

# Environment Agency permitting decisions

## Variation

We have decided to issue a variation for Unit 2 Hannah Close operated by Seneca Environmental Solutions Limited.

The variation number is EPR/PP3496EU/V005.

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: Consultation and web publicising responses

## Key issues of the decision

### 1. The permitted activities

The Environmental Permitting Regulations (EPR) allows multiple Waste Operations and Installations to be regulated under one Environmental Permit. This variation and consolidation changes the permit from a bespoke waste permit into a bespoke installation permit for the following activity listed in Part 1 of Schedule 1 to the EPR:

- Section 5.4 A(1)(b)(ii) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving pre-treatment of waste for incineration or co-incineration (A1 in table S1.1);

and the following Waste Operations:

- Storage and treatment of non-hazardous waste for recovery (A2 in table S1.1).
- Bulking up and storage of hazardous waste for disposal (A3 in table S1.1).

Activity A1 is required because the Operator is increasing the tonnage of waste to be accepted for recovery or a mix of recovery and disposal involving pre-treatment of waste for incineration or co-incineration.

The non-hazardous wastes permitted for acceptance are listed in tables S2.2 and S2.3 of the consolidated permit. The Operator is permitted to accept a combined total of no more than 399,000 tonnes of non-hazardous waste per year for activities A1 and A2.

The Operator has not provided the tonnage split of the non-hazardous waste through activities A1 and A2 as it is very hard to determine due to their flexibility to react to the market.

## 2. Waste acceptance and processing

There is no change to the type of waste to be accepted.

In an email dated 06/02/15 the Applicant applied to add EWC code 17 05 03 (soils and stones containing dangerous substances) to the list of permitted hazardous wastes. We have refused this request as the waste is of a different type to those currently permitted and would require a technical assessment.

The permitted non-hazardous wastes have been separated into two tables, one for activity A1 for production of RDF and one for activity A2, the waste operation.

### 2.1. Waste throughput

This variation permits an increase to no more than 399,000 tonnes per year of non-hazardous waste of which no more than 150,000 tonnes per year shall be waste with putrescible content and/or waste with a potential for odour.

The site is currently permitted to process up to 224,000 tonnes of non-hazardous waste per year. Of this, no more than 75,000 tonnes per annum shall be waste with putrescible content and/or waste with a potential for odour.

These tonnage limits were set in the previous variation issued on 28/02/13 following the refusal of a variation for expansion due to poor management controls and operating techniques leading to significant odour problems and enforcement action.

We are now satisfied that the Operator has the management systems and operating techniques in place to manage the risk of odour. The current controls have been effective in reducing fugitive emissions of odour and this is demonstrated by the number of complaints reducing.

We have therefore agreed to an increase in the throughput of waste which results in the site becoming a bespoke installation with one activity listed in schedule 1 of the EP Regulations and two waste operations as described in section 1.

## 2.2. Processing times

Under the current permit putrescible waste, including residual organic fines, shall be processed and removed from the site within 24 hours of acceptance. Waste used to produce refuse derived fuel (RDF) shall be processed and baled within 24 hours of acceptance and removed within 48 hours of acceptance.

These tonnage limits were set in the previous variation issued on 28/02/13 following the refusal of a variation for expansion due to poor management controls and operating techniques leading to significant odour problems and enforcement action.

The Operator has applied to change to a 24 hour operation which will operate 7 days per week. This will involve two processing shifts and 1 maintenance shift per day. During the 24 hour operation the processing time is approximately 13 hours. This is an increase in processing hours of approximately 50% and is required in order to process the increased tonnages.

We are now satisfied that the Operator has the management systems and operating techniques in place to manage the risk of odour. The Applicant has applied to relax the storage and time constraints to permit the storage of waste over weekends and bank holidays. We have taken into account the improvements that have been made at the site and the fact that the Applicant has stated they will know ahead of time if they are unable to meet the limits. We have added additional wording to the limits of specified activity in table S1.1 requiring the Operator to agree a relaxation in writing with the Environment Agency if they foresee the need to store waste over a weekend or for longer than is set out in the limits.

We are satisfied that this will ensure effective management of fugitive emissions of odour.

## 2.3 Storage of waste

Putrescible waste will be stored and processed fully within the daily working shifts. The rate of import will be a maximum of 90 tonnes per hour. With a mix ratio of dry non-putrescible to putrescible feedstock of 50:50 this equates to 180 tonnes per hour for treatment. The RDF processing capacity is 210 tonnes per hour which is higher than the rate of import. Therefore the stockpiles should not increase in height.

The process capacity is designed to ensure that tonnages stored are maintained at a similar capacity to the current volumes.

Approximately 1000 bales of RDF can be stored at any one time which equates to approximately 1000 tonnes of waste.

The Waste/Materials Stockpiles document submitted on 12/02/15 sets out the stockpile arrangements along with typical volumes and heights. This has been incorporated into Table S1.2 Operating Techniques. The Fire Risk Plan has also been incorporated.

### 3. Air extraction system

The Applicant considered 3 options for additional odour management:

- i. No dispersion or treatment
- ii. Ductwork and stack dispersion system with no treatment
- iii. Ductwork and stack dispersion system with treatment such as biofilters

Option i was not considered due to the Applicant's need to ensure continued management and control of odour. The odour concentration in the building was predicted to be lower than the typical output range expected from a biofilter, therefore option iii was not considered further.

An untreated ductwork and stack dispersion system (ii) was found to be most appropriate.

The proposed air management system will collect air from the building and discharge it through a 35m stack to disperse the odour. Fresh air will be drawn into the building at a rate of up to 2 air changes per hour. It is expected that air will enter the building from the opening of doors and as such louvres are not required. This will be verified by Improvement Conditions 5 and 6.

Air will be extracted through grilled extraction points along ductwork over waste piles in areas D and E. The grilles will have moveable covers which will act as flow dampers which shall be positioned at commissioning. This will be checked to ensure a balanced flow.

The site has an MCERTS CEMS unit to continuously record data in the air extraction system. A monitoring plan and a report of the results are required under improvement conditions 5 and 6.

A vertical air curtain fan is located outside the access door and is activated when the doors are opened. It creates a wall of air to reduce fugitive emissions of odour from the building.

We carried out an audit check of the Applicant's odour modelling and concluded that the risk of odour pollution from the proposed air extraction system is insignificant provided that the engineered air extraction system and mitigation measures are undertaken as set out in the application and incorporated under table S1.2 of the permit.

Condition 2.5.1 is added to the permit and references table S1.4 specifying pre-operational measures for future development of the air extraction system. Pre-operational measure PO1 requires the Operator to provide a written plan detailing the proposals for the commissioning of the air extraction system and PO2 requires the submission of a monitoring plan for emissions.

Improvement condition IC5 requires the Operator to submit a report detailing the results of the commissioning. IC6 requires the Operator to submit a report of the monitoring undertaken in accordance with PO2.

We have reviewed the Odour Management Plan (OMP) Rev H, July 2014 and are satisfied that it will ensure that odour risk will continue to be managed in accordance with suitable management and operating techniques. The measures in the OMP have been appropriately implemented since the odour incident that occurred in 2012.

We have provided the Applicant with feedback on the OMP (letter dated 27/01/15) and they intend to submit an updated OMP when the air extraction system is installed. This was confirmed in an email dated 30/01/15 and has been incorporated into Operating Techniques.

### 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
<b>Consultation</b>		
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.	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.  This variation implements the requirements of The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 which transpose the requirements of the Industrial Emissions Directive (IED).	✓
<b>The site</b>		

Aspect considered	Justification / Detail	Criteria met
		Yes
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>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>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).</p>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a Site of Special Scientific Interest (SSSI).</p> <p>A full assessment of the application and its potential to affect the site has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>We have saved the Appendix 4 CRoW Act 2000 form to our filing system. We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓
<b>Environmental Risk Assessment and operating techniques</b>		
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> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed techniques for priorities 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>	✓
<b>The permit conditions</b>		
Updating permit conditions	<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</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
during consolidation.	meaning as those in the previous permit(s).	
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 as the waste types and process remain unchanged by this variation.	✓
Improvement conditions	Based on the information in the application, we consider that we need to impose improvement conditions. We have imposed improvement conditions to ensure that appropriate measures are in place to prevent pollution from odour and to verify the effectiveness of the air extraction system.	✓
Pre-operational conditions	Based on the information in the application, we consider that we need to impose pre-operational conditions. We have imposed pre-operational conditions to ensure that appropriate measures are in place to prevent pollution from odour and to verify the effectiveness of the air extraction system.	✓
Incorporating the application	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.  These descriptions are specified in the Operating Techniques table in the permit.	✓
Monitoring	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.  These monitoring requirements have been imposed in order to assess the level of PM <sub>10</sub> emissions from the site. We made these decisions in accordance with M17 and M8 Monitoring Guidance.  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.	✓
Reporting	We have specified reporting in the permit. The Operator is required to report on monitoring from A1, AM1 and AM2.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	We made these decisions in accordance with M17 and M8 Monitoring Guidance.	
<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	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 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
Health and Safety Executive
Brief summary of issues raised
No issues raised
Summary of actions taken or show how this has been covered
None

We also consulted the London Borough of Brent and the London Fire Brigade (Borough of Brent) but no responses were received.