

Environment Agency permitting decisions

Variation

We have decided to issue the variation for North End Farm operated by White Moss Horticulture Limited.

The variation number is EPR/BB3004XT/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

- Description of the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist

Description of the changes introduced by the Variation

This is a Normal Variation.

This variation authorises the increase of the site's annual throughput from 40,000 tonnes to 49,500 tonnes and the increase of storage capacity of the composting activity from 15,100 tonnes to 20,000 tonnes.

The Installation is an open windrow facility which currently processes up to 40,000 tonnes per annum of non-hazardous organic solids primarily from kerbside collection and commercial waste streams. As a result of the increased annual throughput to 49,500 tonnes, the facility will become an IED Installation as it will be capable of processing over 75 tonnes of non-hazardous waste per day by biological treatment – the threshold set in the Environmental Permitting Regulations 2010 (Section 5.4 Part A (1) (b) (i)).

Wastes will be accepted at the green waste reception area, shredded in the existing shredder and then formed into windrows on the concrete pad in the northern part of the site. The composting process will take up to 8 weeks to achieve sanitisation and stabilisation. Moisture and temperature will be monitored during this process and the windrows turned as necessary. Leachate generated during the open windrow composting will be collected in two sumps and a lined lagoon. From here it may be re-applied to green waste undergoing sanitisation to meet the moisture requirements of this stage. Excess leachate that cannot be stored in the site lagoon will be transferred off-site for disposal.

Following maturation, each batch will be screened to the required particle size grade. The screened compost will be transferred to the storage area where it will be stored prior to blending, bagging and/or despatch as compost meeting the PAS 100 Quality Protocol.

The operator has management plans in place to ensure that the environment is protected from emissions to air, land and water.

Existing permitted activities will continue to take place at the site and no changes to their operation have been made as a result of this variation. These activities comprise:

- Inert wastes treatment operation (Activity A7 in Table S1.1)
- Recyclable wastes treatment operation (Activity A8 in Table S1.1)

Key issues of the decision

1. Fire prevention and management

The Environment Agency requires operators of facilities with the potential to catch fire to have a written fire prevention plan (FPP). The Environment Agency identifies the requirement of operators of open windrow composting facilities to have a FPP in place due to the risk of fires at these facilities.

The operator submitted a FPP with the Application. During the determination, we requested more information on the FPP from the operator. Consequently, the FPP has been revised a number of times in order to ensure it contains the technical information and operating techniques necessary to prevent and manage fires.

We have reviewed and approved the FPP in its revised format. We consider that the revised FPP complies with the requirements of the Environment Agency's technical guidance, Fire prevention plans (version 2, July 2016). Overall, we consider that the operator has proposed appropriate measures to prevent or where that is not practicable to minimise, detect and contain fires. In the event, that fires are causing pollution, the permit condition requires the operator to comply with the measures proposed in the FPP. The fire prevention condition in the permit is sufficient to ensure that fires do not cause annoyance with respect to sensitive receptors.

Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has not been made.	✓
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
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 Liverpool Bay (SPA), Sefton Coast (SAC/SSSI), Dee Estuary (SAC), Ribble & Alt Estuaries (SPA/Ramsar) and Mersey Narrows & North Wirral Foreshore (SPA/Ramsar). A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites due to the distance as it is unlikely that dust from the open windrow composting will travel beyond the site boundary as the operator has measures in place to control fugitive emissions. We have not formally consulted on the application. The decision was taken in accordance with our guidance.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant. There will be no increase in emissions as a result of this variation, and consequently no increase in environmental risk.	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant technical guidance note (TGN) – How to comply with your environmental permit. Additional technical guidance for: composting and aerobic treatment sector (LIT 8705, Report version 1.0).</p> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the above TGN and we consider them to represent appropriate techniques for the facility. The BAT assessment provided by the operator adequately addresses:</p> <ul style="list-style-type: none"> • pre-acceptance of waste • acceptance of waste • storage and handling of waste • process (treatment) description • fugitive emissions to air • fugitive emissions to surface and groundwater • odour management • monitoring • fire prevention & management <p>We have reviewed and approved the Odour Management Plan and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.</p>	✓
The permit conditions		
Updating permit conditions	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	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
during consolidation.	as those in the previous permit(s). The operator has agreed that the new conditions are acceptable.	
Raw materials	We have not specified any limits and/or controls on the use of raw materials and fuels.	✓
Waste types	We have amended one waste type (EWC 19 05 99) in the permit. We have reviewed our permit templates and consider that EWC 16 10 02 best describes this waste type.	✓
Incorporating the application	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. These descriptions are specified in the Operating Techniques table in the permit.	✓
Monitoring	We have inserted process monitoring of the open windrow composting activity to ensure that the biological treatment process is stable and managed effectively.	✓
Reporting	We have specified reporting in the permit. Reporting forms have been prepared to facilitate reporting of data in a consistent format. These reporting requirements are deemed sufficient and proportional for the Installation. We made these decisions in accordance with our guidance How to comply with your environmental permit. Additional technical guidance for: composting and aerobic treatment sector (LIT 8705, Report version 1.0).	✓
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 our guidance on what a competent operator is.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.	✓

Annex 2: Consultation and web publicising responses

This section of the decision document outlines a summary of responses to consultation and 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. The Application has been advertised and consulted upon in accordance with the Environment Agency's Public Participation Statement. Copies of all consultation responses have been placed on the Environment Agency Public Register.

The Application was advertised on the Environment Agency website from 12 August 2016 to 12 September 2016.

The following statutory and non-statutory organisations were consulted:

- Public Health England
- Director of Public Health (Sefton Metropolitan Borough Council)
- Sefton Metropolitan Borough Council (Environmental Protection Department)
- Sefton Metropolitan Borough Council (Planning Authority)
- Merseyside Fire & Rescue Service
- Health & Safety Executive

Response received from Public Health England dated 29/09/16	
Brief summary of issues raised	Summary of action taken / how this has been covered
PHE recommend that the Regulator is satisfied that stringent on-site procedures to manage fugitive emissions are in place, as well as detailed management plans, which are subject to appropriate periodic review and updated, particularly should emissions subsequently be identified as an issue.	We have assessed the operator's proposed control measures for fugitive emissions (including dust, fire, odour and secondary containment) and consider that they are appropriate and in accordance with our technical guidance on composting, odour and fire prevention and management. Periodic review is specified in the management plans and this will be checked during the compliance period.
In relation to noise, we do not assess the public health impact of noise and vibration. We are satisfied this will be assessed by the regulator and the local authority.	We have inserted permit conditions in relation to noise and vibration in the permit. We consulted Sefton Metropolitan Borough Council as part of the determination. No concerns or issues have been raised. No further action.
Other than the above recommendations, and based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from	We have assessed the operator's proposed techniques and consider that they are in accordance with our technical guidance note on composting and aerobic treatment. No further action.

this proposed activity, providing that the operator takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.	
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The following organisations were consulted, however no responses were received:

No comments or response received from:

- Director of Public Health (Sefton Metropolitan Borough Council)
- Sefton Metropolitan Borough Council (Environmental Protection Department)
- Sefton Metropolitan Borough Council (Planning Authority)
- Merseyside Fire & Rescue Service
- Health & Safety Executive
- Members of the public