

# Environment Agency permitting decisions

## Variation

We have decided to issue the variation for Distington Hazardous Waste Transfer Station operated by Cumbria Waste Management Limited.

The variation number is EPR/QP3437SV/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:

- 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 adds non-hazardous waste treatment for disposal to the existing transfer station as a newly prescribed activity subject to the Industrial Emissions Directive. This activity has previously been carried out under a separate waste permit held by the same operator.

The annual throughput of waste remains the same, and there are no change in operating techniques.

Additional minor changes included as part of this variation are the inclusion of a waste code to existing table S3.4; and updates to the limits of activities to reflect current operations.

## Annex 1: decision checklist

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

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 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	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.	✓
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The operator's risk assessment is satisfactory.</p> <p>The activities are already taking place on site, there will be no change to the operating techniques and there is no increased environmental risk.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <ul style="list-style-type: none"> <li>• How to Comply with your environmental permit</li> <li>• S5.06 guidance for recovery and disposal of hazardous and non-hazardous waste</li> </ul>	✓
<b>The permit conditions</b>		
Updating permit conditions during consolidation.	<p>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).</p> <p>The operator has agreed that the new conditions are acceptable.</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; the wastes are already accepted onto the site and handled appropriately under an alternative permit. The activity is now regulated under this permit.</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>	✓
<b>Operator Competence</b>		

Aspect considered	Justification / Detail	Criteria met
		Yes
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.	✓

## **Annex 2: Consultation and web publicising responses**

Consultations were sent to:

Copeland Borough Council – Environmental Protection  
Health & Safety Executive

No responses received from the consultees or in response to the web advertisement.