Environment Agency permitting decisions

Variation

We have decided to issue the variation for Bolton Road Waste Treatment and Renewable Energy Facility operated by Shanks Waste Management Limited.

The variation number is EPR/FB3339RS/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

The permit currently allows the operation of an MBT plant as a waste operation and the AD plant as a waste operation under a standard rules permit. Because of some changes to the bunding of the infrastructure at the AD plant, the operator is unable to comply with the conditions of the standard rules permit so has applied for a bespoke permit for this activity. The operator has also applied to change the MBT activity from a waste operation to an installation as a result of the amendments to the Environmental Permitting Regulations that have implemented the Industrial Emissions Directive.

On the basis of this information provided through schedule 5 notice (Daily throughput figures, and process flow diagrams for both the MBT and AD facility) and from the details provided in the original application, we have made the following decisions:

MBT activity

Biodrying

The Biodrying activity is an installation as it:

- Is recovery or a mix of recovery and disposal of non-hazardous waste,
- Has a capacity greater than 75 tonnes per day, and
- Involves biological treatment.

Therefore it falls under section 5.4 A(1)(b)(i) of schedule 1 to the EP Regulations.

Refinement

The treatment of the waste after biodrying in order to remove plastics, metals, fines etc is a physical treatment process and the purpose of the activity is to produce a waste derived fuel for an incinerator. Therefore, this activity is listed in accordance with section 5.4 A(1)(b)(ii) of schedule 1 to the EP Regulations as it:

- is recovery or a mix of recovery and disposal of non-hazardous waste,
- has a capacity greater than 75 tonnes per day, and
- involves pre-treatment of waste for incineration or co-incineration.

Anaerobic Digestion (AD) Facility including the use of the resultant biogas (SR2010No15)

The treatment of the fines and imported wood chip by anaerobic digestion and composting is also considered to be an installation based on the daily capacities provided in response to the schedule 5 notice. This is because the activity:

- Is recovery or a mix of recovery and disposal of non-hazardous waste,
- Has a capacity greater than 75 tonnes per day, and
- Involves biological treatment.

Therefore it falls under section 5.4 A(1)(b)(i) of schedule 1 to the EP Regulations.

This section of schedule 1 states that where the only waste treatment activity is anaerobic digestion then the capacity threshold is 100 tonnes per day. At this site, two biological treatment processes – AD and composting – are used to produce a stabilised material that can be applied to land so we have to consider the capacity threshold to be 75 tonnes per day as AD is not the only activity. The capacity given in the schedule 5 response for this activity is 90 tonnes per day for the initial treatment process. In Appendix 1 to our guidance RGN2 (Understanding the meaning of regulated facility) it defines "anaerobic digestion" as the mesophilic and thermophilic biological decomposition and stabilisation of biodegradable materials which-

(a) is carried on under controlled anaerobic conditions,

(b) produces a methane-rich gas mixture, and

(c) results in stable sanitised material that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land.

The "AD" activities at this site do not meet this definition so we do not consider that AD is the only biological activity taking place.

Based on the above, the permit will now comprise of two installations and not an installation and waste operation.

Requirements for storage and process tanks

The operator has agreed to apply Best Available Techniques as described in BAT conclusions under Directive 2010/75/EU of the European Parliament for the waste storage requirements and referring to requirements of IPPC S5.06: Guidance for the recovery and disposal of hazardous and non-hazardous waste (SGN 5.06).

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
Consultation		
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. The following external bodies were consulted: - Local Authority Environmental Protection department - Local Authority Planning department - Director of Public Health - Public Health England - Food Standards Agency - Health and Safety Executive - Animal Health	✓
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.	✓
The facility		
The regulated facility	The extent/nature of the facilities taking place at the site required clarification. The decision on the facility was taken in accordance with RGN2 (Understanding the meaning of regulated facility). The regulated facility comprises two installations with the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations and the following directly associated activities (DAA). • S5.4 A1 (b)(i) Biological treatment: Bio-drying for the purpose of recovery of non-hazardous waste. • 5.4 A(1)(b)(ii) pre-treatment of waste for incineration or co-incineration: Refinement of waste which includes	✓

Aspect considered	Justification / Detail	Criteria met Yes
	screening, crushing, separating, compacting, baling, shredding and pelletising for the purpose of producing fuel. • S5.4 A1 (b)(i) Biological treatment: Anaerobic Disgestion for the purpose of recovery of non-hazardous waste. <u>DAA's</u> • Composting • Pasteurisation • Gas Utilisation • Fermentation • Storage	
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. In relation to the storage requirements for the AD Percolate tanks, the operator's risk assessment is satisfactory. No other changes are made to the operator's techniques under this variation.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The proposed techniques for all storage and process tanks are in line with the requirements of IPPC S5.06: Guidance for the recovery and disposal of hazardous and non-hazardous waste (SGN 5.06) and the Best available techniques as described in BAT conclusions under Directive 2010/75/EU of the European Parliament for the waste storage requirements. No other changes to the techniques used by the operator are made under this variation.	✓
The permit conditions		

Aspect considered	Justification / Detail	Criteria met
		Yes
Raw materials	We have specified limits and controls on the use of raw materials and fuels. No changes are made to the specified limits and controls on the use of raw materials and fuels as a result of this variation.	✓
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. No changes are made to the permitted waste types, descriptions and quantities as a result of this variation.	✓
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. No changes are made to the emission limits 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 specified. No changes are made to the monitoring as a result of this variation.	✓
Reporting	We have specified reporting in the permit. No changes are made to the reporting as a result of this variation.	✓
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.	✓

Annex 2: Consultation and web publicising

No responses received from the consultation or web publicising.