

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Randle Landfill Site operated by INEOS ChlorVinyls Limited.

The variation number is *EPR/BP3633LN/V007*

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.

This Environment Agency has a duty, under the Environmental Permitting (England and Wales) Regulations 2010, regulation 34(1), to periodically review permits. As a result of that review we have identified a number of necessary changes we must make to your permit to reflect current legislation and best practice. These changes principally relate to:

- *The addition of a standard condition for landfill gas management at landfills that accept biodegradable waste;*
- *A change to the hydrogeological risk assessment condition so that reviews are undertaken every 6 years rather than every 4 years;*
- *Standard leachate and groundwater quality monitoring tables (schedule 3); and*
- *A standard reporting table (schedule 4)*

We also aim:

- *Consolidate permits - all variations to your permit will be brought together in to one permit so the requirements will be clearer.*
- *We will formalise changes to monitoring requirements and compliance limits where we have agreed them in writing, for example as the result of a hydrogeological risk assessment review.*
- *Waste acceptance rules will reflect the Landfill Directive and governments' waste strategies.*
- *We will implement the Industrial Emissions Directive (IED) and other regulatory changes.*
- *We will include permit conditions to implement the statutory requirements of the Waste Framework Directive, for example to reflect the requirements of the waste hierarchy.*

Site specific issues which result in a change to the current template will also be addressed, for example incorporating completed improvement conditions into the permit and removing inconsistencies.

Other changes may relate to a specific permit or amendments to monitoring requirements or emission limits which have been agreed with the Environment Agency but not incorporated into the permit.

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
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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The permit conditions		
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> <p>Certain template conditions have been amended to reflect current best practice. These changes have been developed in consultation with industry having regard to the relevant legislation as follows:</p> <p>1.5 Generic condition to reflect the requirements of the Waste Framework Directive.</p> <p>2.6.1(a) Added reference to a specific table to clarify what wastes are permitted by which permitted activity.</p> <p>2.6.1(b) For landfills for hazardous waste - added reference to inert waste to allow covering of hazardous waste with inert waste, where necessary.</p> <p>3.1.1 Generic condition imposed on all activities to simplify sub-conditions.</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>3.1.3 to 3.1.4 Revised conditions to reflect the terminology used by the Groundwater Directive for 'hazardous substances' and to require hydrogeological risk assessment reviews are submitted every 6 years rather than every 4 years.</p> <p>Sub-condition that referred to emission of 'non-hazardous pollutants' deleted. Such emissions are regulated by condition 2.3.</p> <p>Two sub-conditions that referred to limits in specific tables in schedule 3 deleted as they are now covered by 3.1.1.</p> <p>3.6 Revised generic pests condition imposed on all activities.</p> <p>4.2.2 Amended to ensure that information on 'annual production/ treatment' (Schedule 4, Table S4.2) is provided in February each year where annual reports may be submitted at other times of the year.</p> <p>4.2.2(a) Text expanded to clarify the details we require in an annual report.</p> <p>4.2.2(h) New condition requiring annual submission of a plan of monitoring and extraction locations with reference to monitoring tables in schedule 3.</p> <p>4.3.1 Generic notifications condition added.</p> <p>Schedules</p> <p>Table S1.1 Amended description of the landfill activity to clarify that this includes restoration.</p> <p>Activity references amended to reflect changes introduced by Industrial Emissions Directive (2010/75/EU).</p> <p>Leachate storage moved from a specified activity to Directly Associated Activities.</p>	

Aspect considered	Justification / Detail	Criteria met Yes
	<p>Table S1.4 Amended to clarify that restoration is a separate part of the activity unrelated to landfill cover.</p> <p>Schedule 2 Standard list of wastes added.</p> <p>Schedule 3 Monitoring and compliance tables have been re-ordered so that those with compliance limits appear first.</p> <p>Standard monitoring frequency and parameters have been included for certain routine monitoring requirements.</p> <p>Table S4.1 Amended to only require regular reports of information that relate to compliance limits.</p> <p>Table S4.3 Amended to include natural gas as an energy source for consistency with other sectors.</p> <p>Schedule 6 Definitions added to clarify meaning of:</p> <ul style="list-style-type: none"> • Inert waste • Exceeded • Hazardous substance • Medicinal product • Previous year • Waste acceptance criteria • Waste acceptance procedure 	
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We have excluded the following wastes for the following reasons:</p> <p>06 13 02 spent activated carbon – probably an oversight as unlikely to meet WAC.</p> <p>13 05 01, 02, 03 & 08. TOC likely to be >6%.</p> <p>16 03 05 organic wastes containing dangerous substances – probably an oversight as unlikely to meet WAC. TOC likely to be >6%.</p> <p>16 06 02 & 03 - These should be recycled in accordance with the waste hierarchy.</p> <p>17 03 01 and 17 03 03 – TOC likely to be >6%</p> <p>20 01 21 - These should be recycled in accordance with the waste hierarchy.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>As part of the phasing out of 3 x WAC derogations (Table S2.2 in current permit, none of these wastes types have been accepted. Therefore they will all be removed with the exception of 19 01 07*, 19 01 11*, 19 02 04, 19 02 05 and 19 03 04* - which will be retained. Table S2.2 will also be amended to Table S2.3).</p> <p>Table S2.3 will be replaced by a new table S4.2 in the consolidated permit – which details leaching limits for Chloride, lead and TDS.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons</p>	
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <ul style="list-style-type: none"> • The 3 pre-operational conditions from the original permit have been included which relate to: An investigation to determine the presence of cavities beneath the surface of calls 8 to 11. • A scheme for improving the groundwater monitoring borehole network. • Monitoring groundwater quality prior to deposit in cells 8 to 11. 	✓
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>These monitoring requirements have been imposed in order to prevent pollution of the groundwater/air. We made these decisions in accordance with Agency document TNG 02 and LFTGN 03.</p> <p>Also for this hazardous waste landfill site it was agreed that the external landfill gas monitoring requirements and the monitoring of landfill gas emissions from capped surfaces is no longer required at this site due to the hazardous nature of the waste deposited which is unlikely to significant quantities of landfill gas.</p> <p>These monitoring requirements have been removed in</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	order to simplify the monitoring requirements for the operator.	
Operator Competence		
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. The operator is a member of an agreed scheme. WAMITAB	✓
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. The financial provision arrangements satisfy the financial provisions criteria.	✓