

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Castle Donnington Refuse Derived Fuel (RDF) Facility operated by Veolia ES (UK) Limited.

The variation number is EPR/FP3898SY/V003

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

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

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.	✓
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.	✓
Operator		
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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
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	The operator has provided a description of the condition of the site. We consider this description to be satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED-guidance and templates (H5)	✓

Aspect considered	Justification / Detail	Criteria met Yes
Environmental Risk Assessment and operating techniques		
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>Noise We satisfied with the operator's assessment of the risk of noise from the facility. In addition, we are confident that the facility will not give rise to local noise disturbance because it will be undertaking similar activities on a smaller scale to those previously undertaken at the site when a materials recycling facility was in operation. This facility generated similar levels of noise to those expected from the production of RDF, for which no complaints were received.</p> <p>Odour We are satisfied with the operator's assessment of the risk of odour from the facility and the odour management measures that the operator will have in place.</p> <p>We are satisfied that the waste types that the operator will accept will have a low odour potential because the operator will ensure that the handling history and storage conditions of the waste, prior to receipt on site, are controlled through contractual agreements with waste suppliers. Additionally, the operator has committed to rejecting malodorous waste and processing large amounts of putrescible waste within 24 hours of receipt. The operator has also confirmed (in the Fire management and Odour management plans) that wastes received will have minimal biodegradable content.</p> <p>We are satisfied that all waste will be treated within 24 hours where possible using a 'first in, first out' approach and that no waste will be held prior to processing for longer than 36 hours.</p> <p>We are satisfied with how the operator plans to operate the building doors to ensure odour release is minimised. The operator will employ a misting system and we expect the operator to specify the way in which this will be utilised in the management system for the site.</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>We are satisfied with how the operator will have in place appropriate measures to regularly clean equipment, mobile plant and operational areas and to undertake twice daily monitoring at the site boundary and at sensitive receptors if complaints are received.</p> <p>Fire</p> <p>We are satisfied with the operator’s assessment of the risk of fire from the facility and the fire management measures that the operator will have in place.</p> <p>We are satisfied with the operator’s proposals for preventing fires (including no storage of RDF on site and separation distances for RDF awaiting processing), detecting and suppressing fires and access arrangements for the fire service. These are in line with our guidance TGN7.01 “Reducing fire risks at sites storing combustible materials”.</p> <p>Pests</p> <p>We are satisfied with the operator’s assessment of the risk of pests and that there will be appropriate measures in place to ensure pests do not cause pollution, hazard or annoyance. The operator will not receive large quantities of biodegradable wastes. Any biodegradable waste that is accepted will be shredded and removed off site within 24 hours of receipt to prevent attraction of pests.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment all emissions may be categorised as environmentally insignificant.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The key measures proposed by the operator are in line with our guidance:</p> <ul style="list-style-type: none"> • Sector Guidance Note s5.06 “Guidance for the recovery and disposal of hazardous and non-hazardous waste”; • “How to comply with your Environmental Permit”; • “H4 Odour Management”; 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> Technical Guidance Note TGN7.01 “Reducing the risk at sites storing combustible materials”. <p>The proposed techniques are in line with those contained in the guidance and we consider them to be represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT conclusions.</p>	
The permit conditions		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes because they are appropriate wastes to be used as RDF.</p> <p>We have excluded the following wastes for the following reasons. We do not consider metal wastes to be suitable for use as RDF:</p> <p>15 01 04 – Metallic packaging 20 01 40 – Metals.</p> <p>In the operator’s odour management plan it was confirmed that the operator would accept wastes with minimal biodegradable content. For this reason, we have also not included waste code 20 01 08 (biodegradable kitchen and canteen waste) or waste code 20 03 02 (waste from markets).</p> <p>If the operator accepts cardboard or wood packaging waste from markets, we would expect this to be accepted under waste codes 20 01 01 or 20 01 38</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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>	✓
Reporting	We have specified reporting in the permit.	✓
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.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.	✓
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>	✓

Annex 2: Consultation and web publicising 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
The Leicestershire Fire and Rescue Service (LFRS) on 19/01/2015.
Brief summary of issues raised
The LFRS does not consider a fire service visit to the installation to be necessary at this point. LFRS recommends that the installation's Fire Risk Assessment and significant findings are assessed and updated accordingly in line with process changes and any new risks.
Summary of actions taken or show how this has been covered
We have received a fire management plan from the operator. We have reviewed this plan and are satisfied with the operator's assessment of the risk of fire from the facility and the fire management measures that the operator will have in place.

- The local planning authority and Environmental Health Team of North West Leicestershire Council were consulted but no responses were received.
- Food Standards Agency and Health and Safety Executive were also consulted but no responses were received.