

Permitting decisions

Bespoke permit

We have decided to grant the permit for Welshcroft Close RDF Facility operated by Veolia ES Nottinghamshire Limited.

The permit number is EPR/LP3839DK.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

Odour Management

We are satisfied with the operator's assessment of the risk of odour from the facility and the odour management measures that the operator will have in place as laid out in their Odour Management Plan.

There is one deviation from the guidance on odour management, in that the operator does not propose the use of local containment and extraction. However, the operator has provided the following justifications for this approach, which we are in agreement with:

- The waste types to be accepted on site will have a low odour potential due to contractual agreements which have been arranged with the waste suppliers. These contractual obligations will ensure that the handling history and storage conditions (including timelines), prior to receipt on site, are controlled to prevent excessive biological degradation,
- The operator has committed to the rejection of severely malodorous wastes and the prioritisation of moderately malodorous wastes to be processed within 24 hours of receipt. Additionally, the operator has confirmed that the wastes to be received will have minimal biodegradable content as a result of the two local authorities involved operation a separate compostable green waste collection service,
- The processing of wastes received on site will be undertaken within 24 hours where possible, utilising a 'first in, first out' approach and that no waste will be held prior to processing for more than 72 hours,
- Waste storage and treatment will only be carried out inside a building that utilises fast acting roller shutter doors and a 'traffic light' entry system, to minimise any odour release. Furthermore the operator will employ a misting system with spray nozzles situated in locations where odour generation potential is high or where odour has been identified outside of the enclosed building environment,
- The operator will also have in place a cleaning regime which will ensure the regular cleaning of equipment, plant and operational areas,
- Twice daily monitoring (5 minute duration) at four locations of the site perimeter and one sensitive receptor will be carried out by the operator and results recorded.

Emissions of building wash down (trade effluent) to sewer

We are not satisfied that the risks from the site's proposed emissions to sewer have been sufficiently assessed, therefore a quantitative H1 style risk assessment for these emissions was requested in a Schedule 5 Notice. Due to contractual time constraints, the operator has requested that the requirement for the submission of a risk assessment is included into the permit as a pre-operational condition which must be completed before any operations commence on site. This pre-operational condition has been included.

Decision checklist

Aspect considered	Decision
Receipt of application	
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.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Local Authority Environmental Health Department • Local Authority Planning Department • Health and Safety Executive (HSE) • Public Health England (PHE) • Local Fire Service • Local Sewerage Undertaker – Severn Trent Water <p>The comments and our responses are summarised in the consultation section.</p>
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 our guidance on legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1'.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p> <p>The supporting information submitted with the application suggested that the operator might also intend to accept some wastes for transfer only. If this was the case, the regulated facility would also need to include a waste operation and the permit varied.</p> <p>However, the operator provided clarification that their intention is to accept</p>

Aspect considered	Decision
	wastes suitable for RDF production only. To ensure this is the case, in Table S1.1 we have included a restriction to Activity A2 which allows the storage of non-hazardous wastes pending Activity A1 only.
The site	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. One of the plans is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive. Baseline data in the form of ground and groundwater testing has been provided as part of application EPR/LP3839DK/A001.
Biodiversity, heritage, landscape and nature conservation	<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>We have assessed the application and its potential to affect all known sites of nature conservation identified in the nature conservation screening report as part of the permitting process, and are listed as follows:</p> <ul style="list-style-type: none"> • Kirkby Grives Site of Special Scientific Interest (SSSI) • Portland Park Local Nature Reserve & Local Wildlife Site (LWS) • Coxmoor Golf Course LWS • Kirkby Wasteland LWS • Halfmoon Plantation LWS • Erewash Meadow 1 Kirkby Grives LWS • Erewash Grassland LWS • Kirkby Grives I & II LWS • Kirkby Grives Grassland LWS • Springfield Cottage Grasslands LWS • Glasswork Grassland, Kirkby-in-Ashfield District LWS • Calladine Meadow LWS • Kirkby Dismantled Railway LWS • Source Protection Zone Classification 3 (SPZ3) <p>We consider that the application will not affect any sites of nature conservation as there is no pathway for pollution.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> <p>In accordance with our guidance, as there are statutory sites within 5km of the installation, we are required to complete an Appendix 4 CRoW Act Assessment for the Site of Special Scientific Interest for auditing purposes only. This was done on the 7th March 2017 and is recorded for information only on the public register.</p>

Aspect considered	Decision
Environmental risk assessment	
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 with the following exception.</p> <p>The operator's risk assessment is unsatisfactory, with regards to their proposed emissions to sewer, and requires additional Environment Agency assessment.</p> <p>Please see '<u>Emissions of building wash down (trade effluent) to sewer</u>' in the Key Issues section for further information.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes, as listed below, and we consider them to represent appropriate techniques for the facility.</p> <ul style="list-style-type: none"> • Web guide: 'Risk assessments for your environmental permit' • Sector Guidance Note S5.06 'Guidance for the recovery and disposal of hazardous and non-hazardous waste'; • 'Develop a management system' • 'H3 part 2 noise assessment and control' • 'H4 Odour Management' • 'Fire prevention plans: environmental permits' <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Operating techniques for emissions that screen out as insignificant	<p>There will be no point source emissions from the site with the exception of clean surface water run-off and trade effluent to sewer.</p> <p>Please see '<u>Emissions of building wash down (trade effluent) to sewer</u>' in the <u>key issues</u> section for further information.</p> <p>We agree that the applicant's proposed techniques are BAT for the installation.</p> <p>No emissions limits have been set in the permit.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
Fire prevention plan	<p>We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.</p>
Permit conditions	
Use of conditions other than	Based on the information in the application, we consider that we do not need

Aspect considered	Decision
those from the template	to impose conditions other than those in our permit template.
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>Mobile plant fuel oil has a specified limit of <1.0% sulphur content.</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> <ul style="list-style-type: none"> • they are suitable for the proposed activities • the proposed infrastructure is appropriate • the environmental risk assessment is acceptable. <p>We have excluded the following wastes for the following reasons:</p> <p>Applying the principles of the Waste Incineration Directive we do not consider the following wastes to be suitable for use as RDF due to them being non-combustible or damaging to incinerators, and therefore have not included these waste codes into the permit.</p> <ul style="list-style-type: none"> • 01 01 01 wastes from mineral metalliferous excavation • 01 01 02 wastes from mineral non-metalliferous excavation • 01 04 08 waste gravel and crushed rocks other than those mentioned 01 0 07 • 01 04 09 waste sand and clays • 01 04 11 wastes from potash and rock salt processing other than those mentioned in 01 04 07 • 01 04 12 tailing s and other wastes from washing and cleaning of minerals other than those mentioned in 01 04 07 and 01 04 11 • 01 04 13 wastes from stone cutting and sawing other than those mentioned in 01 04 07 • 02 04 01 Soil from cleaning and washing beet • 02 04 02 off-specification calcium carbonate • 10 01 01 bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04) • 10 01 05 calcium-based reaction waste from flue gas desulphurisation in solid form • 10 01 06 calcium-based reaction waste from flue gas desulphurisation in sludge form • 10 01 15 bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14 • 10 01 19 wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18 • 10 02 08 solid wastes from gas treatment other than those mentioned in

Aspect considered	Decision
	<p>10 02 07</p> <ul style="list-style-type: none"> • 10 02 14 filter cakes from gas treatment other than those mentioned in 10 02 13 • 10 02 15 other filter cakes • 10 03 24 solid wastes from gas treatment other than those mentioned in 10 02 23 • 10 03 26 filter cakes from gas treatment other than those mentioned in 10 03 25 • 10 03 28 wastes from cooling-water treatment other than those mentioned in 10 03 27 • 10 03 30 wastes from treatment of salt slags and black drosses other than those mentioned in 10 03 29 • 10 04 10 wastes from cooling-water treatment other than those mentioned in 10 04 09 • 10 05 09 wastes from cooling-water treatment other than those mentioned in 10 05 08 • 10 06 10 wastes from cooling-water treatment other than those mentioned in 10 06 09 • 10 07 03 solid wastes from gas treatment • 10 07 05 filter cakes from gas treatment • 10 07 08 wastes from cooling-water treatment other than those mentioned in 10 07 07 • 10 08 18 filter cakes from flue-gas treatment other than those mentioned in 10 08 17 • 10 08 20 wastes from cooling-water treatment other than those mentioned in 10 08 19 • 10 11 03 waste glass-based fibrous materials • 10 11 10 waste preparation mixture before thermal processing, other than those mentioned in 10 11 09 • 10 11 12 waste glass other than those mentioned in 10 11 11 • 10 11 16 solid wastes from flue-gas treatment other than those mentioned in 10 11 15 • 10 11 18 filter cakes from flue-gas treatment other than those mentioned in 10 11 17 • 10 12 01 waste preparation mixture before thermal processing • 10 12 05 filter cakes from gas treatment • 10 12 08 waste ceramics, bricks, tiles, and construction products (after thermal processing) • 10 12 10 solid wastes from flue-gas treatment other than those mentioned in 10 12 09

Aspect considered	Decision
	<ul style="list-style-type: none"> • 10 12 12 wastes from glazing other than those mentioned in 10 12 11 • 10 13 01 waste preparation mixture before thermal processing • 10 13 04 wastes from calcination and hydration of lime • 10 13 07 filter cakes from gas treatment • 10 13 10 wastes from asbestos-cement manufacture other than those mentioned in 10 13 09 • 10 13 11 wastes from cement-based composite materials other than those mentioned in 10 13 10 • 10 13 13 solid wastes from gas treatment other than those mentioned in 10 13 12 • 10 13 14 waste concrete • 11 01 10 filter cakes other than those mentioned in 11 01 09 • 11 01 14 degreasing agents other than those mentioned 11 01 13 • 11 02 03 wastes from the production of anodes for aqueous electrolytical processes • 16 01 03 end-of-life tyres • 16 03 04 inorganic wastes other than those mentioned in 16 03 03 • 16 06 04 alkaline batteries (except 16 06 03) • 16 06 05 other batteries and accumulators • 17 01 01 concrete • 17 01 02 bricks • 17 01 03 tiles and ceramics • 17 01 07 mixtures of concrete, bricks, tiles, and ceramics other than those mentioned in 17 01 06 • 19 12 09 minerals (for example sand, stones) • 20 01 34 batteries and accumulators other than those mentioned in 20 01 33 • 20 02 02 soil and stones <p>Applying the principles of the waste framework directive we do not consider the following wastes to be suitable for use as RDF in line with the waste hierarchy, and thus have not included these waste codes into the permit.</p> <ul style="list-style-type: none"> • 01 03 06 tailings other than those mentioned in 01 02 04 and 01 03 05 • 01 03 09 red mud from alumina production other than the wastes mentioned in 01 03 07 • 02 01 04 waste plastics (except packaging) • 02 01 10 waste metal • 03 01 01 waste bark and cork • 03 01 05 sawdust, shavings, cuttings, wood, particle board and veneer

Aspect considered	Decision
	<p>other than those mentioned in 03 01 04</p> <ul style="list-style-type: none"> • 03 03 01 waste bark and wood • 04 01 08 waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium • 04 01 09 wastes from dressing and finishing • 04 02 21 wastes from unprocessed textile fabrics • 04 02 22 wastes from processed textile fabrics • 06 09 02 phosphorous slag • 06 09 04 calcium-based reaction wastes other than those mentioned in 06 09 03 • 06 11 01 calcium-based reaction wastes from titanium dioxide production • 07 02 13 waste plastic • 09 01 07 photographic film and paper containing silver or silver compounds • 09 01 08 photographic film and paper free of silver or silver compounds • 09 01 10 single use cameras without batteries • 09 01 12 single use cameras containing batteries other than those mentioned in 09 01 11 • 10 01 24 sands from fluidised beds • 10 02 01 wastes from the processing of slag • 10 02 02 unprocessed slag • 10 02 10 mill scales • 10 03 02 anode scraps • 10 03 05 waste alumina • 10 03 16 skimmings other than those mentioned in 10 03 15 • 10 03 18 carbon-containing wastes from anode manufacture other than those mentioned in 10 03 17 • 10 05 01 slags from primary and secondary production • 10 05 11 dross and skimmings other than those mentioned in 10 05 10 • 10 06 01 slags from primary and secondary production • 10 06 02 dross and skimmings from primary and secondary production • 10 07 01 slags from primary and secondary production • 10 07 02 dross and skimmings from primary and secondary production • 10 08 09 other slags • 10 08 11 dross and skimmings other than those mentioned in 10 08 10 • 10 08 13 carbon-containing wastes from anode manufacture other than those mentioned in 10 08 12

Aspect considered	Decision
	<ul style="list-style-type: none"> • 10 08 14 anode scrap • 10 09 03 furnace slag • 10 09 06 casting cores and moulds which have not undergone pouring other than those mentioned in 10 09 05 • 10 09 08 casting cores and moulds which have undergone pouring other than those mentioned in 10 09 07 • 10 09 03 furnace slag • 10 10 03 furnace slag • 10 10 06 casting cores and moulds which have not undergone pouring other than those mentioned in 10 10 05 • 10 10 08 casting cores and moulds which have undergone pouring other than those mentioned in 10 10 07 • 10 12 06 discarded moulds • 11 02 06 wastes from copper hydrometallurgical processes other than those mentioned in 11 02 05 • 11 05 01 hard zinc • 11 05 02 zinc ash • 12 01 01 ferrous metal filings and turnings • 12 01 03 non-ferrous metal filings and turnings • 12 01 05 plastics shavings and turnings • 12 01 13 welding wastes • 12 01 17 waste blasting material other than those mentioned in 12 01 16 • 12 01 21 spent grinding bodies and grinding materials other than those mentioned in 12 01 20 • 15 01 01 paper and cardboard packaging • 15 01 02 plastic packaging • 15 01 03 wooden packaging • 15 01 04 metallic packaging • 15 01 07 glass packaging • 15 01 09 textile packaging • 16 11 02 carbon-based linings and refractories from metallurgical processes other than those mentioned in 16 11 01 • 16 11 04 other linings and refractories from metallurgical processes other than those mentioned in 16 11 03 • 16 11 06 linings and refractories from metallurgical processes other than those mentioned in 16 11 05 • 17 02 01 wood • 17 02 02 glass

Aspect considered	Decision
	<ul style="list-style-type: none"> • 17 02 03 plastic • 17 04 01 copper, bronze, brass • 17 04 02 aluminium • 17 04 03 lead • 19 12 07 wood other than that mentioned in 19 12 06 • 19 12 08 textiles • 20 01 01 paper and cardboard • 20 01 02 glass • 20 01 10 clothes • 20 01 11 textiles • 20 01 36 discarded electrical and electronic equipment • 20 01 38 wood other than that mentioned in 20 01 21m 20 01 23 and 20 01 35 • 20 01 39 plastics • 20 01 40 metals <p>In the operators Odour Management Plan, a part of the proposed control measures for odour, it was confirmed that the operator would accept wastes with minimal biodegradable content as a result of separate collections of food waste. For this reason we have also not included the following waste codes into the permit.</p> <ul style="list-style-type: none"> • 02 01 03 plant-tissue waste • 02 01 07 wastes from forestry • 02 02 wastes from the preparation and processing of meat, fish and other foods of animal origin • 02 02 03 materials unsuitable for human consumption or processing • 02 03 wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea, and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation • 02 03 04 materials unsuitable for human consumption or processing • 02 05 wastes from the dairy products industry • 02 05 01 materials unsuitable for human consumption • 02 07 wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa) • 02 07 01 wastes from washing, cleaning and mechanical reduction of raw materials • 02 07 02 wastes from spirits distillation • 02 07 04 materials unsuitable for consumption or processing • 20 01 08 biodegradable kitchen and canteen waste

Aspect considered	Decision
	<ul style="list-style-type: none"> • 20 02 01 biodegradable waste
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>Please see 'Emissions of building wash down (trade effluent) to sewer' in the <u>key issues</u> section for further information.</p>
Emission limits	We have decided that emission limits are not required in the permit.
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with Technical Guidance Note S5.06: Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Technical competence	<p>Technical competence is required for activities permitted.</p> <p>The operator is a member of an agreed scheme.</p> <p>We are satisfied that the operator is technically competent.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from
Public Health England – received 9 th December 2016, Specialist Environmental Public Health Scientist, CRCE, Seaton House, Nottinghamshire, NG2 4LA.
Brief summary of issues raised
The main emissions of potential concern are fugitive emissions including odour. Based on the information contained in the application supplied to us, Public Health England has no significant concerns regarding the risk to the health of the local population from the installation. The consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with relevant sector guidance and industry best practice.
Summary of actions taken or show how this has been covered
An Odour Management Plan has been submitted by the operator and agreed by the Environment Agency, providing this plan is implemented there should be no odour pollution from the installation. Should odour pollution be detected off-site, the operator will be required (by condition 3.3 of their permit) to investigate the source and whether the OMP has been implemented effectively to ensure that appropriate measures are being used to prevent, or where that is not practicable minimise the pollution.

Representations from community and other organisations

Response received from
Severn Trent Water - received 1 st March 2017, Hydrogeologist, Planning and Performance – Environment Team
Brief summary of issues raised
We have no objection to the following environment permit and you may find summary of the investigation details as follows: Application reference: EPR/LP3839DK/A001 Operator name: Veolia ES Nottinghamshire Limited Facility name and address: Welshcroft Close RDF, Welshcroft Close, Kirkby in Ashfield, Nottinghamshire, NG17 8EP NGR: 450388, 356988 Proposed Site Development This application is for a permit to produce Refuse Derived Fuel (RDF) material from domestic commercial and industrial waste and a waste transfer station for the same wastes. The RDF material produced will be exported from site and domestic commercial and industrial waste diverted away from landfill disposal as a result. The design waste throughput capacity of the new RDF facility will be 25 tonnes per hour. The facility is therefore expected to process up to 55,000 tonnes per annum when The permit is for a physical treatment activity (over 50 tonnes per day) in order to produce RDF. This activity

include a disposal of non-hazardous waste in an installation with a capacity over 50 tonnes per day, physico-chemical treatment under the Industrial Emissions Directive.

Discharges to water:

The permit application support statement states that “No potentially contaminated water from the new facility will be released to surface water. Surface water from the yards/roads will be discharged to the 10m swale zone along the eastern boundary of the site and so will the water runoff from the roof of the new building. The unloading, treatment and baling of waste will all take place within the proposed transfer station/RDF building which will have an engineered impermeable concrete floor. Wash down water from the building will be discharged to the public sewer in agreement with the trade effluent discharge consent. Domestic sewage will also be discharged to the foul sewer.

Geology

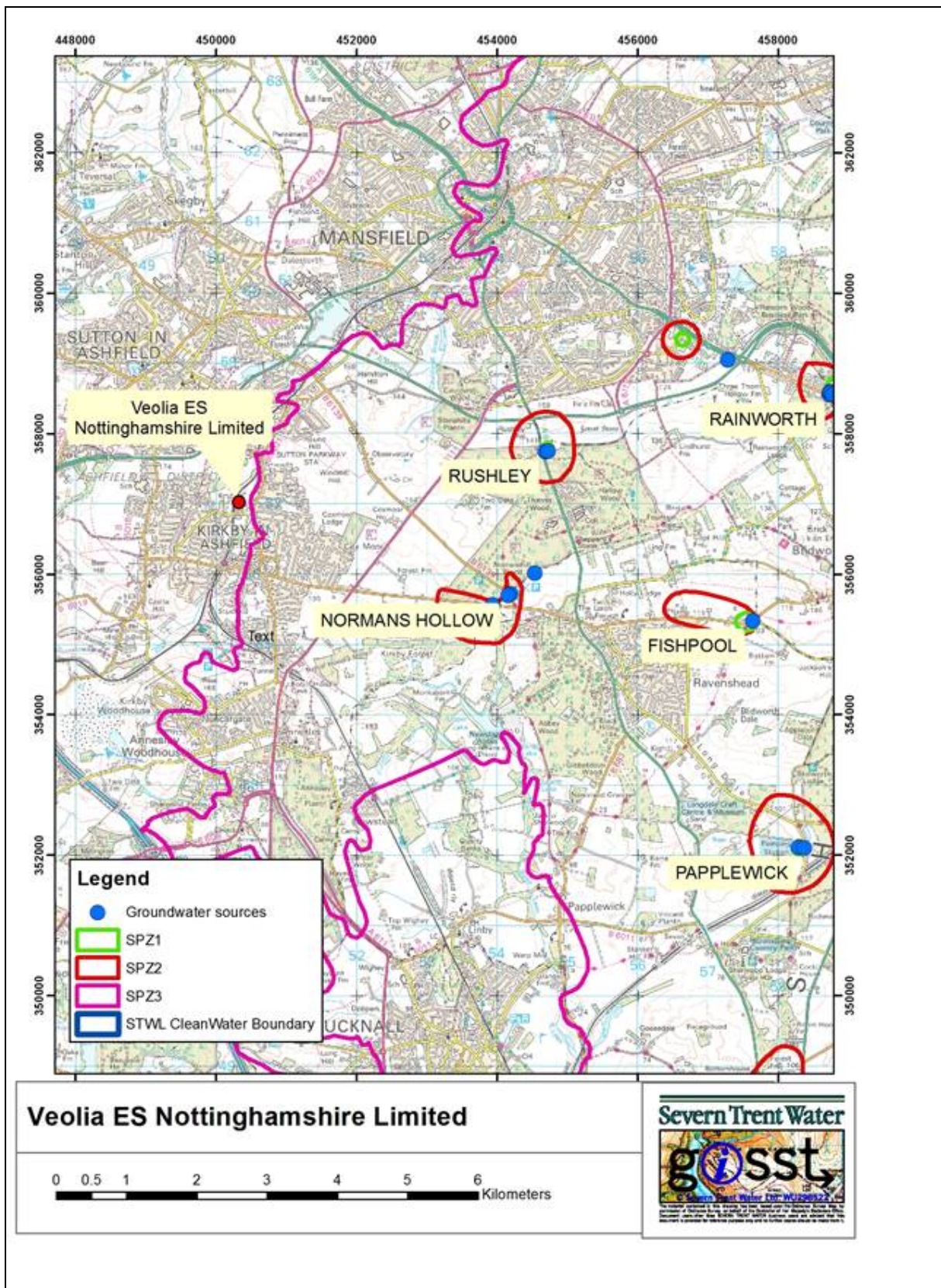
The majority of the site is underlain by the Edlington Formation (mudstone and sandstone) with the northern tip and the south eastern corner being underlain by the Cadeby formation (calcareous mudstone) of the Sherwood Sandstone Group both belonging to the Zechstien Group being of late Permian age

Impact on STW groundwater assets

The majority of the site is located outside any SPZ, although the extreme eastern area of the site is located within the SPZ 3. The nearest STW groundwater abstraction site is Normans Hollow and this is a drought source located more than 4 km to the east of the site. There is also a disused STW source, Rushley, which is located 4.5 km to the east of the site (please see map below)

Investigation outcome

Given the nature of proposed development and the distance from the STW groundwater assets, we have no objection to this permits



Summary of actions taken or show how this has been covered

No issues raised and so no actions taken

In order to ensure that the emissions to sewer from the installation do not pose a significant negative impact to the Sewage Treatment Plant, and therefore the potential impact to the surface water body the

plant ultimately discharges to, a pre-operational condition has been set which requires the operator provide a H1 (or equivalent) risk assessment for these emissions.