

## **Working Together Agreement between the Environment Agency and the Food Standards Agency.**

### **Environmental Permitting (England and Wales) Regulations 2010**

This is a Working Together Agreement as described in *Working together: your role in our environmental permitting*, our public participation statement made under the Environmental Permitting Regulations 2010. It is for operational use in England.

#### **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 the Environment Agency and the Food Standards Agency.

#### **Roles and Responsibilities (of each participating organisation):**

- The Environment Agency is one of the regulators under the Environmental Permitting (England & Wales ) Regulations 2010 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, the Environment Agency has responsibility for regulatory measures contributing to the implementation of European Directives.
- The Food Standards Agency is responsible for providing any necessary advice on food safety issues to the Environment Agency 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.
- Set up an operational liaison group to meet on a six monthly basis to review the effectiveness of our working together.
- Review the agreement annually.

**Specifically the Environment Agency 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.

**Specifically the Food Standards Agency will:**

- Prioritise applications for permits and variations received from the Environment Agency 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.

Signed *Terry Donohoe*

Date *20 March 2013*

Terry Donohoe,  
Deputy Head of Chemical Safety Division,  
Food Standards Agency.

Signed *Ed Mitchell*

Date *15<sup>th</sup> March 2013*

Ed Mitchell,  
Director Environment and Business,  
Environment Agency.