

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Greif UK Ltd operated by Greif UK Ltd.

The variation number is EPR/GP3235WS/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, web publicising responses.

Annex 1: decision checklist

This document should be read in conjunction with 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, web publicising	The web publicising, 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.	✓
The facility		
The regulated facility	The extent/nature of the facilities taking place at the site required clarification. The regulated facility as is, is an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations and the following directly associated activities. <ul style="list-style-type: none"> • Recovery of hazardous waste with a capacity exceeding 10 tonnes per day (in aggregate) involving physico-chemical treatment of steel drums by decontamination. • Recovery of hazardous waste with a capacity exceeding 10 tonnes per day (in aggregate) involving physico-chemical treatment of IBCs by decontamination. • Recovery of hazardous waste with a capacity exceeding 10 tonnes per day (in aggregate) involving physico-chemical treatment of IBCs by shredding. The directly associated activities include:	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<ul style="list-style-type: none"> • Recovery of non-hazardous steel drums involving crushing and shredding. • Storage of hazardous waste (R13) • Reconditioning and re-bottling of decontaminated drums & IBCs • Operation of a gas boiler with thermal input capacity of 1.770 MW for site heating requirement. • Operation of curing oven with thermal input capacity of 1 MW. <p>This variation is include a waste operation for the storage and treatment of non-hazardous packaging when the need arises.</p> <p>The description of activities for waste operations are as follows:</p> <p>D15: Storage pending any of the operations numbered D1 to D14 (excluding temporary storage, pending collection, on the site where it is produced).</p> <p>D14: Repackaging prior to submission to any of the operations numbered D1 to D13.</p> <p>D9: Physico-chemical treatment resulting in final compounds or mixtures which are discarded by any of the operations numbered D1 to D12.</p> <p>R13: Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced).</p> <p>R12: Exchange of wastes for submission to any of the operations numbered R1 to R10.</p> <p>R5: Recycling/reclamation of other inorganic materials.</p> <p>R4: Recycling/reclamation of metals and metal compounds.</p> <p>R3: Recycling/reclamation of organic substances which are not used as solvents.</p> <p>The waste operation is on an area of land situated within the current installation boundary.</p>	
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports (SCR) and baseline reporting under IED– guidance and templates (H5).</p> <p>The waste operation being added to the permit is for the treatment and storage of non-hazardous waste, and will take place within the same boundary as the current permit allows. There is no increase in environment risk perceived through the new waste operation activities.</p> <p>The operator has stated within section 2.0 of the SCR that relevant information for this section is currently being prepared including baseline reference data. This message was also conveyed within the original SCR, submitted in support of the original permit application to treat and store hazardous packaging.</p> <p>The SCR has been assessed by GWCL and they have stated that “given EC commission guidance on baseline reporting (Ref:2014/C 130/03 dated 6th May 2014) has now been issued which details when a baseline report is required for relevant hazardous substances (RHS) and what information should be included within a baseline report the operator will need to ensure that baseline reference data for RHS, if required is prepared in line with this guidance.”</p> <p>The response goes on to state:</p> <p>“It should be noted that for existing sites which are</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>already operational there is no scope for us to set an improvement condition requiring the submission of a baseline report for RHS unless for exceptional reasons. Therefore, if a baseline report is required for RHS to comply with IED one should be submitted prior to issue of the variation.”</p> <p>The waste operations applied for are not subject to the Industrial Emissions Directive so this paragraph is not deemed relevant to these activities. However, the applicant has been advised that if baseline data were to be collected, this should be done in line with the EC commission guidance, referred to above.</p>	
<p>Biodiversity, Heritage, Landscape and Nature Conservation</p>	<p>The application is within the relevant distance criteria of a 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 sites/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>The proposed operation is considered to be low risk from a habitats and species protection perspective. The site is fully enclosed in a highly industrialised area. There are no point source emissions to water. All wash systems are within bunded areas and contained in a building. Waste waters are stored in tanks within bunded areas and taken offsite for disposal.</p> <p>The protected species within 2 km of the site are mainly affected by the changes in water level/flow/chemistry/temperature/salinity; nutrient enrichment; siltation/smothering; sand/gravel extraction; entrapment; migration barriers; watercourse modification; aquatic vegetation management; exploitation (angling bait). These risks are insignificant as the proposed operation does not involve discharge to water or any of the above activities.</p> <p>There is no increase in environment risk perceived through the new waste operation activities.</p>	<p>✓</p>

Aspect considered	Justification / Detail	Criteria met
		Yes
	We have not formally consulted on the application. The decision was taken in accordance with our guidance.	
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 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.</p> <p>The operating techniques will be as is currently permitted, which allows for the treatment and storage of hazardous waste.</p> <p>The primary activities on site will be the washing and processing of 210 litre steel drums and 1000 litre IBC's. The washing medium will be a caustic solution for both product streams. The waste waters will be stored in tanks before they are taken away by tanker for treatment. Drums will only be crushed when they are drained of any product and washing has taken place. Drums not suitable for washing will be transferred to the Operator's sister plant (Earthminded UK Ltd, Avonmouth) for thermal cleaning. On site activities of storage and cleaning will take place indoors in pre-existing buildings on the Greif Ellesmere Port Site.</p> <p>These techniques are in accordance with BAT described in the Sector Guidance Note IPPC S5.06, 'Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste', Environment Agency, Issue 5, V5, May 2013 for the control of emissions to air.</p> <p>In summary:</p> <ul style="list-style-type: none"> The site is fully enclosed in a highly industrialised area. 	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<ul style="list-style-type: none"> • There are strict waste acceptance criteria in place. • There are no point source emissions to water. • All wash systems are within bunded areas contained in a building. • Waste waters are stored in tanks within bunded areas and taken offsite for disposal. • Fugitive emissions to air are insignificant – only empty drums and IBCs are permitted; operations take place inside a building. • Packaging containing residues that possess hazardous property with potential to produce toxic gases when in contact with water, air or acid are not permitted for treatment at the facility. 	
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>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 for the following reasons:</p> <p>The activities will be based on the long established drum reconditioning industry. The packaging will be collected from industrial sources primarily for reconditioning and reuse. The site is currently permitted to accept hazardous waste. This variation is to cover the operations for non – hazardous packaging when it arises:</p> <p>150101 – paper and cardboard packaging 150102 – plastic packaging 150103 – wooden packaging 150104 – metallic packaging 150105 – composite packaging 150106 – mixed packaging</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>150109 – textile packaging</p> <p>The Operator already has appropriate procedures in place to store and treat the hazardous packaging and much the same standards will be used to treat the non-hazardous packaging.</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>	✓
Operator Competence		
Environment management system	<p>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.</p>	✓
Technical competence	<p>Technical competency is required for activities permitted. 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>No relevant convictions were found.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>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.</p>	✓

Annex 2: Consultation, web publicising and newspaper advertising responses

Summary of responses to consultation, 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
Public Health England
Brief summary of issues raised
<p>In line with the original Environmental Permit issued for this site in February 2015, CRCE continue to recommend that the variation should contain conditions to ensure that the following potential emissions do not impact upon public health: fugitive emissions to air from vapour release, chemical reactions from containers and chemical emissions to air from plant operations (e.g. surface coating). In addition to this, our response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance, industry best practice and guidance for preventing and responding to fires.</p> <p>Based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.</p> <p>Any additional information obtained by the Environment Agency in relation to these comments should be sent to PHE for consideration. Such information could affect the comments made in this response.</p>
Summary of actions taken or show how this has been covered
<p>The permit includes conditions which address the emission of substances not controlled by emission limits, odour, noise and vibration. None of this has or will change from the conditions present within the existing permit.</p> <p>An Environmental Accident Risk Assessment has been undertaken for the site and we are satisfied with the preventive measures that will be put in place. The additional non-hazardous waste operations introduced by this variation have not significantly altered the risk posed by the site. The techniques proposed to treat and store the waste are in accordance with BAT. The management systems, treatment processes and procedures in place will be the same as for the current Installation permit so should be adequate subject to ongoing compliance reviews.</p> <p>The Accident Management Plan for the site includes emergency measures in the event of fire.</p>

The following bodies were consulted but responses were not received:

- Local Authority Environmental Protection Department – Cheshire West and Chester Council
- Director of Public Health – Cheshire West and Chester Council