

# **Environment Agency permitting decisions**

## **Bespoke Variation**

We have decided to issue the variation for Tradebe Fawley HTI operated by Tradebe Fawley Limited.

The variation number is [EPR/FP3935KL/V005](#)

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**

- [Annex 1 the decision checklist](#)

## 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 Yes
<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.  This variation incorporates the changes required by the Industrial Emissions Directive. This includes the amendment of the wording of several permit conditions relating to notifications, and also includes the addition of a condition relating to a requirement for monitoring of groundwater and soil.	✓
<b>The site</b>		
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.  This variation does not involve any changes to the site plan or 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).  As this variation does not involve the addition of any land	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	to the permit and is a minor technical variation a Site Condition Report need not be provided.	
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>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>The changes involved in this variation will not result in any negative impact upon the environment due to abatement measures already put in place during the original permit determination.</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, all emissions may be categorised as environmentally insignificant.</p> <p>The amendment of condition 2.1.19 and removal of Schedule 7 – R Codes, will not result in a negative impact upon the environment. This is partially due to condition 2.1.8 already being incorporated into the current permit:</p> <p>2.1.8            The Operator shall operate at least one auxiliary burner at start-up or shut-down or whenever the operating temperature falls below that specified in condition 2.1.7, as long as incompletely burned waste is present in the combustion chamber. Unless the temperature specified in condition 2.1.7 is maintained in the combustion chamber, such burner(s) shall be fed only with fuels which result in emissions no higher than those arising from the use of gas oil, liquefied gas or natural gas.</p> <p>And partially due to the fact that the emissions from the auxiliary burner are passed through the same abatement as the emissions from the incinerator itself. This amendment will however, allow the operator to more easily source fuel for the auxiliary burner and thus make it easier for the operator to keep the incinerator at the temperature required by the permit and thus allowing the</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>incinerator to function as intended.</p> <p>The addition of condition 2.1.20 will ensure the waste burned in the auxiliary burner is monitored and so will meet the requirements stipulated in condition 2.1.19.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed emission levels for priorities for control are in line with the benchmark levels contained in the TGN (EPR 5.01 – Incineration of Waste) and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p> <p>The changes made as a result of this variation will not result in additional emissions to air, negative or otherwise, will reduce the amount of fossil fuels used by the operator and utilise liquid wastes as fuels. The emissions from the auxiliary burner will pass through the main incinerator abatement and will be subject to the ELVs already imposed in the current permit.</p>	✓
<b>The permit conditions</b>		
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.</p> <p>We have added condition 2.1.20 in order to monitor the wastes that can now be used in the auxiliary burner as fuels, in order to ensure compliance with amended condition 2.1.19.</p>	✓
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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The wastes permitted to be accepted on site for use in the auxiliary burner must meet the requirements set out in condition 2.1.19, this condition will ensure that only liquid, pumpable wastes with a calorific value &gt; 21 MJ/kg will be used, and will only be used to maintain a combustion temperature above that set out in the TGN (1100 deg C – EPR 5.01 – Incineration of Waste) when wastes of low calorific value are being combusted in the main incineration chamber.</p> <p>We made these decisions with respect to waste types in accordance with EPR 5.01 – Incineration of Waste.</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>	✓
Emission limits	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>There will be no change to the ELVs of this permit following the variation.</p>	✓
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>There will be no change to the monitoring required by this permit as a result of this variation.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>The reporting required relates to condition 2.1.20 of the permit and will require the operator to annually provide a list of wastes used in the auxiliary burner along with associated information as required by Form Auxiliary1 which has been added to Tables S2 &amp; S3.</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
<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> <p>A note has been added to the Area Handover Form to ensure the EMS will be updated with the requirements arising from this variation.</p>	✓