

Environment Agency permitting decisions

Standard rules permit

We have decided to grant the permit for Wingmoor Farm East AD Facility operated by Andigestion Limited.

The permit number is EPR/SP3132VU.

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.

Structure of this document

- Key issues
- Annex 1 the decision checklist
- Annex 2 the web publicising and newspaper advertising responses

Key issues of the decision

Site condition report

Article 22(2) of the Industrial Emissions Directive (IED) requires the Applicant to provide a baseline report containing at least the information set out in paragraphs (a) and (b) of the Article before starting operation. The baseline report is an important reference document in the assessment of contamination that might arise during the operational lifetime of the installation and at cessation of activities at the installation.

The Applicant submitted a site condition report which included results of testing for PAHs in two soil samples. The report indicates that there were no odours or visual evidence of ground contamination. The Applicant also submitted historical groundwater monitoring results from 4 boreholes located to the north west and south/south west of the site, together with a borehole monitoring plan obtained from the operator of the adjacent Landfill site. The Applicant agrees that pre-existing ground conditions is taken to be zero in the absence of a detailed site baseline reference data.

Secondary containment

Based upon the information submitted in the application, we are satisfied that appropriate measures are in place to ensure that accidents that may cause pollution through spillage are minimised.

The Applicant confirms that all tanks will be located within a single bunded area. The bund shall have a capacity of 110% of the volume of the largest tank or 25% of the total tankage volume (whichever is greater). The bund capacity has been calculated taking into account predicted rainfall on site. The bunds will be constructed in accordance with the standards specified in CIRIA 164 – *Design of Containment Systems for the Prevention of Water Pollution from Industrial Accidents*.

We expect the Applicant to provide the appropriate risk assessments and the construction quality assurance reports to demonstrate that the secondary containment has been constructed in accordance with the requirements of CIRIA 164.

Emissions of odour

The Applicant submitted an odour management plan (OMP) and additional information of the proposed odour abatement system for the site. Waste accepted at the installation will be delivered in covered vehicles and bulk storage of waste will only occur in an enclosed reception building. High speed doors will be employed at the reception building in order to minimise escape of odours from the facility.

The digestate loading area and the storage lagoon will be fitted with carbon filters comprising a 200 litre passive drum filled with JASORB G15 media. The media consists of spherical porous pellets capable of treating most odorous

compounds associated with waste processing. All tankers will be required to connect to the carbon filter during loading of digestate. Carbon filters similar to that used for the digestate loading area will also be fitted at the vent points of the digestate storage lagoon. Spent carbon filter will be changed in accordance with the manufacturer's recommendations or as required.

The Applicant carried out modelling of odour emissions at the nearest sensitive receptors within the vicinity of the facility. The modelling report quoted an air flow of 3 air changes per hour in the reception building totalling approximately 34,668 m³ of air per hour, for routing to the odour control unit (biofilter). Process contribution at the most sensitive receptors did not exceed the indicative odour threshold for the moderately and most offensive odours. The Applicant provided a specification of the proposed odour abatement in a response to a request for additional information which was inconsistent with the odour modelling report in relation to volume of air required to be treated in the waste reception building. We asked the Applicant to address this issue in a further request for additional information.

The Applicant provided clarification of the proposed containment and abatement in response to the request for additional information. The original volume of air to be treated (34,668 m³ of air per hour) used in the odour modelling exercise was an indicative figure based on a very basic odour collection system and reflected approximately 3 changes of air per hour – a worst case scenario.

The Applicant has employed the services of an odour specialist and have proposed a revised containment system. Following further discussion and alteration of the layout in the waste reception building, the proposal has been refined to include air flow nozzles with targeted extraction – 6 changes of air per hour. This has resulted in the reduction in total air treatment volume from 34,668 m³ to 5,000m³ of air per hour. The odour modelling report provides an odour concentration of 2,000 ou/m³, however the revised proposal will provide an estimated odour concentration of 1,500 ou/m³. The Applicant states that the facility will therefore perform better with the revised odour containment/abatement proposal. The Applicant reports that the revised proposal is an innovative solution used in the water and sewage industry where targeted air flows and extraction enables greater control within a building ensuring that odours are dealt with at the point of source.

Localised containment lowers the volume of air required to be treated than relying on a large building only for primary containment. This form of containments tends to be much more cost effective for operators.

The Applicant should comply with the conditions in the environmental permit to ensure that odour emissions from the facility do not cause annoyance. In the event that odour emissions are causing pollution, the permit conditions require the Applicant to comply with the measures proposed in the OMP.

Environmental Management System

The Applicant has stated in the Application that they will implement an Environmental Management System (EMS). A draft EMS was submitted as part of the Application. The management system must be in place once the site is operational. The Applicant has satisfied our application procedure for a standard rules permit in accordance with Environment Agency Guidance "*How to comply with your Environmental Permit*".

Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist, the application and supporting information and permit.

Aspect	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Standard rules criteria met	The application meets the criteria for the standard rules identified in Part B of the application form.	✓
Advertising		
Responses to web publicising	The responses to web publicising (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
The site		
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.	✓
Site condition report or baseline report	The operator has provided a satisfactory site condition report (SCR) and where relevant (where there is a risk of contamination with relevant hazardous substances) a baseline report (See Key Issues).	✓
Operator competence		
Technical competence	Technical competency is required for activities permitted in the standard rule set. The operator is a member of an agreed scheme. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓
Relevant Convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. Relevant convictions were found and declared in the application. A post conviction plan was submitted by the operator and assessed as satisfactory. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the standard rules. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Annex 2: Web publicising and newspaper advertising responses

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

The Application was duly made on 12 May 2014. This means we considered it was in the correct form and contained sufficient information for us to begin our determination but not that it necessarily contained all the information we would need to complete that determination.

The Applicant made no claim for commercial confidentiality. We have not received any information in relation to the Application that appears to be confidential in relation to any party.

We carried out consultation on the Application in accordance with the Environmental Permitting Regulations (EPR), our statutory Public Participation Statement (PPS) and our own Regulatory Guidance Note 6 for Determinations involving Sites of High Public Interest. We consider that this process satisfies, and frequently goes beyond the requirements of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which are directly incorporated into the Industrial Emissions Directive (IED), which applies to the Installation and the Application. We have also taken into account our obligations under the Local Democracy, Economic Development and Construction Act 2009 (particularly Section 23). This requires us, where we consider it appropriate, to take such steps as we consider appropriate to secure the involvement of representatives of interested persons in the exercise of our functions, by providing them with information, consulting them or involving them in any other way. In this case, our consultation already satisfies the Act's requirements.

We advertised the Application by a notice placed on our website, which contained all the information required by the IED, including telling people where and when they could see a copy of the Application. We also placed an advertisement in a local newspaper (the Gloucester Citizen & News) on 12 June 2014.

We placed a paper copy of the Application and all other documents relevant to our determination on our Public Register at the Environment Agency office, Riversmeet House, Northway Lane, Newtown Industrial Estate, Tewkesbury. Anyone wishing to see these documents could do so and arrange for copies to be made.

Although we were able to consider the Application duly made, we did in fact need more information in order to determine it, and issued an information notice on 9 June 2014. A copy of the information notice was placed on our public register, as was the response when received.

Details of consultation comments and our response to the representations we received are summarised below. We have taken all relevant representations into consideration in reaching our determination.

Response received from individual members of the public
Environmental controls on noise, odour and air quality from the facility are adequate.
Brief summary of issues raised
No issues raised
Summary of actions taken or show how this has been covered
No further action taken.