

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Avonmouth Waste Treatment Facility operated by Augean Treatment Limited.

The variation number is EPR/RP3735XP/V002.

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
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.	✓
The facility		
The regulated facility (installations operations)	<p>The extent/nature of the facilities taking place at the site required clarification. The decision on the facility was taken in accordance with RGN 1 - Understanding the meaning of operator RGN2 - Understanding the meaning of regulated facility The regulated facility is an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations and the directly associated activities.</p> <ul style="list-style-type: none"> • AR1 S5.3A(1)(a)(ii) D9 - Treatment for disposal of hazardous waste (other than by incineration or landfill) in a facility with a capacity of more than 10 tonnes per day by physico-chemical treatment – pH balancing/ filtration/gravity separation/centrifuge • AR2 S5.3 A1 (a)(ii) R3 - Treatment for hazardous waste oils in a facility with a capacity greater than 10 tonnes per day by physico –chemical treatment – filtration, separation by gravity to recover oil • AR3 S5.3 A1 (a)(ii) D9 - Treatment for hazardous waste oils in a facility with a capacity greater than 10 tonnes per day by physico –chemical treatment – pH 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>balancing; centrifuge</p> <ul style="list-style-type: none"> • AR4 S5.3A1 (a)(iii) D13 – blending or mixing of hazardous waste prior to submission to any of the other activities. • AR5 S5.3A1(a)(v) R2, R3, R9 - Recovery of solvents, other organic substances and oil by distillation • AR6 S5.4A1(a)(ii) D9 - Treatment (physic-chemical) of non-hazardous waste – filtration, separation by gravity or centrifuge, ph balancing • AR7 S5.4A1(a)(ii) D8 - Treatment (biological) of non-hazardous waste(including Anaerobic Digestion) • AR8 S5.1A1(c) The incineration, other than incidentally in the course of burning solid or liquid waste, of any gases containing halogens in a plant which is not an incineration plant or a co-incineration plant • AR9 S5.3A1(a)(ii) D9 – Thermal desorption of hazardous waste • AR10 5.3A1(a) (iii) Treatment of Hazardous Waste prior to recovery (R3, R4, R5) 	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> • AR11 S5.6A(1)(a) D15 – Temporary storage of hazardous waste pending any of the activities listed in Sections 5.1, 5.2, 5.3 and para (b) of 5.6 of the EP Regulations • AR12 S5.6A(1)(a) R13 – Temporary storage of hazardous waste pending any of the activities listed in Sections 5.1, 5.2, 5.3 and para (b) of 5.6 of the EP Regulations <p>Directly Associated Activities</p> <ul style="list-style-type: none"> • AR13 Support fuel blending R3 mixing or blending • AR14 Production of heat in gas/gas oil fired boilers, from receipt of fuel to discharge of combustion gases • AR15 Condensing of the off gases from the Thermal Desorption Unit • AR16 Thermal oxidation of solvent vapours prior to discharge to air, from Thermal Desorption Unit to discharge of combustion gases • AR17 Storage of surface water run-off in on-site rhyne and other storage containers, provided that, at the point of discharge to the rhyne or other storage containers, there are no visible signs of oil or grease 	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> • AR18 Storage of Non-Hazardous waste pending physico-chemical and biological treatment • AR19 Tanker washing – washing out grit/dirt from roads tankers 	
The regulated facility (waste operations)	<p>The extent/nature of the facilities taking place at the site required clarification.</p> <p>The decision on the facility was taken in accordance with RGN 1 - Understanding the meaning of operator RGN2 - Understanding the meaning of regulated facility</p> <p>The regulated facility is a waste operation at which the following recovery and disposal operations will be undertaken.</p> <ul style="list-style-type: none"> • R13 – Temporary storage of Non Hazardous and Hazardous wastes for recovery • R3 and R5 – Treatment is restricted to bulking up and repackaging and treatment to safely store only, of organic and inorganic wastes respectively • R4 – Bulking up and repackaging of metals and metal compounds • D15 - Temporary storage of Non Hazardous wastes for disposal • D13 Bulking up and D14 Repacking of Non Hazardous waste prior to disposal 	✓
European Directives		
Applicable directives	<p>All applicable European directives have been considered in the determination of the application.</p> <p>Waste Framework Directive was the main European legislation used in determining this permit.</p>	✓
The site		
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>	✓
Biodiversity,	The application is within the relevant distance criteria of a	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Heritage, Landscape and Nature Conservation	<p>site of heritage, landscape or nature conservation, and/or protected species or habitat .</p> <p>A full assessment of the application and its potential to affect the site(s) has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>We have not formally consulted on the application. 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.</p> <p>TGN WM2 – Hazardous waste</p> <p>TGN – How to comply with your environmental permit</p> <p>SGN 5.06 – Guidance for Recovery and Disposal of Hazardous and Non Hazardous Wastes</p> <p>Supplementary guidance: Guidance for the storage of aerosols canisters and similar package wastes</p> <p>EPR 5.07 – Additional Guidance for clinical waste</p> <p>Guidance on Best Available Treatment Recovery and Recycling Techniques (BATRRT) and Electronic Equipment (WEEE): DEFRA Nov 2006</p> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</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(s).</p> <p>This has also included consolidating the residual Environmental Permit (EAWML 27219). The operator has</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	agreed that the new conditions are acceptable.	
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 for the following reasons</p> <ul style="list-style-type: none"> • The operator has signed up to the relevant guidance above and stated that their management systems are/will be in line with those stated. • The operator has stated that all the necessary procedures and plans comply/will comply with the technical guidance. • We have imposed limits within the waste tables and Table S1.1 to control the quantity and, where necessary, the hazardous properties have been excluded. <p>We made these decisions with respect to waste types in accordance with the guidance listed in Operating Techniques above. The waste codes and hazardous property codes have been agreed with the operator.</p>	✓
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>New Pre-operational Conditions</p> <p>PO1 - The operator has not taken Clinical, WEEE, Construction and Demolition, Tyre, Metal, and Asbestos wastes in the past, and may not for sometime in the future. Therefore a pre-operational condition has been inserted into the permit to ensure that the management procedures are in place prior to acceptance and storage of those wastes.</p> <p>The following conditions are in the variation as the Infrared Thermal Desorption activity (AR9) may not be undertaken for some time. Therefore, prior to it being started up, the operator is required to reassess the activity against BAT at that time.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>PO2 - The operator is required to submit the full design of the plant for the Infra-red Thermal Desorption plant (IRTD) activity (AR9) to the Environment Agency for approval. Also, submit updated BAT assessment and management systems for the Infra-red Thermal Desorption plant (IRTD) activity to the Environment Agency for approval.</p> <p>PO3 - This condition is to ensure that the activities AR1 to AR6 that the infrastructure and plant have been leak tested to ensure there are no inadvertent leaks once the unit is being used to treat waste.</p> <p>PO4 – The operator is required to submit a report demonstrating the management systems, process controls and training are up to date.</p> <p>PO5 - The operator is required to submit a commissioning plan for the above activities.</p> <p>The original permit contained the requirements of PO6 to PO8 as improvement conditions and these have yet to be completed. However, it is more appropriate to have these as pre-operational requirements as the operator has not yet undertaken the specified activity. It is still necessary for the operator to comply with these prior to starting any of the specified activities.</p>	
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> <p>The schedule 5 response has been incorporated into the permit to ensure that the operator had the relevant management systems/procedures and in line with the guidance referred to in the Operation Techniques above, as the operator did not indicate this adequately on the application form.</p> <p>Also, the operator did wish to extend the Hazardous waste properties to include H10 (Toxic for Reproduction)</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	and H11(Mutagenic). We have incorporated the operator's new pre-acceptable testing details into the permit.	
Reporting	<p>We have specified reporting in the permit.</p> <p>The reporting has been based on that detailed in the TGN's.</p> <p>We made these decisions in accordance with Guidance notes and TGN those listed in Operational Techniques.</p>	✓
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 (installations, waste operations, mobile plant and relevant mining waste operations only)	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>Relevant convictions were found A post conviction plan was submitted by the operator and assessed as satisfactory.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

Annex 2: Web publicising responses

Summary of responses to web publication and the way in which we have taken these into account in the determination process. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Bristol City Council
Brief summary of issues raised
No noise issue or complaints received by LA. Asked to be informed if incident occurred on the site.
Summary of actions taken or show how this has been covered
Requested that the operator informs the Bristol City Council if an incident occurs as unable to put this in as a condition.