

Permitting decisions

Variation

We have decided to vary the Permit for Alma Crescent Facility operated by Environmental Concern Limited, as a result of an application made by the Operator.

The Permit number is EPR/CP3796FQ.

The Variation notice number is EPR/CP3796FQ/V003.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

This decision document provides a record of the decision making process. It:

- explains how the application has been determined
- highlights key issues in the determination
- summarises the decision making process to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses

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

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

Preliminary information and use of terms

We refer to the Permit (both existing and as varied) as “the **Permit**” in this document; and to the variation of the Permit as “the **Variation**”.

In this document, we refer to Environmental Concern Limited as “the **Operator**” and their Alma Crescent Facility as “the **Installation**”.

The Application was duly made on 29/09/2014.

How this document is structured

- Our decision
- The legal framework
- How we took our decision
- Key issues in the determination
- Annex 1 – the decision checklist
- Annex 2 – web publicising responses

1. Our decision

We have issued a Variation, which will allow the Operator to operate their facility as an Installation, subject to the conditions in the varied Permit.

This Variation does several different things:

- **First**, it gives effect to our decisions following the identification of the Operator as undertaking a “newly prescribed activity” (NPA) under the Industrial Emissions Directive (IED);
- **Second**, it takes the opportunity to bring earlier variations into an up-to-date, consolidated Permit. The consolidated Permit should be easier to understand and use; and
- **Third**, it modernises the entire Permit to reflect our current template. The template reflects our modern regulatory permitting philosophy and was introduced because of a change in the governing legislation. This took place when the Pollution Prevention and Control (England and Wales) Regulations 2000 (“PPC”) were replaced in 2008 by a new statutory regime under the Environmental Permitting Regulations 2007 (now the 2016 version).

The introduction of new template conditions makes the Permit consistent with our current general approach and philosophy. Although the wording of some conditions has changed, while others have disappeared because of the new regulatory approach, it does not affect the level of environmental protection achieved by the Permit in any way.

We consider that, in reaching our decision, we have taken into account all relevant considerations and legal requirements and that the Permit will continue to ensure that a high level of protection is provided for the environment and human health.

The original Permit, issued on 07/03/1991, ensured that the facility, would be operated in a manner which would ensure the protection of the environment specified in the existing Guidance at the time. To the extent that we have substantively altered the Permit as a result of this variation, the new requirements will deliver a **higher** level of protection to that which was previously achieved.

As we explained above, we do not address changes to the Permit in this document, to the extent that they give effect to either the consolidation of earlier variations, or introduce new template conditions.

2. The legal framework

The original Permit was granted on 07/03/1991 as a Waste Disposal License under the Control of Pollution Act 1974, which was superseded by the Environmental Protection Act 1990.

The Installation will be subject to the requirements of the Industrial Emissions Directive (IED) 2010/75/EU and regulated under the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No. 1154). The IED was transposed in England and Wales by the Environmental Permitting (England and Wales)(Amendment) Regulations 2013 on 27 February 2013.

The IED seeks to achieve a high level of protection for the environment taken as a whole from harmful effects of industrial activities. It does so by requiring each of the industrial installations to have a permit from the competent authority (in England, the Environment Agency, or for smaller Installations, the relevant Local Authority). The IED has increased the number of activities that require an Installations permit. These are predominantly regulated as “waste operations” and include (when exceeding specific thresholds described in IED):

- hazardous waste treatment for recovery;
- hazardous waste storage;
- biowaste treatment – recovery and/or disposal;
- treatment of slags and ashes;
- metals shredding;
- pre-treatment of waste for incineration/co-incineration;
- biological production of chemicals; and
- independently operated wastewater treatment works serving only industrial activities subject to the Directive.

Article 11 of the IED requires the relevant authority (the Environment Agency in this case) to ensure that the Installation is operated in such a way that all the appropriate preventative measures are taken against pollution, in particular through the application of Best Available Techniques (BAT). Under Article 15(2), the Permit must contain emission limit values (ELVs) (or equivalent parameters or technical measures) for any pollutants likely to be emitted from the Installation in significant quantities. These ELVs are to be based on BAT, but also on local factors and EU Environmental Quality Standards. The overarching requirement is to ensure a high level of protection for the environment and human health.

We are required by Article 13 of the IED to keep abreast of developments in BAT. In addition, Article 13 requires us to carry out a periodic review of the permit’s conditions, and to update them if necessary.

The IED also requires the European Commission to organise an exchange of information between EU Member States so that what are known as BAT reference documents (or BREF notes) can be published, creating a level playing field across the EU, providing a consistent set of standards for new plant, to which regulatory authorities in the Member States can then have reference. These BREF notes are the basis for our own national sector technical guidance. The Commission is also required to update BREF notes on a regular basis. The waste treatment BREF notes are currently being reviewed and a final issue date is not presently known. Under the IED, all permits will be subject to review within four years of the publication of revised BREF notes. This means that we will need to do a further review against any new standards in the BREF notes at sometime in the future.

The IED is to be implemented over several years commencing from 7 January 2013. For existing installations operating “newly prescribed activities”, the relevant date for implementation is 7 July 2015.

3. How we reached our decision

It is the Operators responsibility to ensure they are correctly regulated for the activities they are carrying out. Following adoption of the IED, the Environment Agency has engaged in a range of briefings and communications with the waste industry sector to raise awareness of the implications of the Directive and the need to ensure their facilities are correctly regulated (particularly after the implementation date of 7 July 2015 for newly prescribed activities).

Early in 2014, the Environment Agency provided further briefings to industry trade bodies and wrote to operators we believed may be implicated by these changes. We provided detailed information sheets that described the implications and the process operators should follow if they decided to have their activities permitted as Installations.

We confirmed that most facilities fell into one of two groups:

- Facilities permitted from April 2007

When these facilities were permitted, a thorough assessment would have been carried out to confirm whether the proposed activities were using “appropriate measures” as a standard to protect the environment.

This standard of protection is the same standards that would have been assessed against had the facilities applied as an Installation activity (i.e. BAT). The permit would have also been issued with modern conditions that ensured protection of the environment.

We consider that these facilities are effectively ‘IED-compliant’ in terms of the technical standard of the facility with the exception of the “newly prescribed activity”. For these facilities, we consider that, in general, no further technical assessment is required, so administrative variations are an appropriate mechanism to show the activities as Installation activities. The administrative variation is a necessary route for the Operator to formally ask for this activity to be included in their permit and for us to advertise that request on our Public Register.

It is understood that the Environment Agency granted permits for new waste activities under the Waste Management Licensing Regulations 1994 beyond April 2007. Where a facility falls into this group, the Environment Agency shall determine whether or not the application was assessed using “appropriate measures”. Where it is determined that the application was assessed using “appropriate measures”, the application will be designated as an “administrative variation”.

- Facilities permitted before April 2007

For these facilities, a “normal” or “substantial” variation is appropriate because a detailed technical assessment is required on aspects of the Application ecological impact assessment, waste types, secondary containment etc. in addition to the administrative changes.

Substantial variations will only be relevant where the newly prescribed activity is being added to an existing installation permit.

The original Permit was granted on 07/03/1991 and subsequently varied on 15/07/1992, 18/12/1992, 29/06/1993, 09/09/1994, 05/04/1995, 05/02/1996, 13/09/1996, 30/10/2001 and, 07/11/2008. We have reviewed the documentation submitted in support of the original permit and subsequent variation application(s) in this determination. We are not satisfied that the standard of protection was assessed using appropriate measures. We have determined this Application as a normal variation. As the Variation will not have any negative effects on the environment, it is not a substantial variation and so does not require consulting on.

4. Key issues in the determination

1. Operating techniques

The operator has submitted operating techniques submitted with the permit application. These are mainly existing techniques used at the site, which are not considered to be fully in line the sector guidance note IPPC S5.06, – Guidance for the Treatment of Hazardous and Non-Hazardous Waste; and EPR 5.07 – Clinical Waste (the site accepts cytotoxic and cytostatic wastes, and other hazardous chemical substances under EWC Chapter 18, but does not handle infectious clinical waste).

- **pre-acceptance and acceptance of waste**

Pre-acceptance and acceptance procedures are not considered to be in accordance with the sector guidance notes S5.06 and S5.07. We have set improvement condition IC1 for the operator produce pre-acceptance and acceptance procedures in accordance with BAT and improvement condition IC2 for the improvement of infrastructure connected to acceptance, such as dedicated reception and quarantine areas.

- **storage and handling of waste**

Storage and handling of waste is not considered to be in accordance with the sector guidance notes S5.06 and S5.07. We have set improvement condition IC1 for the operator produce storage procedures in accordance with BAT for improving waste segregation, inspection and maintenance for tanks and bunds and a revised accident management plan with revised risk assessments including providing a DSEAR assessment for explosive atmospheres. Improvement condition IC2 requires the improvement of infrastructure connected to storage such as site security, a review of tank and bund integrity, with a programme of improvements where necessary, and installation of waste bays.

- **process (treatment) description**

The existing permit allows, and the existing operating techniques describe a wide range of different hazardous waste treatment activities going on on site. However many of the processes described are not currently undertaken, due to commercial reasons and infrastructure improvements required to undertake them in accordance with BAT. Others are not necessarily all operating at the same time due to the sharing of common infrastructure such as reactions vessels. The hazardous waste treatment activities are considered to be as follows:

- S5.3 A(1)(a)(ii) - mechanical treatment of hazardous WEEE consisting of sorting, separation, screening, grading, baling, shearing, compacting, crushing, granulation or cutting (R3, R4, R5).
- S5.3 A(1)(a)(ii) - treatment of aqueous wastes by neutralisation, reduction, oxidation and precipitation/settlement (D9).
- S5.3 A(1)(a)(ii) - treatment of cyanide wastes using sodium hypochlorite or hydrogen peroxide (D9).
- S5.3 A(1)(a)(ii) - treatment of water reactive wastes using hydrolysis (D9).
- S5.3 A(1)(a)(iii) - blending or mixing (R3, R4, R5, D13).
- S5.3 A(1)(a)(iv) - repackaging (R3, R4, R5, D14).
- S5.3 A(1)(a)(v) - solvent reclamation or regeneration (R2).
- S5.3 A(1)(a)(ii) - oil/water separation (R3).
- S5.3 A(1)(a)(ii) - washing and crushing/dismantling of containers (R4, D9).

For the activities in red above we do not consider the proposals are fully in compliance with BAT for the waste treatment process. We have therefore set pre-operational conditions (as these activities, though covered by the existing permit, are not currently carried on at the site) PO2, PO3, PO4 and PO5 for them to be brought up to BAT standard prior to operations re-commencing. The conditions require the operator to demonstrate adequate infrastructure is in place for the process, a justification for the waste types and quantities accepted for treatment, revised operating techniques and revised risk assessments for the process.

Depending on the operator's proposal for each waste treatment subject to the pre-operational conditions, the permit may need to be varied to incorporate any necessary changes. This should be decided on a case by case basis when the condition responses are assessed.

For the waste treatment activities currently carried out at the site (activities in blue above) we have set improvement conditions IC1 and IC2. IC1 requires the operator to provide revised procedures in accordance with BAT for waste bulking, container cleaning and other waste treatments undertaken, along with process controls, and a revised accident management plan with revised risk assessments including providing a DSEAR assessment for explosive atmospheres. IC2 requires the improvement of infrastructure connected to waste treatment such as a review of tank and bund integrity, bulking infrastructure, with a programme of improvements where necessary.

The following hazardous treatment activities are also permitted for the facility, but do not form part of the installation:

- Refrigerator pre-destruction - treatment of refrigeration units sorting, separation and manual degassing (R3, R4, R5).

Though waste refrigerators are hazardous waste, Stage 1 pre-destruction treatment using manual techniques is not considered a treatment activity under IED and this therefore is a waste operation activity. Likewise the storage of the refrigerators awaiting this process. The operator has undertaken this activity in the past, but it is not currently undertaken for commercial reasons and currently they only undertake storage and transfer of fridges. However, if the economic situation changes they may

wish to undertake Stage 1 pre-destruction treatment again. We have therefore set pre-operational condition PO6 for the operator to demonstrate adequate infrastructure is in place for the process, a justification for the waste types and quantities accepted for treatment, revised operating techniques and revised risk assessments for the process. This is to ensure the operation meets current standards before it resumes at the site. Improvement condition IC5 has also been set for the operator to undertake a monitoring exercise to demonstrate that the Stage 1 processing of refrigerators does not give rise to fugitive releases of refrigerant or blowing agent gases. The date for compliance with the condition is tied to the approval of PO6, so is not required until the operator wishes to recommence this operation. These are standard requirements for Stage 1 processors.

- Non-hazardous waste electrical and electronic equipment (WEEE) treatment - sorting, dismantling, separation, shredding, screening, grading, baling, shearing, compacting, crushing, granulation, repair or refurbishment, or cutting of waste into different components for recovery (R5, R4, R3).
- Non-hazardous waste treatment - blending, repackaging, sorting, separation, grading, baling, shearing, compacting, crushing or cutting of waste into different components. (D14, D13, R5, R4, R3).
- Biological treatment of non-hazardous waste for disposal (D8).

The current permit allows the treatment of non-hazardous waste for disposal, though the operator has never operated the activity. The operator did not apply to bring this operation into IED, so we have limited the throughput to 50 tonnes/day (aggregated with other non-hazardous treatment activities) so that this is limited to below the IED threshold for S5.4A(1)(a)(i) and therefore remains regulated as a waste operation activity. We have set pre-operational condition PO7 for the operator to demonstrate adequate infrastructure is in place for the process, a justification for the waste types and quantities accepted for treatment, revised operating techniques (including odour management plan (OMP)) and revised risk assessments for the process prior to the operation of the activity. This is to ensure the operation is up to current standards before it begins.

- **fugitive emissions to air**

The improvement and pre-operational conditions described in the storage and treatment sections above will consider the fugitive emission to air for the activities on site.

- **fugitive emissions to surface and groundwater (secondary containment, site drainage plan)**

The site is fully contained with an impermeable surface and sealed drainage system which discharges to sewer. Storage areas for hazardous wastes are bunded. There is also 700 litre bunded diesel tank for fuelling of site vehicles. We are not fully satisfied that the current infrastructure meets the standards set in S5.06 and S5.07.

We have set improvement condition IC2 for the operator produce an infrastructure improvement plans for the site which will physical infrastructure improvements for the site, with a plan for the implementation of physical measures. Alongside this

improvement condition IC4 will require a site condition report (SCR) in accordance with our H5 guidance.

- odour management**

Alongside hazardous waste, the operator also handles non-hazardous waste, and is permitted by the permit to undertake biological treatment of non-hazardous waste.

The non-hazardous wastes received include:

- 02 01 03 plant-tissue waste
- 02 02 03 materials unsuitable for consumption or processing
- 02 05 01 materials unsuitable for consumption or processing
- 04 01 01 fleshings and lime split wastes
- 20 03 02 waste from markets

The nature of these waste means that they have a significant potential for odours. We have set improvement condition IC3 for the operator to submit an odour management plan (OMP) for the site which is in accordance with S5.06 and our H4 guidance.

- point source emissions to air, water or land**

There is one point source emission to sewer from the installation (S1) comprising process effluent and site surface water drainage which is discharge to Severn treat Water. The operator has assessed the emission using H1 and we audited the assessment. All emissions screen out at the Test 2 (Process Contribution <4% of Environmental Quality Standard?) other than Cyanide.

Water Impact Screening - Fresh Water Releases										
Apply Test 2										
This page applies Test 2 and displays the Process Contribution as a proportion of the EQS. Emissions with PCs that are less than 4% of the EQS can be screened from further assessment as they are likely to have an insignificant impact.										
Substance	Annual Avg EQS				PC < 4% of EQS?	MAC EQS				PC < 4% of MAC?
	Annual Avg EQS µg/l	PC µg/l	Modelled PC	% PC of EQS		MAC EQS µg/l	PC µg/l	Modelled PC	% PC of MAC	
Chromium (River Tame at Water Orton)	4.7	0.0839		1.79	Pass	5000	2.1700		0.0434	Pass
Cyanide (River Tame at Water Orton)	1	0.0839		8.39	Fail	5	4.3400		86.8	Fail
Dichloromethane (methylene chloride) (River Tame at Water Orton)	20	0.0577		0.29	Pass		1.4919		-	Pass
Lead and it's compounds (River Tame at Water Orton)	7.2	0.0892		1.24	Pass		2.3056		-	Pass
Nickel and its compounds (River Tame at Water Orton)	20	0.3987		1.99	Pass		10.3074		-	Pass
Zinc (0-50mg/l CaCO3) (dissolved) (River Tame at Water Orton)	40	0.1731		0.43	Pass		4.4756		-	Pass

Comments
 PC for Chromium: 0.000000000000103887
 PC for Cyanide: 0.000000000000001122
 PC for Lead: 0.0000000000000489098
 Calculations for PC made via the formula in the guidance notes for H1.

Applying Tests 3 and 4 to the emission of Cyanide, and assuming a background concentration of 50% of the annual average EQS (AA-EQS) as set out in our guidance, the emission screens out at this stage.

Water Impact Screening (Predicted Environmental Concentration) - Fresh Water Releases												
Apply Tests 3 and 4 and identify which releases may need more Detailed Modelling of Emissions/Discharges to Water												
This page applies Tests 3, 4a and 4b and displays the Predicted Environmental Concentrations in relation to the background pollutant levels and the AA or MAC EQS. Any substances that pass all 3 of these tests can be screened out. Substances failing any of the tests must be modelled. Note that releases that have passed Tests 1 and 2 are insignificant as they are already screened												
Number	Substance	Annual Avg EQS				MAC* EQS						
		Bkgmd Conc. µg/l	PC µg/l	PEC µg/l	(PEC - BC)/EQS	PEC-BC >10% AA EQS	% PEC of EQS	PEC >100% AA EQS	PC µg/l	PEC µg/l	% PEC of MAC	PEC >100% MAC
4	Cyanide (River Tame at Water Orton)	0.5	0.0840	0.584	8.4%	Test 3 Pass	58.4	Test 4a Pass	4.34	4.84	96.8	Test 4b Pass

* MAC = Maximum Allowable Concentration
Describe source of background information or reference to relevant documentation here:

On the basis of the above we have therefore not set any limits on the discharge to sewer.

The Operator has included one point source to air from an exhaust gas scrubber serving a reactor vessel (MV1). In the H1 assessment they state that:

the reactor vessel is used intermittently. The reactor is exhausted by a gas pump to the air scrubbing system. Estimated flow rates and volumes are dependant on usage. These figures may change when the gas pump is purchased and connected. The existing gas pump is redundant.

We have not further reviewed the emission to air as it is clear that the scrubber system is not currently in an operational state, and that replacement equipment is required. The scrubber system serves the treatment activities carried out in the reactor vessel, of which, as described above, there are several potential uses. Pre-operational conditions are set for the review of these activities, prior to their re-commencement at the site, and demonstrating adequate abatement will form part of that assessment. The emissions to air will be assessed as part of those conditions when the operator has specified the performance of the replacement equipment. Therefore no emission points or limits have been set in the varied permit.

- **Monitoring**

No emission monitoring is proposed for the site and we have not set monitoring on the point source emissions as described above. Process monitoring for the Stage 1 refrigeration pre-destruction process is set in table S3.2 and exact requirements will be as specified following pre-operational condition PO6. These are standard requirements for refrigeration destruction plants, though not all are necessary for purely pre-destruction activities.

- **accidents**

As discussed above, improvement and pre-operational conditions have been set for storage and treatment activities at the site. This will include revision of risk assessments and provision of revised accident management plan for the facility. A Fire Prevention Plan (FPP) has not been required by this variation as this is an existing site now subject to IED and the risks posed by the site are not increasing.

2. Waste types

The operator has provided a list of wastes for acceptance and for the various treatment activities at the site. Due to the number and complexity of the proposed

activities at the installation, the waste list was queried with the operator and an updated list provided on 6/6/2016, which forms the basis for the waste lists in the permit.

For the storage and treatment operations not subject to pre-operational conditions (see above) we are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities;
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

Where activities are subject to pre-operational conditions in the permit, we are not satisfied that the activities are currently BAT and have some concerns that the waste types may not be appropriate for the process. In these cases pre-operational conditions PO2 to PO5 require the types of waste accepted for treatment to be further justified prior to the activities beginning.

For waste storage we have set a pre-operational condition (PO1) for the acceptance of the following waste codes:

06 07 01* wastes containing asbestos from electrolysis
06 13 04* wastes from asbestos processing

Requiring the operator shall provide written justification for the acceptance of these waste codes to the Environment Agency for written approval. This is considered necessary because though the facility accepts asbestos wastes, it has not previously accepted these asbestos waste types, and the requirements for adequate storage may not be the same.

We have also restricted the wastes showing the following risks from the site:

- Consisting solely or mainly of dusts, powders or loose fibres;
- Hazard codes HP1, HP9;

The site does not accept these waste types.

We have also restricted wastes containing persistent organic pollutants (POPs) from the repackaging and blending/mixing operations – these are high risk organic pollutants which should be sent for treatment that ensures their destruction, rather than mixed with other wastes.

3. Ecological impact assessment (where relevant)

There are statutory ecological sites within our screening distance criteria. The following Local Wildlife Sites are within our screening distance of 2 km:

Name: River Rea 1199 m

Name: Digbeth Branch Canal 872 m

Name: River Rea 199 m

Name: Land at Warren Road 1651 m

Name: River Rea 1479 m

Name: New Saltley Pool 1564 m

Name: River Rea 1795 m
Name: Birmingham and Fazeley Canal 1218 m
Name: Grand Union Canal 423 m
Name: Rea Valley 107 m.

As described above there are no significant point source emissions from the facility. We consider that these LWSs will not be affected by the facility.

Annex 1 – decision checklist

Aspect considered	Decision
Receipt of submission	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website. No responses were received.</p>
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.
The facility	
The regulated facility	<p>We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</p> <p>The existing permit and existing operating techniques outline a wide range of different waste treatment activities going on on site, albeit some on a small scale and not necessarily all operating at the same time due to shared infrastructure. We have reviewed the activities and consider the following listed activities and directly associated activities form the installation. The treatment activities are discussed in the Key Issues section.</p> <p>S5.6 A(1)(a) Temporary storage of hazardous waste in a facility with a total capacity exceeding 50 tonnes (D15, R13).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment (mechanical treatment of hazardous WEEE consisting of sorting, separation, screening, grading, baling, shearing, compacting, crushing, granulation or cutting) (R3, R4, R5).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment (treatment of aqueous wastes by neutralisation, reduction, oxidation and</p>

Aspect considered	Decision
	<p>precipitation/settlement) (D9).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment. (treatment of cyanide wastes using sodium hypochlorite or hydrogen peroxide) (D9).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment (treatment of water reactive wastes using hydrolysis) (D9).</p> <p>S5.3 A(1)(a)(iii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving blending or mixing (blending or mixing) (R3, R4, R5, D13).</p> <p>S5.3 A(1)(a)(iv) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving repackaging. (repackaging) (R3, R4, R5, D14).</p> <p>S5.3 A(1)(a)(v) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving Solvent reclamation or regeneration (solvent reclamation) (R2).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment (oil/water separation) (R3).</p> <p>S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment (washing and crushing/dismantling of containers) (R4, D9).</p> <p>DAA Storage of processed materials.</p> <p>DAA Storage of raw materials including lubrication oil and diesel.</p> <p>DAA Discharge of process and/or surface water from the treatment and storage areas of the site.</p> <p>In addition the site also operates the following waste operations which are not part of the installation:</p> <p>Refrigerator pre-destruction - storage and treatment of refrigeration units (sorting, separation and manual degassing) (R13, R3, R4, R5).</p> <p>Non-hazardous waste electrical and electronic equipment (WEEE) storage and treatment (sorting, dismantling, separation, shredding, screening, grading, baling, shearing, compacting, crushing, granulation, repair or refurbishment, or cutting of waste into different components for recovery) (D15, R13, R5, R4, R3).</p> <p>Non-hazardous waste storage, transfer and treatment, (blending, repackaging, sorting, separation, grading, baling, shearing, compacting, crushing or cutting of waste into different components). (D15, D14, D13, R13, R5, R4, R3).</p> <p>Biological treatment of non-hazardous waste for disposal (D8).</p> <p>The extent of the facilities are defined in the site plan and in the permit. The</p>

Aspect considered	Decision
	activities are defined in table S1.1 of the permit.
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, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</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 unsatisfactory and required additional Environment Agency assessment. Please see Key Issues section.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant.</p>
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes –</p> <p>IPPC S5.06 – Guidance for the Treatment of Hazardous and Non-Hazardous Waste;</p> <p>EPR 5.07 – Clinical Waste</p> <p>H4 – Odour Management.</p> <p>We have reviewed the techniques used/proposed by the operator.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>We consider that the operating techniques do not meet the technical standards specified S5.06 and S5.07. We consider that there are omissions in the supporting documents. We have therefore included a series of improvement conditions in the notice which requires a review of the site's operating techniques. These are discussed in the Key Issues section.</p>

Aspect considered	Decision
The permit conditions	
Updating permit conditions during consolidation	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s).
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. Please see Key Issues section.</p> <p>We made these decisions with respect to waste types in accordance with our Technical Guidance Note WM3 – Hazardous Waste or other relevant guidance.</p>
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed improvement conditions to ensure that:</p> <ul style="list-style-type: none"> • the site's operating techniques/management system/plans are reviewed and updated against the standards specified in the technical guidance note(s): <ul style="list-style-type: none"> i) IPPC S5.06 – Guidance for the Treatment of Hazardous and Non-Hazardous Waste; ii) H4 – Odour Management. • appropriate management systems and management structures are in place and that sufficient financial, technical and manpower resources are available to the operator to ensure compliance with all the permit conditions. • appropriate measures are in place to ensure that accidents that may cause pollution are minimised. • the appropriate measures are in place to prevent fugitive emissions. • the appropriate measures are in place to prevent pollution from odour. <p>See Key Issues section of the decision document.</p>
Incorporating the application	We have specified that the operator must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies

Aspect considered	Decision
	specified. See Key Issues section.
Reporting	<p>We have specified reporting in the permit.</p> <p>We have applied our standard reporting requirements for refrigeration plant and WEEE processing plants of this type. We made these decisions in accordance with S5.06.</p>
Environment Management System	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Technical competence	<p>Technical competency is required for activities permitted.</p> <p>The operator is a member of an agreed scheme.</p>
Relevant Convictions	<p>The Case Management System and National Enforcement Database have been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

Annex 2 –web publicising responses.

The following summarises the responses to consultation with our notice on GOV.UK for the public, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from
No responses received
Brief summary of issues raised
-
Summary of actions taken or show how this has been covered
-