

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Tradebe Healthcare (South West) Limited operated by Tradebe Healthcare (South West) Limited.

The variation number is EPR/GP3698EM/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

- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key issues of the decision

Annual Waste Throughput

We identified conflicting information in the application documents regarding the quantity of waste the site can accept in any one year. The existing fixed condition licence specified that the total quantity of wastes accepted at the site shall be less than 25,000 tonnes a year. The application form C3, table 1a says 7,000 tonnes per annum (t/a) while the supporting document suggested the facility only accepts 2,429 t/a. Also the local planning authority confirmed the facility is restricted to 3,000 t/a by the planning permission.

In view of the conflicting information we asked the operator to clarify the actual quantity of waste the facility is capable of handling in any one year. In response the operator confirmed the facility will be accepting a maximum of 7,000 tonnes of waste annually. Because of the concern raised by the planning authority we emailed the operator to clarify that planning permission

and permit are two different requirements and that it is the operator's responsibility to ensure both requirements are complied with. We do not check the planning requirements as part of the permit determination.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, 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 and web publicising	The web publicising and 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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. This variation implements the requirements of Industrial Emissions Directive (IED).	✓
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.	✓
Biodiversity, Heritage, Landscape and Nature	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Conservation	<p>A full assessment of the application and its potential to affect the sites, species and habitats has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites, species and habitat.</p> <p>The protected habitat within 500m and species within 2000m of the site are mainly affected by 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). However no point source discharge to water is permitted as part of the proposed changes to the permitted activities. This variation only increases the waste treatment and storage capacity of the site. Hence there is no potential for impact.</p> <p>There are three Special Areas of Conservation (SAC), one Special Protection Area and one Ramsar within 10km and one SSSI within 2km of the site. We have carried out an assessment of likely significant effect on these sites. The assessment show there will be no likely significant affect as a result of the proposed changes to the permitted activities.</p> <p>There are eleven (12) Local Wildlife Sites (LWS) within 2km of the site. Deposition of acid gases (NH₃, NO_x and SO₂) from aerial emissions can cause damage to vegetation and/or other sensitive features of these sites. However these pollutants have not been identified as emissions of concern from the facility and the proposed change to increase the waste treatment and storage capacity will not give rise to these pollutants.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	
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>	✓
Operating	We have reviewed the techniques used by the operator	✓

Aspect considered	Justification / Detail	Criteria met Yes
techniques	<p>and compared these with the relevant guidance notes.</p> <p>The proposed measures for waste acceptance, waste treatment, control of emissions to air, water, groundwater, land; prevention of accidental damage and fire; control of odour, noise, vibration, dust and vermin are all in accordance with BAT described in the Sector Guidance Note EPR S5.07 – How to comply with your environmental permit - Additional guidance for Clinical waste.</p> <p>The proposed techniques for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</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>	✓
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: We have specified separate waste tables for:</p> <ul style="list-style-type: none"> • hazardous waste treatment, • for hazardous waste storage and transfer, • non-hazardous treatment as agreed with Environment Agency • non-hazardous waste storage and transfer and • non-hazardous waste repackaging. <p>We have excluded the waste code 19 02 99 from the non-hazardous waste storage table of the permit (Table S2.5).</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The waste code is not in the permitted waste storage list contained in the sector guidance note EPR5.07 and based upon the waste description provided (microbiological cultures and potentially infected waste from pathology/research laboratories) we concluded that the waste would be infectious and therefore would not be non-hazardous.</p> <p>We have added the waste code 19 02 10 code for storing treated clinical waste.</p> <p>We are also satisfied the proposed increase in treatment and storage capacities will not have significant impact on the level of emissions from the site.</p> <p>We made these decisions with respect to waste types, waste treatment, storage and transfer in accordance with Sector Guidance Note EPR S5.07 – How to comply with your environmental permit - Additional guidance for Clinical waste.</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>	✓
Emission limits	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>We have not imposed additional emission limits as a result of this variation.</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 ensure the clinical waste treatment devices are monitored routinely throughout their operational life such that microbial inactivation performance is maintained.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	We made these decisions in accordance with the Sector Guidance Note EPR S5.07 – How to comply with your environmental permit - Additional guidance for Clinical waste.	
Reporting	We have specified reporting in the permit. We made these decisions in accordance with Sector Guidance Note EPR S5.07 – How to comply with your environmental permit - Additional guidance for Clinical waste.	✓
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 RGN 5 on Operator Competence.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.	✓
Relevant convictions	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	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.	✓

Annex 2: Consultation and web publicising

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.)

Response received from
Bristol City Council Planning authority
Brief summary of issues raised
Condition 3 of Permission 08/01578/F for clinical waste transfer permits a maximum of 3,000 tonnes per annum. From reading the documents the permit is seeking consent for 7,000 which would be above the approved planning capacity. As far as I am aware the Local Planning Authority have not received any applications to vary the planning permission at this time.
Summary of actions taken or show how this has been covered
The current permit allows up to 25,000 tonnes of waste per annum. However we asked the operator to clarify the actual quantity of waste the facility is capable of handling in any one year. Base on the proposed increase in treatment capacity the operator proposed the annual tonnage of 7,000 tonnes. In view of the planning restriction we emailed the operator to clarify that planning permission and permit are two different requirements. It is the operator's responsibility to ensure both requirements are complied with. We do not check the planning requirements as part of the permit determination.

Response received from
Public Health England
Brief summary of issues raised
No issue was raised. PHE concluded in its response that provided that the site is well managed, and regulated there should be no adverse effect on the health of the population in the immediate area.
Summary of actions taken or show how this has been covered
Not required.

Reponses not received

The Health and Safety Executive (HSE), Local Authority Environmental Health and Food Standards Agency were consulted; however, consultation responses from these parties were not received.