

Environment Agency permitting decisions

Variation (Normal)

We have decided to issue the variation for Staffordshire Energy Recovery Facility operated by Veolia ES Staffordshire Limited.

The Variation number is **EPR/HP3431HK/V003**

The Permit number is **EPR/HP3431HK**

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

Key issues of the decision

This variation is to increase the annual throughput of waste from 300,000 tonnes per annum (tpa) to 340,000 tpa. This increase is based on the plants realistic availability of 8,500 hours per year instead of the 7,500 hours which was assumed in the original application. The capacity of each line remains the same at 20 tonnes per hour.

1 Listed Activity

The activity listed in Part 1 of Schedule 1 to the EP Regulations is:

Section 5.1 Part A(1)(b) – incineration of non-hazardous waste in a waste incineration plant with a capacity exceeding 3 tonnes per hour.

The limits of the specified activity have been amended in Table S1.1 to include the capacity of each line, which remains unchanged at 20 tonnes per hour and the total annual throughput which has increased.

2 Energy Efficiency – Generation of Energy

The energy generation is expected to increase by approximately 10% which is consistent with the increase in waste throughput.

3 Assessment of Impact on Air Quality, Human Health & Habitats

For the purpose of this variation, our main interest lies in the difference in the impacts between those assessed for the original application, and those associated to this proposed change.

The Environment Agency's modelling specialists reviewed the dispersion model provided with the original application. This included the selection of input parameters and assumptions made in order to establish the robustness of the air impact assessment. Our review of this lead us to agree with the Applicant's conclusions.

We have checked the results from the dispersion model for the proposed changes to establish the validity of the Applicant's revised air impact assessment.

Our review of the Applicant's revised assessment leads us to agree with the Applicant's conclusions.

We agree that the change to the predicted impacts is likely to be small. Our recommendations and conclusions from our original audit apply to the revised assessment.

4.1 Air Quality

The Applicant's modelling predictions are presented in their Air Quality Impact Assessment dated November 2014. The assessment indicates the predicted peak ground level exposure to pollutants in ambient air. The modelled maximum process contributions (PCs) are compared with the relevant Environmental Quality Standards (EQS) as well as the results from the original assessment (EPR/HP3431HK/A001).

With the proposed facility there are some slightly greater short and long term PCs as well as some slightly lower ones. The 8-hour mean for CO is predicted to experience the biggest difference with a predicted increase in PC from 8.5 to 10.3 $\mu\text{g}/\text{m}^3$; however the PC still remains below 1% of the air quality standard.

We agree with the Applicant's assessment. Our recommendations and conclusions from our original audit apply to this revised assessment.

The Applicant did not carry out a Human Health Risk Assessment (HHRA); however they did predict the proposed maximum concentration of dioxins

from the stack emissions. There was no predicted increase in dioxins from the proposed facility.

We agree with the Applicant's assessment. Our recommendations and conclusions from our original audit apply to this revised assessment.

4.2 Impact on Air Quality Management Areas (AQMAs)

The maximum modelling predictions for nitrogen dioxide (NO₂) in the AQMAs are less than 1% of the annual mean NO₂ EQS of 40µg/m³.

We agree with the Applicant's assessment. Our recommendations and conclusions from our original audit apply to this revised assessment.

4.3 Impact on Habitats sites, SSSIs and non-statutory conservation sites

The assessment indicates the PC at the designated sites against the relevant critical levels and loads and compares the results with those from the original assessment.

There is no change in the significance of the predicted impacts as a result of the proposed changes.

We completed an Appendix 11 Habitats Assessment for the Special Areas of Conservation (SAC - Cannock Extension Canal, Motte Meadows and Cannock Chase) which was sent to Natural England for information only.

We also completed an Appendix 4 Countryside and Rights of Way Act (CRoW) form for the Site of Special Scientific Interest (SSSI), Four Ashes Pit. This site is designated for geological reasons and will not be affected by emissions from the installation. This form can be found on the public register.

We agree with the Operator's assessment. Our recommendations and conclusions from our original audit apply to this revised assessment.

Annex 1: decision checklist

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	<p>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.</p> <p>We are not required to consult on 'Normal' Variations.</p>	✓
Web publicising and newspaper advertising	<p>We are not required to publicise on the web or advertise 'Normal' Variations.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
Operator		
Control of the facility	<p>We are satisfied that the Operator is the person who will have control over the operation of the facility after the variation is issued. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.</p>	✓
European Directives		
Applicable directives	<p>All applicable European directives have been considered in the determination of the application.</p> <p>The Permit implements primarily the requirements of the European directives on Industrial Emissions (IED) and Waste.</p> <p><u>Conditions 2.3.6, 2.3.8, 2.3.9, 2.3.10, 2.3.11, 3.1.1, 4.2.2 and Schedule 6 (amended)</u></p> <p>To remove reference to the Waste Incineration Directive (WID) following implementation of the Industrial Emissions Directive (IED).</p> <p><u>Condition 3.1.4 (added)</u></p> <p>“Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.”</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p><u>Condition 4.3.1 (amended)</u> The Operator shall</p> <p>(a) in the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—</p> <p>(i) inform the Environment Agency,</p> <p>(ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and</p> <p>(iii) take the measures necessary to prevent further possible incidents or accidents;</p> <p>(b) in the event of a breach of any permit condition, the operator must immediately—</p> <p>(i) inform the Environment Agency, and</p> <p>(ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;</p> <p>(c) in the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.</p> <p><u>Condition 4.3.2 (amended)</u> Any information provided under condition 4.3.1(a)(i), or 4.3.1(b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.</p> <p>Notification conditions 4.3.1 and 4.3.2 are amended to meet the requirements of the IED.</p> <p><u>Condition 4.4.2 (amended)</u> Interpretation condition 4.4.2 is amended in line with conditions 4.3.1 and 4.3.2.</p>	
Biodiversity, Heritage, Landscape and Nature	The Application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Conservation	<p>A full assessment of the Application and its potential to affect the sites/species/habitat has been carried out as part of the permitting process. We consider that the Application will not affect the features of the site/species/habitat.</p> <p>See key issues section above: Impact on Habitats sites, SSSIs and non-statutory conservation sites.</p> <p>We have not formally consulted on the Application because there is no change in the significance of the predicted impacts as a result of the proposed changes. The decision was taken in accordance with our guidance.</p>	
Environmental Risk Assessment and operating techniques		
Operating techniques	<p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes. The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN for 'The Incineration of Waste' (EPR 5.01) and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with the 'Waste Incineration' BREF and ELVs deliver compliance with this.</p>	✓
The permit conditions		
Pre-operational conditions	All pre-operational conditions have been completed, we have deleted condition 2.5.1 and Table S1.4 in the consolidated Permit EPR/HP3431HK.	✓
Improvement conditions	Improvement conditions IC1 to IC5 & IC7 have been completed. We have amended Table S1.3 in the consolidated Permit EPR/HP3431HK.	✓
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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Emission limits	There are no changes to the emission limits set by Permit EPR/HP3431HK.	✓
Monitoring	There are no changes to the monitoring methods and frequencies set by Permit EPR/HP3431HK.	✓
Reporting	There are no changes to the reporting set by Permit EPR/HP3431HK.	✓
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.	✓