

Environment Agency permitting decisions

Part surrender

We have decided to accept the surrender of part of the permit for Arpley2 operated by FCC Recycling (UK) Limited.

The part surrender application number is EPR/JB3633RP/S004

The permit number is EPR/JB3633RP

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document:

- explains how the operator's 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 as a result of the partial surrender

Structure of this document

- Key issues
- Annex 1 the decision checklist

Key issues of the decision

There are two operations on the Arpley2 site, a clinical waste transfer and a RDF plant.

The RDF plant is an installation which comprises the following activities - Section 5.4 A (1) (b) (ii) "Recovery of non-hazardous waste with a capacity exceeding 75 tonnes per day involving pre-treatment of waste for incineration or co-incineration". The clinical waste transfer station operates under SR2008 No24. The acceptance of clinical waste no longer takes place and the operator wants to surrender this activity from the permit.

Land surrender

No land is being surrendered as part of this application thus the installation boundary is not changing

Pollution risk

The operator contends that this is a low risk surrender. We agree that this application for the surrender of SR2008 No24 should be treated as a low risk surrender and that intrusive sampling of the areas of land in question is not appropriate.

Site pollution prevention measures that have been carried out on site include:

- waste activities were housed in a single storey building;
- the floor of the building comprises concrete hardstanding;
- bunds were constructed to form a boundary around all storage areas; and
- any containers were cleaned on raised concrete to prevent any spillage.

There have been no recorded pollution incidents or non compliances with the SR2008 No24 operations that would indicate any pollution risk.

The operator has confirmed the following:

- the infrastructure within the transfer building has been decommissioned.
- all waste has been removed from the building; and
- the building has been cleaned to remove any remaining residues from the floor, walls and roof.

All permitted activities relating to SR2008 No24 have ceased at Arpley2. We carried out a final site inspection on 27/09/2016 and confirmed that the site has ceased the operations under SR2008 No24 and all potential pollutants have been removed from site.

The key issue is whether the 'test' for the surrender of permits under paragraph 14 of Schedule 5 to the Environmental Permitting Regulations has been met, as follows:

The regulator must accept an application to surrender an environmental permit in whole or in part under regulation 25(2) if it is satisfied that the necessary measures have been taken –

- *to avoid a pollution risk resulting from the operation of the regulated facility; and*
- *to return the site of the regulated facility to a satisfactory state, having regard to the state of the site before the facility was put into operation.*

The operator proposed a low risk surrender for these areas as detailed above.

We have reviewed the application from the operator and agree with the conclusion that this is a low risk surrender for the reasons stipulated above. We are satisfied that the 'test' for the surrender of permits under paragraph 14 of Schedule 5 to the Environmental Permitting Regulations has been met.

A consolidated permit has been issued as the last variation was only issued in June 2016. Improvement Conditions 1 and 2 have both been completed

A new site plan removing reference to the clinical waste transfer station has been included in Schedule 7 of the permit.

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
The facility		
The regulated facility	<p>The permitted regulated facilities have changed as a result of the partial surrender.</p> <p>The clinical waste transfer station operating under SR2008 No24 has been surrendered.</p> <p>S5.4 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 remains under the control of the permit holder.</p>	✓
The permit conditions		
Changes to permit conditions	<p>The permit conditions have changed as a result of the partial surrender.</p> <p>Reference to Standard Rules SR2008No24 has been removed from the permit</p>	✓
The site		
Extent of the surrender application	<p>No land is being surrendered as part of this application. The operator has submitted a new site plan removing reference to the clinical waste transfer station. This has been included in Schedule 7.</p> <p>We consider this plan to be satisfactory,.</p>	✓
Pollution risk	<p>We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.</p>	✓
Satisfactory state	<p>We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.</p> <p>In coming to this decision we have had regard to the state of the site before the facility was put into operation.</p>	✓