecting, extraction, treatment and storage of minerals resources and the working of quarries. mines-and-quarries.

Introductory Note

This introductory note does not for part of these standard rules.

When referred to in an environmental permit, these rules will allow the operator to store, treat, and dispose undertake mining waste operations in respect\(^2\) of unpolluted soil and inert extractive waste\(^3\) at the site or mining waste facilities, at a mine or quarry.

These rules will not authorize any point source discharge except where such discharge is [already authorised][subject to separate authorisation] do not allow any point source emissions for air, water or land from mining waste facilities\(^5\)

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\(^1\) Title has been altered to align with the scope of Article 2(3). The phrase “at mines and quarries” is removed, as the Directive also applies to “remote” disposal facilities for extractive waste. These might be limited in the UK, but the widest scope of the Directive should be preserved.

\(^2\) This amendment gives consistency of definition with the Regulations.

\(^3\) Waste resulting from the prospecting, extraction, treatment and storage of mineral resources and the working of quarries, excluding waste which does not directly result from these operations (NB – This is the original footnote appearing in the draft Permit).

\(^4\) Mining Waste Operations are defined in the draft Regulations as management of extractive waste – this covers the full scope of activities, whether or not involving waste facilities.

\(^5\) Deleted in light of the amendment that includes point source discharges in the Waste Management Plan – see Rule 3.1.1
Rules

1. Management

1.1. General Management

1.1.1. The activities shall be managed and operated:
   a. In accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and
   b. By sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.

1.1.2. Records demonstrating compliance with rule 1.1.1 shall be maintained.

1.1.3. Any persons having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

2. Operations

2.1. Permitted Activities

2.1.1. The operator is authorised to carry out the activities specified in table 2.1 below ("the activities").

<table>
<thead>
<tr>
<th>Table 2.1 Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Activities</td>
</tr>
<tr>
<td>The storage, treatment and disposal of inert extractive wastes and unpolluted soil resulting from the prospecting, extraction, treatment and storage of mineral resources and the working of quarries at a mine or a quarry</td>
</tr>
</tbody>
</table>

2.2. Operating Techniques

2.2.1. The activities shall, subject to these rules, be operated in accordance with an approved Waste Management Plan, unless otherwise agreed in writing by the Agency.

2.2.2. The operator shall review the Waste Management Plan every five years from the date of initial approval issue of this Standard Rules Permit.

2.2.3. The operator shall submit to notify the Agency for approval, within 14 days of any amendments to the Waste Management Plan, and shall implement the approved revised amended Waste Management Plan in place of the original, from the date of approval.

2.3. The Site

2.3.1. The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.

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6 Rule 1.1.1(a) is deleted (along with Rules 1.1.2 and 1.1.3) as the Directive requires the activities to be undertaken in accordance with the Waste Management Plan. The Plan includes the matters set out in Rule 1.1.1. Rule 2.2 requires adherence to the Waste Management Plan. Rule 1.1.1 is thus a duplication of Rule 2.2.1

7 Rule 1.1.1(b) is deleted as it is in conflict with Article 2(3) of the Directive (dis-applying the competence requirements of Article 11(1) for inert extractive waste), as applied by Paragraph 9, Schedule 18A of the Draft regulations. As an industry we are committed to having a competent workforce, but this Rule disregards the clear provisions of the Directive and the Government’s intentions for implementation as expressed in Paragraph 9 Schedule 18A of the Regulations.

8 Expanded to link directly with the activities envisaged for lower level of control by Article 2(3) of the Directive.

9 As the EA intend to rely on the review of an operator “self certification” checklist regarding the Waste Management Plan reference to an “approved” plan is confusing.

10 “Revisions” changed to “amendments” to give consistency with Article 5(4) of the Directive.

11 See above regarding EA “approval” of the Waste Management Plan. If the initial EA consideration is of the operator self-certification checklist, this should also apply to any subsequent amendments. The EA will have fall-back powers to review the Waste Management Plan itself if they so require.
3. Emissions and monitoring

3.1. Point Source Emissions to water and land

3.1.1. There shall be no point source missions to water or land (into groundwater) except where:

a. Point sources are listed in the Waste Management Plan, and
b. Those point source discharges are authorised by a Discharge Consent issued under the Water Resources Act.  

3.1.2. Fugitive emissions of substances (excluding odour, noise and vibration) from the activities shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures have been taken to prevent, or where that is not practical to minimise, those emissions. “appropriate measures” means either those set out in the Waste Management Plan or, in the absence of such measures in the Waste Management Plan those specified in any approved fugitive emissions management plan prepared under Rule 3.2.2. including those specified in any approved fugitive emissions management plan have been taken to prevent or where that is not practicable to minimise, those emissions.

3.2. Fugitive emissions of substances

3.2.1. Fugitive emissions of substances (excluding odour, noise and vibration) from the activities shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures have been taken to prevent, or where that is not practical to minimise, those emissions: “appropriate measures” means either those set out in the Waste Management Plan or, in the absence of such measures in the Waste Management Plan those specified in any approved fugitive emissions management plan prepared under Rule 3.2.2. including those specified in any approved fugitive emissions management plan have been taken to prevent or where that is not practicable to minimise, those emissions.

3.2.2. The operator shall If the Waste Management Plan does not contain appropriate measures to prevent, or where that is not practicable to minimise, fugitive emissions mentioned in rule 3.2.1 the operator shall:

a. If notified by the Agency that the activities are giving rise to pollution, submit to the Agency for approval within the period specified, a fugitive emissions management plan;

b. Implement the approved fugitive emissions management plan, from the date of approval, unless otherwise agreed in writing by the Agency.

3.2.3. All liquids, Fuels, oils and lubricants whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3. Noise and Vibration

3.3.1. Emissions Noise and vibration from the activities shall not be free from noise and vibration at levels likely to cause annoyance nuisance outside the site. The operator shall not be taken to have breached this rule if appropriate measures have been taken to prevent, or where that is not practicable to minimise, noise and vibration: “appropriate measures” means either those set out in the Waste Management Plan or, in the absence of such measures in the Waste Management Plan those specified in any approved noise and vibration management plan prepared under Rule 3.3.2. as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, those specified in any approved noise and vibration management plan to prevent or where that is not practicable, to minimise, the noise and vibration.

3.3.2. If the Waste Management Plan does not contain appropriate measures to prevent, or where that is not practicable to minimise, noise and vibration mentioned in Rule 3.3.1 the operator shall:

a. If notified by the Agency that the activities are giving rise to annoyance nuisance outside the site due to noise and vibration, submit to the Agency for approval within the period specified, a noise and vibration management plan;

b. Implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Agency.

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12 Reference to other Standard Rules Permits show that they all allow point source discharges. The intention here is that where there is a discharge consent this would be described in the Waste Management Plan, with the discrete Discharge Consent remaining in force (thus preserving the position where the consent also covers non-MWD related discharges). This may require some amendment to the self-certification checklist to confirm whether there are point source discharges and that they have a discharge consent in place.

13 The intention here is to allow the operator to set out appropriate standards and measures in the Waste Management Plan – most likely those set out in the Planning Permission. Where no such conditions are presented in the Waste Management Plan the EA will have the fallback of asking for a fugitive emission plan. Again this might require some additional questions in the Waste Management Plan checklist to show where such controls are set out (and possibly the origin of them).

14 Rule 3.2.3 – the clarification is needed so that this Rule applies only to things like fuel and oil storage, not lagoons, sumps receiving inert extractive waste etc.

15 “Annoyance” changed to “nuisance” to accord with Art 4(1) of the Directive: - this refers to nuisance.
3.4. Monitoring

3.4.1. The operator shall undertake the monitoring specified in the approved Waste Management Plan.

3.4.2. The operator shall maintain records of all monitoring required by these standard rules.

4. Information

4.1. Records

4.1.1. All records required to be made by these standard rules shall:

a. be legible
b. be made as soon as reasonably practicable; and
c. if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval.

4.1.2. All records, plans and the management system Waste Management Plan required to be maintained by these standard rules shall be held on the site where practicable or other location controlled by the operator.

4.2. Reporting

4.2.1. All reports and notifications required by these standard rules shall be sent to the Agency using the contact details supplied in writing by the Agency.

4.3. Notifications

4.3.1. The Agency shall be notified without delay following the detection of:

a. Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution; or
b. Any significant adverse environmental effects

4.3.2. Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within

4.3.3. 4.3.1 The Agency shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

a. Where the operator is a registered company:

• any change in the operator’s trading name, registered name or registered office address
• any change to particulars of the operator’s ultimate holding company (including details of an ultimate holding company where an operator has become a subsidiary); and
• any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

b. Where the operator is a corporate body other than a registered company:

• any change in the operator’s name or address; and
• any steps taken with a view to the dissolution of the operator.

c. In any other case:

• the death of any of the named operators (where the operator consists of more than one named individual); and
• any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

16 The addition is intended to deal with the situation where the records relate to a closed site.
17 Deleted in full as the Directive excludes inert extractive waste from the notification requirements of Articles 11(3) and 13(6). This Rule also conflicts with Regulation 9(1), Schedule 18A of the Regulations.
4.4. Interpretation

4.4.1. In these standard rules the expression listed below shall have the meaning given.

4.4.2. In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification begin made “without undue delay”, in which case it may be provided by telephone.

“Waste Management Plan” means the plan described in Regulation 2(1) of Schedule 18A of The Environmental Permitting (England & Wales) Regulations 2007 prepared by the operator in respect of the site.

“authorised officer” means any person authorised by the Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(4) of that Act.

“emissions to land” includes emission to groundwater

“extractive waste” means waste resulting from the prospecting, extraction, treatment and storage of mineral resources and the working of quarries, excluding waste which does not directly result from these operations.

“fugitive emission” means an emission to air, water of land from the activities which is not controlled by an emission limit.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“inert waste” means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution of harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater.

“pollution” means emissions as a result of human activity which may-

(a) be harmful to human health or the quality of the environment,
(b) cause offence to a human sense,
(c) result in damage to material property, or
(d) impair or interfere with amenities and other legitimate uses of the environment.

“year” means calendar year commencing on 1st January

END OF DRAFT STANDARD RULES

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See comment on deletion of Rules 4.3.1 & 4.3.2 for reasons.
Appendix 1
Standard Rules Consultation No. 2 – draft Standard Rules Permit SR2009No8 – Inert Extractive Waste
Comments on the draft generic risk assessment

General
We wish to make the following comments on the draft generic risk assessment for the draft standard rules set number SR2009No8.

The risk assessment should relate only to those matters that come within the scope of the Directive to which the SRP relates and not the mining operation as a whole. These extractive waste activities represent only a very small part of the overall mineral extraction operation.

Specific Comments
Receptor: Local human population (harm to human health)
We do not agree that the magnitude of risk is medium, and there is no sound basis for equating fugitive dust that might arise from a mine waste operation with such a level of risk to human health. The majority of workings are in rural areas and the mine waste facility will be remote from sensitive receptors. The risk should thus be negligible.

Receptor: Local human population (waste and mud on roads)
This is not contemplated by the Directive and is an operational issue rather than associated with waste management. Mine waste will be contained and transported only within the site. The risk is negligible.

Receptor: Local human population (loss of amenity, loss of sleep)
The associated risk should be categorised as low. Most operations do not operate at night. They are also subject to strict planning controls in accordance with the Government advice given in Mineral Policy Statement 2: Controlling and Mitigating the Environmental Effects of Minerals Extraction in England.

Receptor: Local human population and/or livestock etc (all on-site hazards)
On site hazards and site security are covered by health and safety legislation and should not be duplicated here. If it warrants consideration at all, on-site risks to the public and livestock from potential contact with plant and machinery must be considered very low. The ‘risk management’
column suggests that the management system will require site security measures. Such issues are extending the scope of the Directive well beyond what it requires.

**Conclusion**
We strongly believe that the risk to human health posed by the type of facility that is proposed to be regulated by the SRP will be negligible. We are concerned that the Risk assessment appears to be assessing the mineral extraction operation as a whole and not just the management of extractive waste.