

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Albert Works operated by Metal & Waste Recycling Limited.

The variation number is EPR/EP3091NT/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.

Description of the changes introduced by the Variation

This is a Normal Variation.

This Variation does several different things:

- **First**, it gives effect to our decisions following the identification of the Operator as undertaking a “newly prescribed activity” (NPA) under the Industrial Emissions Directive (IED);
- **Second**, it takes the opportunity to bring earlier variations into an up-to-date, consolidated Permit. The consolidated Permit should be easier to understand and use; and
- **Third**, it modernises the entire Permit to reflect our current template. The template reflects our modern regulatory permitting philosophy and was introduced because of a change in the governing legislation. This took place when the Pollution Prevention and Control (England and Wales) Regulations 2000 (“PPC”) were replaced in 2008 by a new statutory regime under the Environmental Permitting Regulations 2007 (now the 2010 version).

The introduction of new template conditions makes the Permit consistent with our current general approach and philosophy. Although the wording of some conditions has changed, while others have disappeared because of the new regulatory approach, it does not affect the level of environmental protection achieved by the permit in any way.

We consider that, in reaching our decision, we have taken into account all relevant considerations and legal requirements and that the Permit will continue to ensure that a high level of protection is provided for the environment and human health.

The original Permit, issued on 02/06/1992, ensured that the facility would be operated in a manner which would ensure the protection of the environment

specified in the existing guidance and regulations at the time. To the extent that we have substantively altered the Permit as a result of this variation, the new requirements will deliver a higher level of protection to that which was previously achieved.

As we explained above, we do not address changes to the Permit in this document, to the extent that they give effect to either the consolidation of earlier variations, or introduce new template conditions.

The applicant has also applied to extend the boundary of the site and add 5 additional waste codes.

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information (Installation and Waste Operation facilities)	A claim for commercial or industrial confidentiality has not been made.	✓
Identifying confidential information (Installation and Waste Operation facilities)	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.	✓
Consultation		
Scope of consultation (Installation and Waste Operation facilities)	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. For this application no consultation was required	✓
Operator		
Control of the facility (Installation and Waste Operation facilities)	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 (Installation facility)	The extent/nature of the activities and operations taking place at the site required clarification. The decision on the facility was taken in accordance with Appendix 2 of RGN 2 "Understanding the meaning of regulatory facility", Appendix 1 of RGN 2 "Interpretation of Schedule 1", Appendix 2 of RGN 2 "Defining the scope of the installation" The regulated facility is an installation which comprises	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations and the following directly associated activities.</p> <ul style="list-style-type: none"> • S5.4 A(1) (b) (iv) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.(R3, R4, and R5) • S5.6 A(1)(a) Temporary storage of hazardous waste in a facility with a total capacity exceeding 50 tonnes pending any of the activities listed in Section 5.1, 5.2 and 5.3 (R13) • DAA - Physical treatment for the purpose of recycling (R3, R4 and R5) • DAA - Storage of waste, excluding temporary storage of hazardous waste under Section 5.6 A(1)(a) (R13) – Storage of waste prior to treatment • DAA - Storage of processed materials, excluding temporary storage of hazardous waste under Section 5.6 A(1)(a) – Storage of processed waste • DAA - Raw materials storage • DAA - Surface Water Management 	
<p>The regulated facility (Waste Operations facility)</p>	<p>The extent/nature of the activities and operations taking place at the site required clarification.</p> <p>The decision on the facility was taken in accordance with Appendix 2 of RGN 2 “Understanding the meaning of regulatory facility”, Appendix 1 of RGN 2 “Interpretation of Schedule 1”, Appendix 2 of RGN 2 “Defining the scope of the installation”.</p> <p>The regulated facility also includes a waste operation at which the following recovery operations will be undertaken:-</p> <ul style="list-style-type: none"> • Vehicle depollution and storage – R13, R3, R4 and R5 • Waste electrical and electronic equipment (authorised treatment facility) – R13, R3, R4 and R5 • Metal recycling – R13, R3, R4 and R5 • Storage of furnace ready scrap – R13, R3, R4 and R5. 	<p>✓</p>

Aspect considered	Justification / Detail	Criteria met
		Yes
European Directives		
Applicable directives (Installation and Waste Operation facilities)	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility (Installation and Waste Operation facilities)	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 (Installation and Waste Operation facilities)	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 (Installation and Waste Operation facilities)	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. This application to vary the permit is regularising the current activities on the site now that IED is in force. Therefore, there has been no additional waste types or activities added to the facility. Therefore, there will be no increase in emissions as a result of this variation, and consequently no increase in environmental risk. 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 (Installation facility)	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. The operator risk assessment shows that in order to minimise the impact of dust, noise, vibration and fugitive emissions they need to conduct the metal shredding activity within a building. Therefore we have specified	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>within the limits column within Table S1.1 that this activity must be undertaken within the building.</p> <p>The operator risk assessment considered the following potential risks:</p> <ul style="list-style-type: none"> • Point source emissions to air • Point source emissions to water • Fugitive emissions • Odour emissions • Noise • Pests • Accident risks <p>This application to vary the permit is regularising the current activities on the site now that IED is in force. Therefore, there has been no additional waste types or activities added to the facility. Therefore, there will be no increase in emissions as a result of this variation, and consequently no increase in environmental risk.</p>	
Operating techniques (Installation and Waste Operation facilities)	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>This application to vary the permit is regularising the current activities on the site now that IED is in force.</p> <p>We have brought forward all the previous operating techniques and added the operating techniques included in the application (EPR/EP3091NT/V006), that included the operators EMS summary and specifying the procedures that are in line with SGN S5.06 – Guidance for the recovery and Disposal of Hazardous and Non Hazardous Waste.</p> <p>Also, included is the response to schedule 5 notice dated 27/11/15 which clarifies the waste pre-acceptance and acceptance criteria.</p>	✓
The permit conditions		
Updating permit conditions during consolidation. (Installation and Waste	<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
Operation facilities)		
Waste types (Installation and Waste Operation facilities)	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>This application to vary the permit is regularising the current activities on the site now that IED is in force.</p> <p>The waste types from the previous variation (EPR/EP3091NT/V005) have been reorganised in to separate tables and linked to the specific activity being undertaken.</p> <p>The operator requested that the following additional codes were added to the permit.</p> <p>To Table S2.2 – 19 10 02 - non-ferrous wastes 19 12 03 - non-ferrous wastes</p> <p>To Table S2.5 – 17 04 10* - cables containing oil, coal tar and other hazardous substances – for transfer and storage only</p> <p>The operator supplied addition information demonstrating that the wastes will be identified at the pre application stage, verified at the waste acceptance stage and moved to the appropriate activity.</p> <p>We are satisfied that the operator can accepted these additional codes. We made these decisions with respect to waste types in accordance with Technical Guidance WM3 - Guidance on the classification and assessment of waste (1st edition 2015) and SGN S5.06 – Guidance for the recovery and Disposal of Hazardous and Non Hazardous Waste.</p>	✓
Improvement conditions (Installation and Waste Operation facilities)	<p>Based on the information on the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed improvement conditions to ensure that:</p> <p>IC1 - appropriate management systems and management structures are in place and that sufficient financial, technical and manpower resources are available to the operator to ensure compliance with all the permit conditions.</p> <p>IC2 - appropriate measures are in place to ensure that accidents that may cause pollution are</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>minimised.</p> <p>IC3 - the appropriate measures are in place to prevent fire on site.</p> <p>IC4 and IC 5 - appropriate monitoring proposals for the air emissions and ambient air monitoring.</p>	
Incorporating the application (Installation and Waste Operation facilities)	<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>	✓
Emission limits (Installation facility)	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>The following substances have been identified as being emitted in significant quantities and ELVs and/or equivalent parameters or technical measures have been set for those substances.</p> <ul style="list-style-type: none"> • Total Particulates (limit set:- 10 mg/m³) <p>We have imposed a stricter ELV in respect of Total Particulates, because we expect the abatement system employed at the facility can achieve this level. Also, this facility is within an Air Quality Management Area (AQMA) for particulates and oxides of nitrogen (NO_x).</p> <p>We made these decisions in accordance with SGN S5.06 – Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste and Horizontal Guidance Note H1 - H1 Annex F – Air Emissions.</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>	✓
Monitoring (Installation facility)	<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 ensure compliance with the associated emission limit and or quantify the amount being emitted from the facility in order to gather data to allow the setting of ELVs in the future.</p> <ul style="list-style-type: none"> • Total Particulates (limit set:- 10 mg/m³), and 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> • Volatile Organic Carbon compounds (VOCs) • Oxides of nitrogen (NO_x) • Sulphur dioxide (SO₂) • Ambient air monitoring. <p>We made these decisions in accordance with SGN S5.06 – Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste and TGN M2 – Monitoring of stack emissions to air.</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>	
Monitoring (Waste facilities)	<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 quantify the amount of particulates being released from the facility. This facility is within an AQMA for particulates and oxides of nitrogen (NO_x).</p> <p>We made these decisions in accordance with</p> <ul style="list-style-type: none"> • How to comply • SGN S5.06 – Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste. • Technical Guidance Note M17 - Monitoring Particulate Matter in Ambient Air around Waste Facilities <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>	✓
Reporting (Installation and Waste facilities)	<p>We have specified reporting in the permit.</p> <p>We have required the operator to report on a monthly basis for the Ambient Air monitoring, quarterly and annually for emissions to air and the noise monitoring on an annual basis.</p> <p>We made these decisions in accordance with How to comply and SGN S5.06 – Guidance for the recovery and Disposal of Hazardous and Non Hazardous Waste.</p>	✓
Operator Competence		
Environment management	There is no known reason to consider that the operator will not have the management systems to enable it to	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
system (Installation and Waste Operation facilities)	comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	
Technical competence (Installation and Waste Operation facilities)	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.	✓
Relevant Convictions (Installation and Waste Operation facilities)	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓
Financial provision (Installation and Waste Operation facilities)	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.	✓