

# **Environment Agency permitting decisions**

## **Bespoke permit**

We have decided to grant the permit for Sevington Recycling Facility operated by Brett Aggregates Limited.

The permit number is EPR/AP3730AJ.

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**

This application is for a permit to operate a waste recycling facility at Sevington near Ashford in Kent.

The activities taking place at the facility are;

the blending and crushing of Incinerator Bottom Ash Aggregate (IBAA), a listed Part A activity S5.4 A (1) (b) Recovery or a mix or recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving, iii) treatment of slags and ashes,

the production of Hydraulically Bound Materials, using bulk cement, a listed Part B activity S 3.1 (B) (b) 'blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement

mixtures, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products.

The waste treatment activities are;

Soil manufacture, including the screening and blending of input materials.

Aggregate manufacture, including crushing, screening and blending of input materials.

HBM manufacture, including crushing, screening, blending, mixing with lime or gypsum and mixing with cement.

The crushing activities will be carried out on a campaign basis when required using a fixed crushing plant authorised by this permit.

Storage of IBAA and other wastes in stockpiles.

The GWCL area team expressed a preference for the activities to be carried out on an impervious surface. The operator has proposed hard standing made from HBM of the type to be produced on site. The Sch5 notice asked for more justification of the proposal and for a revised corrected site risk assessment. Following the receipt of the final responses to the Sch5 notice the GWCL team confirmed that they now have no objection to the use of crushed hardcore for surfacing of the storage areas, as proposed by the operator.

## Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit.

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.  The following organisations were consulted: Ashford Borough Council Environmental Protection Department Food Standards Agency Health and Safety Executive Public Health England Ashford Borough Council Director of Public Health	✓
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.	✓
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. The decision was taken in accordance with our guidance on site condition reports and baseline reporting	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	under IED– guidance and templates (H5).	
Biodiversity, Heritage, Landscape and Nature Conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.	✓
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. There are no significant emissions to air, water or land.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. S5.06 Guidance for recovery and disposal of non-hazardous and hazardous waste. How to comply with your environmental permit. Operational procedures have been submitted as part of the application, covering the different aspects of the site operations referenced in the Operator's 'Best Available Techniques and Operating Techniques' document.	✓
Pre-Operational Conditions	Based on the information in the application, we consider that we need to impose a pre-operational condition, (PO1)requiring the operator to advise the Agency proposed maximum quantity to be stored at any one time, the expected maximum annual quantity to be processed and the ground surfacing and containment to be used in the storage area. The material shall not be brought onto site until agreement in writing has been granted by the Environment Agency.	
<b>The permit conditions</b>		
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. We are satisfied that the operator can accept these wastes for the following reason. The appropriate waste acceptance procedures and infrastructure are in place to run the installation in an appropriate manner. The risks of handling these wastes have been identified and the operator will use appropriate	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>measures to minimise the risks.</p> <p>We made these decisions with respect to waste types in accordance with S5.06 Guidance for recovery and disposal of non-hazardous and hazardous 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	There are no emissions from the facility and no emission limits have been set.	✓
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 meet the periodic monitoring of soil and groundwater under the IED.</p>	✓
Reporting	We have specified reporting in the permit.	✓
<b>Operator Competence</b>		
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	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>Relevant convictions were found and declared in the application.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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 responses.

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
Ashford Borough Council Environmental Protection Department
Brief summary of issues raised
The only issue raised was the existence of material stockpiled on the site (apparently without correct authorisation).
Summary of actions taken or show how this has been covered
The material has been imported by a different company to the applicant. The material is not on the land proposed for the site of the Brett Aggregates facility.

Response received from
Public Health England
Brief summary of issues raised
PHE have no significant concerns regarding the impact of the facility on public health. They recommend that the permit should contain conditions to protect public health against the effects of odour and dust.
Summary of actions taken or show how this has been covered
The standard permit conditions will provide for protection of public health against the effects of odour and dust. The material being stored and processed on site is not odorous. Dust is minimised by the use of filters on the cement silos and water spraying of stockpiles.