

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Reclamation Pond Material Recycling Facility operated by Green North East Trading Bidco Limited.

The variation number is EPR/SP3930VW/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 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.	✓
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 is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . <ul style="list-style-type: none"> • Teesside and Cleveland Coast SPA/RAMSAR/SSSI 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>(Closest part of the receptor Dorman's Pool ~70m W/NW)</p> <ul style="list-style-type: none"> Seal Sands SSSI ~1.3km NE <p>A full assessment of the application and its potential to affect the site(s)/species/habitat has been carried out as part of the permitting process. We consider that the application will not affect the features of the site/species/habitat.</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		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The operator has supplied a full H1 Risk Assessment, and has provided a revised noise and odour management plan in accordance with Agency Horizontal Guidance IPPC H3 and H4.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment [or similar methodology supplied by the operator and reviewed by ourselves, 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.</p> <p>The operator has indicated the use of techniques and standards in line with technical guidance notes IPPC S5.06 (TGN), IPPC S7. and EPR 1.00 "How to comply with your Environmental Permit.</p> <p>The Key issues for determining BAT for the installation are described in EPR 5.06 Section 2.1.1, 2.2.2, 2.2.4 to 2.2.6, 2.3, 2.4.3 and 2.8 to 2.9 the operator has provided a comprehensive site specific BAT conclusion document confirming use of the standards are as set out in the TGN.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The proposed techniques 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		
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>Waste types do not change as a result of this variation, only the quantity of waste to be accepted is increased from 200,00 tonnes per annum to 640,000 tonnes per annum.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons: The proposed techniques for control are in line with the benchmark levels contained in the TGN S5.06 and we consider them to represent appropriate techniques for the facility.</p> <p>We made these decisions with respect to waste types in accordance with the List of Wastes (England) regulations 2005, European Waste Catalogue (EWC) 200/532/EC (Amended) and TGN S5.06.</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 (Table S1.2).</p>	✓
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>Parameters for Suspended Solids, pH and Biological Oxygen Demand (BOD) have been incorporated into</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>table S 3.1, no emission limits are included however the table is subject (but not limited to) to conditions 3.1.2 which limits the concentration of the listed parameters in surface waters to background levels and notification requirements under conditions 4.3.1 and 4.3.2 of the environmental permit. These monitoring requirements have been imposed in order to ensure that 'surface water run-off' emissions from the site remain 'clean' and are not subject to contamination from the external storage of wastes. No process waters are permitted.</p> <p>The monitoring retirements duplicate those detailed in the permit application and represent monitoring currently being undertaken at the facility in accordance with site Environmental Management Systems (EMS).</p> <p>We made these decisions in accordance with S5.06</p> <p>Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.</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	<p>Technical competency is required for activities permitted.</p> <p>The operator is a member of an agreed scheme.</p>	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓