

# Environment Agency permitting decisions

## Variation

We have decided to issue the variation for Norwood Recycling Centre operated by Veolia ES (UK) Limited.

The variation number is [EPR/CB3805KE/V002](#).

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 and web publicising responses

## Key issues of the decision

This variation implements the changes brought about by the IED for "existing facilities operating newly prescribed activities" and transitions this facility from a waste operation to an IED installation. The previous waste activities have been mapped to equivalent sections of EPR, in accordance with the application. The only deviation from the activities applied for comprises describing the repackaging of incoming hazardous solvent wastes as R12 rather than R13 (activity A2).

According to the applicant's response to the Schedule 5 notice dated 19 February 2015 drum crushing will not be included in the permit as the activity no longer takes place at the facility.

The application included the addition of a new paper-pulping activity as a trial for the taking of mixed paper stream from residual household waste that is

too contaminated for the wider recycled paper market; during pre-application discussions it was decided that, due to the scale of the process this should be permitted as a waste activity. A pre-operational condition has been included in the permit, requiring the operator to submit his proposals for the trial, including a description of the techniques to be used, the potential environmental impacts and a fire prevention plan.

## Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
<b>Yes</b>		
<b>Consultation</b>		
Scope of consultation	<p>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.</p> <p>The following organisations were consulted on this application:</p> <ul style="list-style-type: none"> <li>• The Local Authority Environmental Protection Department</li> <li>• The Food Standards Agency</li> <li>• The Health and Safety Executive</li> <li>• Public Health England</li> <li>• The local Fire Service</li> </ul>	✓
Responses to web publicising and consultation	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
<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. The purpose of the variation is to implement a number of provisions of the Industrial Emissions Directive (IED), which have resulted in certain of the waste activities becoming listed under the Environmental Permitting (England and Wales) Regulations 2010 (As amended).	✓

Aspect considered	Justification / Detail	Criteria met Yes
<b>The site</b>		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition 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>The submitted site condition report (SCR) is considered satisfactory for the purposes of determining the variation. The applicant has adequately described the environmental setting. The application includes references to the site being previously remediated; the remediation validation report would need to be submitted at the point of surrender to detail baseline, along with information to demonstrate that measures to prevent subsequent ground contamination have been effective.</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>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, following the controls proposed the applicant, all emissions may be categorised as environmentally insignificant.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has an EMS certified to ISO14001, which comprises a series of site-specific operating procedures which, in relation to Guidance note S5.06 (Guidance for the Recovery of Hazardous and Non-Hazardous Waste) are considered BAT for the installation.</p> <p>The proposed techniques are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</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 the operator can accept these wastes for the following reasons</p> <ul style="list-style-type: none"> <li>• Most of the wastes are already accepted at the facility</li> <li>• The additional wastes included as a result of the addition of the paper pulping activity are inherently less hazardous than the existing wastes, and this new activity will be managed appropriately.</li> </ul>	✓
Improvement conditions	<p>Based on the information in the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed an improvement condition requiring the operator to collate and report detailed information about the outcome of the paper-pulping trial. This is required in order to gain a detailed understanding of the environmental impacts of the activity. Information required by the improvement condition will form the basis of considerations about the appropriate regulatory regime should the operator decide to scale the activity up to a commercial operation.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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 imposed a pre operational condition requiring the operator to submit to the Environment Agency for approval, his proposals for carrying out the paper pulping trial, including details of the plant to be used, the duration of the trial, the product specification to be aimed for and the anticipated environmental impact.</p> <p>The operator is required to carry out the trial in accordance with the approved proposals.</p>	
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. Parameters to be reported on are water and energy use, as these are considered to be potentially significant environmental impacts of paper pulping activities.</p> <p>We made this decision in accordance with EPR 6.01 Paper and Pulp.</p>	✓
<b>Operator Competence</b>		
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.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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> <p>The financial provision arrangements satisfy the financial provisions criteria.</p>	✓

## 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.)

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
Based on the information in the application, Public Health England has no significant concerns regarding the risk to the health of the local population from the installation.
<b>Summary of actions taken or show how this has been covered</b>
No specific actions necessary.