

## **Environment Agency permitting decisions**

### **Bespoke permit**

We have decided to grant the permit for Bull Lane Works operated by AB Waste Management Limited.

The permit number is [EPR/JP3233WB/A001](#)

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 is a new bespoke installations application for a non-hazardous waste treatment and transfer material recycling facility (MRF). The facility allows for sorting, crushing and screening of inert waste into recycled aggregates and soil products and the sorting and processing of non-hazardous waste by way of trommels, picking station and shredders to recover metals and to produce refuse derived fuel (RDF).

This permit allows for a total annual throughput of 75,000 tonnes per year of non-hazardous waste with production up to 50,000 tonnes per year of RDF. This permit also incorporates a standard rules transfer and treatment permit for up to 75,000 tonnes per annum of non-hazardous waste, scrap metal and inert wastes. The maximum storage capacity will be 10,000 tonnes at any one time.

The key issues associated with this new bespoke permit application are:

- Waste transfer station

- The waste handling and treatment proposals
- Nuisance from noise, odour and particulate emissions
- Effluent / waste water management controls; and
- Liquid storage and bunding

### **Waste Transfer Station**

Once the material has been sorted and deposited into the designated bays or areas it is loaded using a wheeled loading shovel or hydraulic excavator into bulk tippers for offsite recycling, recovery or final disposal such as at the incinerator as RDF. All loads are issued with a duty of care note to transfer the waste materials. The maximum capacity is 75,000 tonnes per annum.

The transfer station meets the criteria of the standard rules SR2008No3\_75kte for household, commercial and industrial waste transfer station with treatment. The site is

- Greater than 500m from a European Site, Ramsar Site or a Site of Special Scientific Interest.
- Not located within 50m of any well, spring, borehole used for the supply of water for human consumption.
- Not within a designated particulate PM<sub>10</sub> air quality management area (AQMA).

The standard rules are incorporated within the permit.

### **Waste handling / treatment proposals**

The MRF plant will have a barrel screen, picking line, scrap baler, compactor, high speed and slow speed shredder. A wheeled loading shovel and three hydraulic excavators will be the mobile units for operations within the MRF. The barrel screen size can be modified to suit various customer specifications. Waste is loaded into a hopper from the general waste pile using a hydraulic excavator and is then moved via conveyors and is gravity separated.

The waste reception and deposition area, trommels and picking station are operated within enclosed clad buildings fed directly from conveyors. All waste is either mechanically sorted or handpicked and dropped into designated bays. Heavy waste types such as soils and hardcore are discharged off the end of the lines.

Magnets pick off scrap metals and a blower removes the light waste as it travels along the conveyors. The picking station is used to separate the wood and general non-hazardous waste. There are picking station sorting bays for general light wood, wood, general and hardcore. RDF is sent via conveyor to the RDF storage building.

Cardboard and clean plastics are separated at source or through the waste treatment process and then have additional processing where each waste stream is then baled for off-site recycling.

### *Storage of Wastes*

Wastes are stored in designated areas either within buildings or on the yard within designated bays. The site does not accept any liquid wastes. The site is covered with impermeable reinforced concrete to a minimum of 300mm. All surface water is collected within a sump in the yard and discharged to sewer under a trade effluent consent. Dusty wastes will be dampened down and any leachate discharged into the sewer system. Odorous wastes will be placed in sealed containment whilst awaiting removal. Decomposable wastes should be processed and transported from the site within 48 hours of entering the site to prevent odour from decomposition within the storage areas. The permit limits the total storage at any one time to 10,000 tonnes of waste.

### *Summary*

The facility allows for sorting, crushing and screening of inert waste into recycled aggregates and the sorting and processing of non-hazardous waste by way of trommels, picking station and shredders to recovery metals and to produce refuse derived fuel (RDF) thereby moving waste up the waste hierarchy and diverting wastes from landfill. In accordance with our sector guidance note 'S5.06: recovery and disposal of hazardous and non-hazardous waste' we are satisfied that the techniques proposed by the operator will provide sufficient levels of control for the following:

- ensuring that the waste is suitable for the activity (pre-acceptance). See 'Waste Types' in the table of Annex 1 below, in respect to the additional waste codes requested in the application
- adequately characterising the waste (acceptance procedures)
- appropriate and safe storage of wastes (storage)
- provision and maintenance of suitable infrastructure
- operational control of the treatment process
- disposal of effluents.

### **Nuisance**

Adjacent industrial factories are located 25 meters to the north of the site on Brandon Way. The closest residential receptors (housing) are located on Bull lane approximately 140 meters to the north and east of the site. The prevailing wind is generally towards Bull Lane.

### *Noise*

The operator has conducted a noise impact assessment of the at the nearest residential receptors. The assessment uses the British Standard 4142 'Methods for rating and assessing industrial and commercial sound'. BS4142 states that 'the significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific source exceeds the background sound level and the context in which the sound occurs'.

'An initial estimate of the impact of the specific sound can be made by subtracting the measured background sound level from the rating level and consider the following.

- a) Typically, the greater this difference, the greater the magnitude of the impact.
- b) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- c) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.
- d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.'

The operator has identified the closest residential receptors to be the dwellings on Bull Lane. These properties are separated from the installation by Brandon Way (road) and an area of open space between the road and dwellings. The closest property is approximately 80 meters from the front facade of the closest building. The background noise levels at Bull Lane were made up from continuous traffic noise from Brandon Way, which is a main commuter route through West Bromwich. Other influences were from the other industrial units adjacent to the site which were observed to have plant machinery operational.

The background levels at the installation were measured at 58 dB  $L_{A90, 15 \text{ minute}}$  Monday – Friday and 56 dB  $L_{A90, 15 \text{ minute}}$  Saturday morning. The levels were taken from an unattended noise monitor left at the site for a week.

The background levels at Bull Lane were measured at 56 dB  $L_{A90, 15 \text{ minute}}$  Monday – Friday and 54 dB  $L_{A90, 15 \text{ minute}}$  Saturday morning. These measurements were attended and taken out of rush hour and concurrent with the unattended monitoring at the site.

The proposed working hours are Monday to Friday 07:00-18:00 and Saturdays 07:00-13:00, with no working on Sundays and Bank Holidays.

As there is no plant currently operating at the site, noise levels of the key new pieces of plant have been obtained either from manufacturers data (worse case) or from measurements obtained from similar plant operating on existing sites. The noise levels within the MRF have been modelled as worse case at 90 dB(A) with an assumed attenuation from the building of 15 dB(A).

The noise levels associated with the plant operations has assumed to be continuous for the assessment, no penalty has been applied for tonal or distinctively characteristic noise. A 3 dB(A) penalty has been applied for the distinguishable noise from tipping of skips. With the necessary penalties applied the predicted noise levels at Bull Lane have been calculated at:

- 136 Bull Lane – 46 dB  $L_{Aeq, 1 \text{ hour}}$  ; and
- 4-6 Bull Lane (Bungalows) – 50 dB  $L_{Aeq, 1 \text{ hour}}$ .

When assessing the rating levels against the measured background levels the results indicate that the rating level would be between 6-10 dB(A) below background during weekday periods and between 4-10 dB(A) below background on Saturday mornings.

Following BS4142 as the predicted rating level does not exceed the background sound level, this is an indication that the specific sound source will likely have a low impact at the closest residential receptor.

The operator has also submitted a noise and vibration management plan. The plan and the noise impact assessment states the operator will be using the following techniques to minimise noise levels where possible:

- Only modern and well maintained plant will be used
- All plant would be fitted with appropriate silencers provided by the manufacturer
- Where plant is found to be defective (e.g. through broken silencer) the plant would be taken out of service until repaired
- Dropping heights will be minimised where possible
- Site yard surfaces will be kept well maintained
- 5mph speed limit is imposed on the site
- Tipping would only be carried out in enclosed bays.

### *Summary*

The noise impact assessment of the proposed operations gives a positive indication that at the nearest residential receptors there will be a low noise impact from the installation. Additionally the operator has identified appropriate operating techniques and management plans to minimise and manage noise levels at the site where possible. We agree with the conclusions from the noise assessment that the noise from the site should have a low impact .

### *Odour*

The operator has submitted a odour management plan (OMP) with the application which identifies the following sources of potential odour from the sites activities:

- Gas oil
- Individual loads of odorous wastes
  - Kitchen waste
  - Biodegradable wastes
  - Mixed municipal wastes
  - Wastes from markets
  - Trees, bushes, grass, weeds and hedge cuttings

Gas oil is located within a sealed bunded container. We do not perceive gas oil to be a potential impact for odour.

Individual loads of waste that may give rise to odours are required to be treated at source to reduce odours where practicable. Any particularly odorous waste streams will be stored in a quarantine area in a sealed skip

within the MRF and rejected under the load rejection/non conformance procedure provided with the application.

Deliveries of waste that are inherently odorous are to be removed as soon as possible within 24 hours of entering the site. Generally waste is removed within 48 hours to stop odours developing from degradation of waste in the waste bays.

The site staff will monitor odour on a daily basis. If there an offensive odour is detected by site staff and there is a risk of odour becoming a nuisance or a complaint is received the site manager will close those operations giving rise to the pollution without delay.

We agree the odour management plan is appropriate for the activities carried out at the site. We also agree that the operating techniques proposed to minimise and manage odour are suitable and appropriate for the waste types handled.

#### *Particulates / Dust*

The operator has provided a particulate management plan (PMP) with the application. The PMP identifies the potential sources of particulates are from dusty wastes during delivery, vehicles with unenclosed bodies, vehicle movements and tipping of raw materials. Dusty wastes have been identified as sand, wood, plasterboard, plastics, foundry sand, unsorted demolition wastes and fragmented wastes/light fluff fraction.

The following operating techniques are proposed by the operator to minimise the risk of particulates where possible:

- Instructions will be given to customers to sheet or net open bodied vehicles and/or containers.
- Sweeping of hard surfaces (roads) will take place to minimise debris and water dampening sprays
- A 5mph speed limit will be enforced on site to minimise dust from vehicle movements
- Dusty loads will only be tipped within the designated bay area and/or inherently dusty loads will be dampened down with sprays before and during the tipping
- Dusty wastes are to be covered with non-dusty waste types as soon as possible within the tipping bays
- Site staff will be vigilant and monitor particulate emissions at the site during operations taking place
- The wood shredding process area will have a sprinkler system in operation at all times while wood is being shredded or loaded into vehicles
- A bowser will be kept onsite for circumstances whereby spraying is required for dust suppression.
- All screening, trommel operations and sorting take place within a clad covered building.

The operator has suggested that in cases where dust is a problem i.e. extremely high winds the site manager will close the operations causing particulate emissions immediately until conditions improve.

Staff will have prior warning of the types of waste planned to come onto the site by waste acceptance procedures, within which certain wastes can be refused/ diverted until conditions improve.

The operator has identified particulate limits within the application documents. The wastes will be stored indoors, be dampened down where appropriate and operating techniques are in place to reduce dust emissions when handling the waste. We have concluded that setting particulate limits for the site is not necessary as there are no point source releases and appropriate dust mitigation methods are in place to minimise emissions where possible, as detailed above.

### **Effluent / Waste Water**

There is no discharge to land or controlled waters from the installation. The site is sealed with impermeable concrete ground, all surface water drains to a sump which is subsequently pumped to sewer via a trade effluent consent with Severn Trent. Any localised spillages within the transfer station will be soaked up using spill kits. No liquid wastes are accepted at the site. Dusty wastes may be dampened down within the storage bays or during treatment, any leachate will be directed into the site drainage system as described above whereby all wastewater is directed to the main sewer system.

### **Liquid storage and bunding**

The site has one storage tank for diesel and one for waste oil.

#### Diesel storage

The diesel storage tank is approximately 5,000 litres and self bunded to 110% of the tank size. The tank is located in the vehicle and maintenance area and contains diesel oil for mobile machinery. All pipework is located internally to the bund and the tank is designed to meet the requirements of the oil storage regulations.

#### Waste Oils

All oil wastes ancillary to the site operations are collected for recycling, this includes oils following vehicle and plant servicing. Waste materials are collected regularly by a waste contractor as hazardous waste. Waste oils will not be stored on the site for a period of longer than 12 months. The waste oil tank is approximately 200 litres and self bunded to 110% of the tanks capacity.

We agree that all the storage tanks meet our requirements and are appropriate for the materials stored.

## 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>Consultation</b>		
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
<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	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Planning permission	We are satisfied that planning permission is in place and it is appropriate for the relevant waste operation(s) applied for.	✓
Site condition report (SCR)	<p>The operator has provided a description of the condition of the site.</p> <p>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).</p>	✓



Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The operator submitted a SCR and desk study with the application. The information provided indicates that historical contamination of the underlying made ground is present or is likely present.</p> <p>The site investigation was limited to four trial pits to a depth of one meter and additionally groundwater was not investigated. The laboratory analysis of some of the samples also indicated some errors with the samples received and therefore some of the results are only indicative and not covered by the laboratories accreditation.</p> <p>The operator chose to not carry out any further investigation of the site baseline. The operator was made aware that a reliable baseline study which can be referred to at a later date is a prerequisite for surrender.</p> <p>The site does not accept liquid waste and only accepts non-hazardous waste. All drainage is pumped to foul sewer, and the site surface is covered with impermeable concrete to a minimum depth of 300mm. Diesel and waste oils are stored in bunded appropriate containment.</p> <p>In summary we agree with the conclusions of the SCR that historical contamination of the site is/is likely present and we consider the operations at the site to be low risk and pollution of land and water is unlikely from the proposed operations.</p>	
<p>Biodiversity, Heritage, Landscape and Nature Conservation</p>	<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>One Special Area of Conservation (SAC) is located within 10,000m of the installation: Fen Pools.</p> <p>One Local Nature Reserve (LNR) is located within 2,000m of the installation: Sheepwash.</p> <p>11 Local Wildlife Sites (LWS) are located within 2,000m of the installation.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.</p>	<p>✓</p>

Aspect considered	Justification / Detail	Criteria met Yes
	<p>Formal consultation has been carried out with Natural England (NE), an Appendix 11 pro forma was sent to NE for information concluding no likely significant impact alone or in combination from the proposed activities. The consultation responses (Annex 2) were taken into account in the permitting decision.</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. The operator's risk assessment is satisfactory.</p> <p>There are no releases to air or land from the site. All leachate and surface waters will enter the site's effluent system which leads into the main sewerage system with Severn Trent. The site has a noise and vibration monitoring plan, odour management plan and particulate (dust) management plan which we agree are all appropriate for the setting and activities carried out at the site.</p> <p>We agree with the operators conclusions that with the appropriate operating techniques and management procedures proposed the environmental risk from the site should not cause a significant impact to the surrounding environment.</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 the recovery and disposal of hazardous and non-hazardous waste, sector guidance note.</li> </ul> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the technical guidance note and we consider them to represent appropriate techniques for the facility.</p> <p>The following operating techniques are proposed by the operator to minimise the risk to the environment from the activities carried out at the installation.</p> <ul style="list-style-type: none"> <li>• Biodegradable wastes which have potential for</li> </ul>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>odours will have a 48 hours time limit on site.</p> <ul style="list-style-type: none"> <li>• Dust suppression methods will be used during treatment of dusty wastes</li> <li>• Vehicle speeds will be limited</li> <li>• The main treatment activities are located internally</li> <li>• Soil stockpiles will be wetted regularly to reduce dust emissions</li> <li>• Emergency spill procedures are in place</li> <li>• The site is sealed with concrete and all water drains to a sump which pumps to sewer</li> <li>• All liquid storage tanks are provided with secondary containment</li> </ul> <p>See key issues for further information.</p>	
<b>The permit conditions</b>		
Raw materials	We have specified limits and controls on the use of raw materials and fuels.	✓
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>Table S2.2 lists the permitted waste types, all wastes are considered non-hazardous. The wastes consist of inert, commercial and industrial non-hazardous wastes.</p> <p>We are satisfied that the operator can accept these wastes for physico-chemical treatment and storage prior to offsite recovery or disposal.</p> <p>We made these decisions with respect to waste types in accordance with S5.06 Guidance for the recovery and disposal of hazardous and non-hazardous waste, sector guidance note.</p>	✓
Incorporating the application	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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	These descriptions are specified in the Operating Techniques table in the permit.	
Reporting	<p>We have specified reporting in the permit.</p> <p>The site has an quarterly and annual reporting requirements for production / treatment figures and performance parameters.</p>	✓
<b>Operator Competence</b>		
Environment management system (EMS)	<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 copy of the sites EMS was submitted with the application. The EMS is not externally accredited.</p>	✓
Technical competence	<p>Technical competency is required for activities permitted. The operator is a member of an agreed scheme.</p> <p>Wamitab training records were supplied with the application for level 4 waste management operations – managing treatment of non-hazardous waste.</p>	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

## Annex 2: Consultation, web publicising and newspaper advertising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

Response received from
Health and Safety Executive (response received 17/09/14)
Brief summary of issues raised
No comments.
Summary of actions taken or show how this has been covered
N/A.

Response received from
Public Health England (PHE) (response received 09/10/14)
Brief summary of issues raised
The processes undertaken by this company are unlikely to produce any emissions, odour or noise provided operations are undertaken in accordance with the Permit and employing best practice measures.
Based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.
Any additional information obtained by the Environment Agency in relation to these comments should be sent to PHE for consideration. Such information could affect the comments made in this response.
Summary of actions taken or show how this has been covered
No further action required.

Consultations were also sent to the following organisations and no responses were received:

- Natural England
- Sandwell Council (Planning Department, Director of Public Health and Environmental Health)
- Food Standards Agency
- South Staffs Water