

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Tinsley Sidings Roadstone Recycling Facility, Unit 3, Europa Way, Sheffield operated by Aggregate Industries UK Limited.

The permit number is EPR/UP3930NF.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Structure of this document

- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation, web publicising responses

Key issues of the decision

Aggregate Industries Limited have applied for an Environmental Permit to operate a roadstone recycling facility, located at Tinsley Sidings, Sheffield. The applicant wishes to process up to 200,000 tonnes per annum of asphalt planings and other associated non-hazardous wastes and process and treat up to 200,000 tonnes per annum of hazardous coal tar bound planings using a cold recycling process.

Emissions

Emissions to Air

There will be no point source emissions to air from the activities on site. Emissions to air, in the form of fugitive emissions, have been assessed in the form of an environmental risk assessment. It is anticipated that no emissions to air, associated with the sites activities, could cause any major impact to the local environment. The Environment Agency has reviewed the operating techniques and risk assessments, including H1, submitted by the applicant and deems them satisfactory.

The coldmix foaming plant utilises an energy efficient engine (131kW) and will only emit negligible emissions.

Emissions to Water

Surface water runoff will be discharged to the surface water sewer via a drainage pipe and a detention pond. An application to Yorkshire Water for a discharge consent is currently pending.

The applicant has stated that the site will have areas of impermeable surfacing and a sealed drainage system; specifically to be used for the storage, handling and processing of hazardous waste types. Surface water from the hazardous waste storage area will be collected in sealed channels and then directed into a piped drainage system via an interceptor/inspection chamber. And the water is then conveyed to the detention pond.

The site drainage will be in accordance with the Surface Water Management Scheme. The drainage scheme has been designed to ensure that there is no unacceptable risk of pollution to the water environment.

There are no extra emissions to water other than standard yard drainage. The coldmix process adds only potable water to modify the moisture content of the finished product, and the water stays in the finished product.

The detention pond will provide both treatment and attenuation of surface water runoff. It has been designed to support emergent and submerged aquatic vegetation and provision of a permanent pool volume promotes retention of runoff facilitating a high standard of pollutant removal through sedimentation and the opportunity for biological uptake mechanisms to reduce nutrient concentrations. Any particulate matter will be separated from the site surface water run-off by the process of settlement via the detention pond, preventing unacceptable releases of particulate matter to sewer.

A pre-operation measure has been set in the permit requiring the operator to provide a copy of their consent to discharge trade effluent to sewer. This must be submitted to the Environment Agency before operations can commence on site. The relevant sewerage undertaker is Yorkshire Water. The applicant has provided documents evidencing their communications with Yorkshire Water regarding their proposed discharge. Furthermore the applicant has provided a copy of their application for a consent to discharge trade effluent to sewer.

Fugitive Emissions

Odour

Odour from on site materials and activities will be minimal and should remain unnoticeable from outside the site boundary. An odour management plan has been prepared by the applicant in support of the application. This has been reviewed and accepted during determination. This has been referenced in table S1.2 – Operating Techniques of Environmental Permit EPR/UP3930NF.

Dust

Crushing and screening operations will be based on the requirements of Process Guidance Note PG3/16 (12). Compliance with this guidance will ensure that the process is both dust and odour free outside of the boundary.

The cold mix plant contains two conveyors that will transfer both non-hazardous and hazardous waste materials. On the bottom of the hopper that receives raw processed hazardous materials the conveyor is positioned at a low level and protected by side screens to minimise any dust/particulate emissions. The discharge conveyor, from the cold mixing drum, at the end of the process transports foamed waste with bitumen and therefore the risk of air-borne dust emissions is minimal as the mixed material is both bound and damp.

Dust suppression measures, such as road sweeping and sprinkler systems, will be applied to stockpiles and site roads in dry conditions in order to minimise the potential for airborne particulates.

A particulate management plan has been prepared by the applicant in support of the application. This has been reviewed and accepted during determination. This has been referenced in table S1.2 – Operating Techniques of Environmental Permit EPR/UP3930NF.

Site Condition Report

The applicant submitted a revised Site Condition Report as part of their Schedule 5 response received by the Environment Agency on 23/01/2014.

The Environment Agency has reviewed the updated site condition report for the new Tinsley Sidings Recycling Facility and accepts its findings. The report sufficiently describes the hydrogeology in the area and addresses the contamination risks to water receptors.

The controlled waters in the area are highly sensitive to contamination risks, since they are not adequately protected by impermeable soil. The Environment Agency's internal technical specialists have reviewed the

previous investigative and remediation reports for the site and we believe that the site does not pose any risk to controlled waters for the activities proposed.

Operating Techniques

The Environment Agency served a Schedule 5 Notice to the applicant, Aggregate Industries UK Limited on 03/12/2013. The notice requested further information on how the applicant proposed to carry out their activities in line with indicative Best Available Techniques.

Specific reference was made to Sector Guidance Note 5.06 – Guidance for the Recovery and Disposal of Hazardous Waste and IPPC Reference Document on Best Available Techniques for the Waste Treatments Industries, August 2006. The Schedule 5 Notice specifically asked that the applicant address how the Operator would ensure that BAT are employed for the following sections:

- Section 2.1.1 pre-acceptance procedures to assess waste
- Section 2.1.2 acceptance procedures when waste arrives at the installation
- Section 2.1.3 Waste Storage
- Section 2.1.4 Treatment in general principles
- Section 2.1.12 Settlement
- Section 2.2 Control of Emissions
- Section 2.7 Energy
- Section 2.8 Accidents
- Section 2.10 Monitoring

Following receipt of the Schedule 5 response, received by email on 23/01/2014 and 27/01/2014, the Environment Agency undertook a review of the proposed operating techniques in line with Sector Guidance Note S5.06. The methodologies proposed are deemed to meet indicative BAT.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit.

Aspect considered	Justification / Detail	Criteria met
Receipt of submission		
Identifying confidential information	We identified information, provided as part of the application, that was marked as confidential. An email was issued to the applicant requesting confirmation of this claim. A response from the application contact was received on 09/10/2013 confirming that the application in its entirety is <u>non-confidential</u> .	✓
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Planning permission	We are satisfied that planning permission is in place and is appropriate for the relevant waste operation(s) applied for.	✓
Site condition	The operator has provided a description of the condition	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
report	<p>of the site.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).</p> <p>See key issues section above for further information on the review of the Site Condition Report.</p>	
Biodiversity, Heritage, Landscape and Nature Conservation	<p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>A pre-application Nature & Heritage Conservation Screen was requested from the Environment Agency by the applicant during pre-application discussions. The screening exercise did not identify any nature and/or heritage conservation interests that could be impacted by this application.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>Under SGN S5.06; key environmental issues, it is stated that with respect to odour associated with fugitive emissions, the handling of any substance that is or may contain a VOC will potentially lead to odour noticeable beyond the installation boundary.</p> <p>We consider that the Applicant's proposals represent the appropriate measures to prevent/ minimise odour from the permitted activities.</p> <p>The sites odour management and monitoring plan has been included within the Operating Techniques table S1.2.</p> <p>We consider that the activities carried out at the site have the potential to cause noise and/or vibration that might cause pollution outside the site and consider it appropriate to impose specific measures. We are satisfied that the applicant has the necessary controls and procedures in place to prevent fugitive emission of noise beyond the site boundary.</p> <p>The cold mix foam plant, used for the treatment of hazardous waste, is designed specifically for urban deployment and will create minimal noise disturbance. The engine is accommodated in sound-insulated</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>housing.</p> <p>Condition 3.4 has been set within environmental permit EPRUP3930NF which is specific to noise and vibration.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>We have compared the operating techniques to the relevant Technical Guidance Note 'How to comply with your Environmental Permit' and Sector Guidance Note S5.06.</p> <p>We accept the operator's proposals for BAT relating to the environmentally insignificant emissions and proposed operating techniques. See Key Issues section above for further detail.</p>	✓
The permit conditions		
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons;</p> <ul style="list-style-type: none"> - The permit has been written to allow for the acceptance of both hazardous and non-hazardous waste; - The applicant has the relevant certification of competence; - The applicant has experience of handling and processing the waste types applied for; and - Operating techniques covers procedures for the handling, processing and storage of both hazardous and non-hazardous waste. <p>We made these decisions with respect to waste types in accordance with Sector Guidance Note S5.06 – guidance for the recovery and disposal of hazardous and non hazardous waste.</p>	✓
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>We have requested that the operator provide a copy of their discharge consent prior to operation. This has been set to ensure that the relevant consent is held for the discharge of uncontaminated surface water to sewer.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>Reporting specifically relates to water usage as a performance parameter.</p> <p>We made these decisions in accordance Technical Guidance Note 'How to comply with your Environmental Permit' and Sector Guidance Note S5.06.</p>	✓
Operator Competence		
Environment management system	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓
Technical competence	<p>Technical competency is required for activities permitted.</p> <p>The operator is a member of an agreed scheme and has provided their WAMITAB certification.</p>	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>Relevant convictions were found and declared in the application. A post conviction plan was submitted by the operator and assessed as satisfactory.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

Annex 2: Consultation and web publicising

Summary of responses to consultation, web publication and the way in which we have taken these into account in the determination process.

Response received from
Health and Safety Executive (received 13/11/2013)
Brief summary of issues raised
No comments.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Public Health England (received 15/11/2013)
Brief summary of issues raised
No significant concerns or comments; the main emission of concern is the release of fugitive particulate matter, for which the applicant details proposed management actions within the application. Based on the information contained in the application, Public Health England has no significant concerns regarding the risk to the health of the local population from the proposed waste operation or installation.
Summary of actions taken or show how this has been covered
A particulate management and monitoring plan has been submitted by the applicant following a request for this information from the Environment Agency during duty making. The applicant (Operator) must ensure that the operating techniques and methodologies for dust suppression are adhered to and implemented on site. This has been set in the permit under table S1.2 (Operating Techniques). A monitoring requirement has been set within the permit for PM10.

Response received from
Director of Public Health (received 21/11/2013)
Brief summary of issues raised
No comments.
Summary of actions taken or show how this has been covered
No action required.