Determination of an Application for a Transfer of a PPC Landfill Permit under the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973) and the Landfill (England and Wales) Regulations 2002 (SI 2002 No. 1559)

Decision Document recording the decision-making process

Note: all references to the "PPC Regulations" are to the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973) and all references to the "Landfill Regulations" are to the Landfill (England and Wales) Regulations 2002 (SI 2002 No. 1559).

Administrative details

Application date	14th January 2008
Agency reference ("the Permit Application")	RP3735XP
Permit number (the "Permit")	AP3131SX
Applicant (the "Applicant") (Transferor)	Chemical Recoveries Limited
Joint Applicant (the "Joint Applicant) (Transferee)	Augean Treatment Limited
Address/location of Installation(the "Installation")	Avonmouth Waste Treatment Facility Smoke Lane Avonmouth Bristol BS11 0YA
Name of Account Officer	Audrey MacIntyre
Signature of Account Officer:	
Name of Authorising Officer	Thomas Ruffell
Signature of Authorising Officer:	

All relevant documents have been sent to the IPPC Public Registers

Purpose of this document

The Decision Document ("DD") explains how the Joint Applicants Permit Application has been determined and why the specific conditions in the Permit have been imposed. It is a record of the decision-making process to show how all relevant factors have been taken into account.

The Permit contains many conditions taken from our standard Landfill PPC Permit templates. We developed these conditions in consultation with the waste management industry having regard to the legal requirements of the PPC Regulations, the Landfill Regulations and other relevant legislation. This DD does not include an explanation for these standard conditions. Where they are imposed we have considered the application and accepted the details are sufficient and satisfactory to control that aspect of the operation. This DD does however, provide an explanation for the use of alternate conditions where our permit template allows for two or more options. Emission and monitoring compliance levels and any additional conditions that have been imposed in order to take installation-specific factors into account are explained.

Summary of the decision

We have decided to transfer the Permit for the Applicant to operate the Installation, subject to the conditions set out in the Permit. Where the Permit includes standard conditions (see above), these have been considered to be appropriate for the Installation, in particular in ensuring that all appropriate measures will be taken against pollution and that no significant pollution will be caused. We consider that in our decision to issue the Permit and in the conditions included therein, we have taken into account all relevant considerations and legal requirements.

All the Permit issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.

Description of the Permitted Installation

All the Installation issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.

Definitions are the same as described in Section 6 to the permit

Part A – Introduction

A1 Administration

This section includes administrative information relating to the application and information about the Applicant and the installation.

"Duly made" check on Application received
The Application was determined to be duly made as submitted on 14 January 2008.

Matters of commercial confidentiality or national security
The Operator has made no claim for commercial confidentiality and we have not received any information in relation to this Application that appears to be confidential in relation to any party. There are no matters involving national security.

Further information requirements
No further information was requested.

A2 The Applicant

We are satisfied that the Joint Applicant (now the Operator) is the person who will have control over the operation of the Installation after the grant of the Permit. We are satisfied that they will be able to operate the Installation so as to comply with the conditions we have included in the Permit

Fit and Proper Person
The Applicant has been able to demonstrate that it is a Fit and Proper Person to carry out the Specified Waste Management Activities that are part of the permitted activities at the Installation.

The considerations taken into account were:

Technical Competence – The operator has provided evidence that technically competent management is available for the Installation through provision of relevant WAMITAB certificate at levels TMS4 and 4TMH which are suitable for the operation of this installation.

Relevant Offences – We are satisfied that that any relevant offences will not impact on the operators ability to operate the Installation in accordance with the permit conditions. This decision has been based on the submission of a post conviction plan which has been assessed by the Agency and deemed satisfactory as per the work instruction WI 194_03.

Financial Provision – We are satisfied that the Operator has demonstrated under the terms of a the Agency financial assessment in line with the Agency Financial Provisions policy, that they have made suitable Financial Provision obligations under the permit.

Training and professional development - The operator has demonstrated that ongoing technical and professional development for staff at the Installation will occur.

EP OPRA profile

We are satisfied that the EP OPRA profile submitted with the Application was produced in accordance with our EP OPRA methodology and remains accurate following the determination of the Application. It will be used as the basis for subsistence and other charging, and for all other relevant purposes at the commencement of the Permit. In accordance with our EP OPRA Scheme the Operator's OPRA profile for the Installation will be reviewed annually and may thus change over time.

A3 The installation

Activities

All the Activities remain the same as the transfer is whole transfer, the permit remains the same and no variation will be issued.

The Site

The permit remains with the original plan which we consider is satisfactory for showing the site of the Installation and its extent. This plan is included in the Permit as Schedule 5, and the Operator is required to carry on the Permitted activities within the site boundary.

Part B - Management

Management

All the Management issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.

Part C - Operations

All the Operational issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.

Part D – Emissions and Monitoring

All the Emission and Monitoring issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.

Part E – Other legal requirements

All the Other Legal issues remain the same as the transfer is whole transfer, the permit remains the same and no additional variation will be issued.