

Environment Agency permitting decisions

Environment Agency initiated variation

We have decided to issue an Environment Agency initiated variation for Clifton Hall Landfill operated by Biffa Waste Services Limited.

The variation number is [EPR/BS7340IH/V006](#)

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.

This Environment Agency has a duty, under the Environmental Permitting (England and Wales) Regulations 2010, regulation 34(1), to periodically review permits. As a result of that review we have identified a number of necessary changes we must make to your permit to reflect current legislation and best practice. These changes principally relate to:

- The addition of a standard condition for landfill gas management at landfills that accept biodegradable waste;
- A change to the hydrogeological risk assessment condition so that reviews are undertaken every 6 years rather than every 4 years;
- Standard leachate and groundwater quality monitoring tables (schedule 3); and
- A standard reporting table (schedule 4)

We also aim:

- Consolidate permits - all variations to your permit will be brought together in to one permit so the requirements will be clearer.
- We will formalise changes to monitoring requirements and compliance limits where we have agreed them in writing, for example as the result of a hydrogeological risk assessment review.
- Waste acceptance rules will reflect the Landfill Directive and governments' waste strategies.
- We will implement the Industrial Emissions Directive (IED) and other regulatory changes.
- We will include permit conditions to implement the statutory requirements of the Waste Framework Directive, for example to reflect the requirements of the waste hierarchy.

Site specific issues which result in a change to the current template will also be addressed, for example incorporating completed improvement conditions into the permit and removing inconsistencies.

Other changes may relate to a specific permit or amendments to monitoring requirements or emission limits which have been agreed with the Environment Agency but not incorporated into the permit.

Purpose of this document

This decision document:

- explains how the Environment Agency initiated variation 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.

Structure of this document

Annex 1: decision checklist

This document should be read in conjunction with the agreed Environment Agency variation request form and permit/ notice.

Aspect considered	Justification / Detail	Criteria met Yes
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the Environment Agency initiated variation.	✓
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>No discharge point off site (no sewer connection) – leachate is tankered off site for disposal.</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>	✓
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>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>Certain template conditions have been amended to reflect current best practice. These changes have been developed in consultation with industry having regard to the relevant legislation as follows:</p> <p>Condition 1.5 Generic condition added to reflect the requirements of the Waste Framework Directive</p> <p>2.5.1(a). We have added reference to a specific table to clarify what wastes are permitted at which permitted activity.</p> <p>2.5.2.. Added to separately identify the waste types and quantities that can be accepted for restoration. While part of the landfill activity, the waste types and quantities need to be separately identified to confirm they are appropriate for use.</p> <p>2.8. Revised gas management condition imposed for all landfills that accept biodegradable to ensure compliance with the relevant requirements of the Landfill Directive.</p> <p>3.1.1. Generic condition imposed on all activities to simplify the sub-conditions. This avoids the need for additional sub-conditions that refer to compliance limits in individual tables in schedule 3</p> <p>3.1.4 – 3.1.5. Revised conditions to reflect the terminology used by the Groundwater Directive and to require hydrogeological risk assessment reviews every 6 years rather than every 4 years.</p> <p>Two sub-conditions that referred to limits in specific tables in schedule 3 deleted as they are now covered by 3.1.1.</p> <p>3.6 Revised generic pests condition imposed on all activities.</p> <p>4.2.2. Amended to ensure that information on ‘annual production/ treatment’ (Schedule 4, Table S4.2) is provided in February each year where annual reports may be submitted at other times of the year. This includes data on landfill gas collection that must be reported to</p>	

Aspect considered	Justification / Detail	Criteria met Yes
	<p>government by April each year.</p> <p>4.2.2(a) Text expanded to clarify the details we require in an annual report.</p> <p>4.2.2(h) New condition requiring annual submission of a plan of monitoring and extraction locations with reference to monitoring tables in Schedule 3.</p> <p>Schedule 1, table S1.1. Amended description to the landfill activity to clarify that this includes restoration. Activity references amended to reflect changes introduced by Industrial Emissions Directive (2010/75/EU).</p> <p>Leachate storage moved from a specified activity to a Directly Associated Activity.</p> <p>Table S1.4. Amended to clarify that restoration is a separate part of the landfill activity unrelated to landfill cover.</p> <p>Schedule 2. Template list of appropriate waste added for landfills for hazardous and non-hazardous waste. Waste types prohibited by the Landfill Directive have been removed for clarity.</p> <p>Schedule 3. Monitoring and compliance tables have been re-ordered so that those with compliance limits appear first. Standard monitoring frequency and parameters have been included for certain routine monitoring requirements.</p> <p>Table S3.7 Specific requirements for monitoring asbestos fibres added, where necessary.</p> <p>Schedule 4, table S4.1. Amended to only require regular reports of information that relate to compliance limits.</p> <p>Table S4.2 Additional details of landfill gas extracted required to improve climate change data quality.</p>	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>Table S4.3. Amended to include natural gas as an energy source for consistency with other sectors.</p> <p>Schedule 6. Definitions added to clarify meaning of:</p> <ul style="list-style-type: none"> • Inert waste • Exceeded • Hazardous substance • Medicinal product • Previous year • Waste acceptance criteria • Waste acceptance procedure <p>See also Schedule 1 in the reviewed permit.</p>	
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>20 01 34 batteries and accumulators not mentioned in 20 01 33 [batteries are no longer accepted at landfill and should be recycled instead]</p> <p>We have excluded the following wastes for the following reasons</p> <p>We made these decisions with respect to waste types in accordance with the Landfill Regulations.</p>	✓
Improvement conditions	<p>We consider that we need to impose improvement conditions.</p> <ul style="list-style-type: none"> ➤ We have imposed improvement conditions to ensure that: the appropriate measures are in place for the closure and decommissioning of the facility (waste quantities have been agreed, with an interim quantity, but an IC is installed to revise this total within 12 months of issue). 	✓
Operating techniques	<p>We have specified that the operator must operate the permit in accordance with referenced operating techniques.</p> <p>If the Odour Management Plan is not agreed with Area, but they have conceded this:</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p><i>“Odour and pest management plans were not agreed [at time of Permit issue], but it was understood that they were working in accordance with them.”</i></p> <p>These are specified in the Operating Techniques table in the permit.</p>	
Emission limits	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>A number of ICs have been discharged and emission limits altered or introduced into Tables S3.4 (GWMBH5 has had limits removed as agreed), S3.5 (limits for a number of BHs to be agreed with the Environment Agency) and S3.6 (Dust Monitoring now removed – as agreed with Area MB/John Christey).</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>These monitoring requirements have been imposed in order to simplify the monitoring requirements for the operator.</p> <p>We made these decisions in accordance with the Landfill Regulations.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>Standard table S4.1 has been added as a result of the permit review.</p> <p>We made these decisions in accordance with the Landfill Regulations.</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>	✓