

## **Environment Agency permitting decisions**

### **Bespoke permit**

We have decided to grant the permit for Devonport Royal Dockyard industrial waste transit facility operated by Devonport Royal Dockyard Limited.

The permit number is EPR/YP3936NL.

The application was duly made on 18/02/14.

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: site condition; containment; waste acceptance, handling and storage; fire safety; odour; noise
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## **Key issues of the decision**

### **Site condition**

The site is underlain by alluvium deposits which are in turn underlain by Upper Old Red Sandstone / Upper Devonian. The site bedrock aquifer is designated as a Secondary Aquifer – A (bedrock). The alluvial deposits are designated as unproductive strata. The site is not within a source protection zone.

The closest surface water feature to the site is the Dockyard approximately 100 m west of the boundary. The closest surface water abstraction to the site is approximately 234 m west of the site which is used for industrial purposes.

113 m to the west lies the nearest area which is classified as at risk of flooding.

The Plymouth Sound and Estuaries Special Area of Conservation (SAC) is located 450 m west of the site. There are no Sites of Special Scientific Interest (SSSI) within 2 km of the site.

The application Site Condition Report sets out the key phases in the historical land use of the site. Until the mid 1900s no development other than a road to the eastern border of the site was recorded. Several small temporary buildings were recorded on the site between 1964 and 1992 which were then removed. The building which is now located on the site was built in 1999.

There are industrial areas bordering the site to the north, west and south. Residential areas lie to the south east and east of the site, the closest of which is 120 m to the south east.

There have been no recorded pollution incidents at the site during the operation of the industrial waste transit facility and no historical land uses have been identified as potential significant pollution sources.

Uncontaminated rainwater run-off from the roof enters the surface water drainage system via the west side of the building.

We consider that the application contained sufficient information to describe the conditions of the site at permit issue and that based on the nature of the operations and their operational techniques and site infrastructure, that pollution of land or water is unlikely. Three improvement conditions have been included in the permit, the completion of which will ensure that any potential improvements in the infrastructure or operating techniques to lower this risk further can be identified.

### **Containment**

The waste transfer building is approximately 47 m by 17 m with the interior divided into bays for waste segregation. The base of the building is impermeable with integral drainage channels which feed to an interceptor situated centrally. If the interceptor is utilised, the contents would be sampled then removed by tanker and disposed off appropriately according to the characteristics of the sample. There is a flammable liquids store external to the building which consists of a purpose-designed metal container incorporating a built-in bund in the base of the unit. There is no drainage

system in the external storage/vehicle delivery area. No liquids are stored externally to the building other than in the flammable liquids store. A external store containing flammable canisters is situated to the south west of the building.

Pallets of waste are stored in allocated bays. Oxidisers and flammable materials are kept separate. Gas cylinders of various classes are stored in the designated areas. The chemical hazards of stored materials are specified on signs located at the back well of each storage bay.

Improvement condition 1 requires the operator to carry out an assessment of the measures in place to reduce the risk of a pollution incident caused by firewater. The review shall include:

- consideration of the principles set out in PPG 18: Managing Fire-water and major spillages.
- identification of any improvements necessary in order to minimise the risk of a pollution incident caused by firewater.

A written report summarising the assessment and any necessary improvements shall be submitted to the Environment Agency. The report shall include timescales for the Operator to implement any improvements identified.

Improvement condition 2 requires the operator to complete a survey of the routing of all drains within the installation including those within the loading area and provide the Environment Agency with an updated site drainage plan. A report containing the following details shall also be provided:

- the drainage survey methodology and the integrity of the drainage system
- an inspection and maintenance programme for the drainage infrastructure and equipment at the site
- identified improvements and a timetable for their implementation.

The plans and written report shall be submitted in writing to the Environment Agency for approval.

### **Waste acceptance, handling and storage**

The site receives waste from activities throughout the dockyard. The site has a total storage capacity at any one time of 275 tonnes. The annual throughput of waste is approximately 750 tonnes though this has the potential to vary significantly. The principle activities within the industrial waste transit facility are sorting, segregation and repackaging to enable onward transfer of the wastes for recovery or disposal. The nature and quantity of wastes varies throughout the year.

The wastes are managed and segregated in line with the site's Working Plan. Wastes are to be delivered within the banded delivery area on pallets and cages to enable rapid segregation. Once inspected and identified, packages of waste are wrapped, coded and moved to the appropriate storage bay in accordance with the segregation plan contained in the site Working Plan. Any unidentifiable items are quarantined for further analysis. An inventory of waste is maintained on site which includes a detailed list of the materials and

their classifications. The Commercial Manager remotely monitors stock levels using the waste inventory to establish when wastes are in sufficient quantities to book collections for disposal.

The waste must be clearly labelled. Spills should be dealt with immediately and used absorbent should be replaced. Used spill kit absorbent is sent off-site for incineration.

A proportion of the wastes delivered to the industrial waste transit facility have characteristics resulting in the prioritisation for their assessment and segregation such as laboratory chemicals, batteries, marine pollution (MARPOL) and fire extinguishers.

To reduce the risk of an incident occurring at the installation, levels of flammable liquids, laboratory chemicals and Class 2.1 gas cylinders are kept below trigger thresholds. If these levels are approached or exceeded, action is taken to remove the materials to a disposal site.

Some unused products which are still sealed and in a good condition are collected for reuse or return to the original manufacturer.

The environmental risk assessment submitted with the application identifies potential hazards and outlines the management methods used to minimise the risk associated with these. A Fire Risk Assessment has been completed by the operator.

Improvement condition 3 requires the operator to conduct a review of the permitted activities at the site against the requirements of 'SGN 5.06: Guidance for the recovery and disposal of hazardous and non hazardous waste' including:

- waste acceptance, logging and tracking;
- waste storage and segregation; and
- accidents.

Where the requirements are not met, the operator shall implement techniques which comply with the relevant standards set out in S5.06. The review shall be submitted to the Environment Agency in writing. The review shall include timescales for the Operator to implement any improvements identified.

### **Fire safety**

A fire safety management plan for the waste transfer station was submitted as additional information for the permit application. The plan confirms the following:

- a fire alarm is present on site and is tested on a weekly basis;
- fire extinguishers are in place and tested on a regular basis;
- access routes for fire service vehicles are maintained;
- all employees are required to attend a Fire Safety Course; and
- all highly flammable and flammable liquids/materials are stored in fire resistant stores external to the main building.

**Odour**

Wastes are generally delivered to the industrial waste transit facility in the original, sealed containers. Materials are segregated to prevent odour generating reactions and decanting is kept to a minimum. The nature of wastes, handling methods, storage and infrastructure at the site minimises the potential for odours to arise.

**Noise**

Noise associated with the industrial waste transit facility will be limited to delivery and collection vehicles and the forklift truck used on site.

## 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
		Yes
<b>Consultation</b>		
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.	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>The site</b>		
Extent of the site of the facility	The operator has provided a plan showing the extent of the site of the facility. We considered that an additional area within which an external waste store was located was to be included within the installation boundary.  A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition report	The operator has provided a description of the condition of the site.  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).  <b>See key issues section above for further information.</b>	✓
Biodiversity, Heritage, Landscape	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. The Plymouth Sound and	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
and Nature Conservation	<p>Estuaries Special Area of Conservation (SAC) is located 450 m west of the site. There are no Sites of Special Scientific Interest (SSSI) within 2 km of the site. One Local Wildlife Site lies within 2 km of the site at 1.7 km to the north west.</p> <p>There are no point source emissions to air or sewer. One point source emission to surface water drains only uncontaminated roof water run-off.</p> <p>Noise associated with the transfer station will be limited to delivery and collection vehicles and the site's forklift truck.</p> <p>Wastes passing through the transfer station will primarily be delivered in the original, sealed containers minimising the potential for odours.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	
<b>Environmental Risk Assessment and operating techniques</b>		
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>There are no point source emissions to air or sewer. One point source emission to water drains only uncontaminated roof water run-off.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator has proposed the following key operating techniques:</p> <ul style="list-style-type: none"> <li>• Emptying of bunds as soon as possible after spill detected to retain adequate capacity</li> <li>• Clear labelling of waste required by Working Plan</li> <li>• Spills to be dealt with immediately, with replacement of used absorbent</li> <li>• Unidentifiable items to be quarantined for further analysis</li> <li>• Oxidisers and flammable materials to be kept separate</li> <li>• Gas cylinders to be stored in designated areas</li> <li>• Signage indicating chemical hazards of stored materials to be visible in each storage bay</li> </ul> <p>The proposed techniques/ emission levels for priorities for control are generally in line with the benchmark levels</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>contained in the Sector Guidance Note 'S5.06 Guidance for the recovery and disposal of hazardous and non hazardous waste' and we consider them to represent appropriate techniques for the facility. We have identified a number of improvements which can be made to the site and have included these as improvement conditions within the permit: <b>see key issues section above for further information.</b></p> <p>The permit conditions ensure compliance with the relevant BREF.</p>	
<b>The permit conditions</b>		
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 these wastes can be accepted because the Operator has adequate pollution prevention infrastructure in place and operating techniques to minimise the risk to the environment associated with the transfer station. A number of improvement conditions have been set to ensure that any further potential improvements to the operating techniques or infrastructure are identified and implemented.</p> <p>We made these decisions with respect to waste types in accordance with 'S5.06 Guidance for the recovery and disposal of hazardous and non hazardous waste'.</p>	✓
Improvement conditions	<p>Based on the information on the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed improvement conditions to ensure that:</p> <ul style="list-style-type: none"> <li>➤ appropriate measures are in place to ensure that accidents that may cause pollution are minimised.</li> </ul>	✓
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>We made these decisions in accordance with Sector Guidance Note S5.6 Guidance for the recovery and disposal of hazardous waste and non hazardous waste.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Operator Competence</b>		
Environment management system	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.	✓
Technical competence	Technical competency is required for activities permitted. John Merrylees and Gavin Powell will complete WAMITAB level 4 training.  Wamitab Code: 4MTSH – Level 4 – Diploma in Waste Management Operations: Managing Transfer – Hazardous Waste.	✓
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.  No relevant convictions were found.	✓
Financial provision	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.	✓

## Annex 2: Consultation and web publicising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Plymouth City Council – Environmental Protection Department
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required.

Response received from
Plymouth City Council – Planning Department
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required.

Response received from
Health and Safety Executive
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required.

The **Devon and Somerset Fire Service (Plympton Depot)** was sent a copy of the daft permit and will also be sent a copy of the final permit so that it has access to information on the type and volume of waste stored at the installation and the site location and layout.