

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Mohawk Wharf Recycling Facility operated by Keltbray AWS Limited.

The variation number is EPR/FP3092LH/V004

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

- Description of the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Description of the changes introduced by the Variation

This is a Substantial Variation.

Mohawk Wharf is a waste recovery, recycling, treatment and transfer station for construction, demolition and excavation waste located on the River Thames. As a direct result of new projects in Silvertown Quays, Battersea and the Thames Tideway's project the operator has requested to increase the installation boundary and the volume of waste accepted at the installation. All processes and treatments will remain the same.

This variation authorises the following changes to the permit.

- Annual volumes of waste accepted are increased from 75,000 tonnes to 150,000 tonnes (100,000 tonnes non-hazardous waste, 50,000 tonnes hazardous waste).
- The installation boundary is increasing to incorporate a new area of land. The extension will allow for an additional storage bay, barge loading and second site entrance. Barge loading will reduce the volume of vehicle movements to and from the installation.
- Additionally, two Part B activities are added to the permit to incorporate the screening of waste post treatment previously carried out at the installation.

Key issues of the decision

We consider the key issues to the application

- Increase in throughput
- Site Extension
- Amenity and fugitive emissions
- Barge loading
- Addition of the screening activity

Increase in Throughput

The volumes of waste accepted at the installation are to be doubled for both hazardous and non-hazardous waste to a total of 150,000 tonnes. The site will be expanded to create space for an additional stockpile. The waste pre-acceptance, acceptance, rejection, containment, waste handling and treatment procedures will not change as a result of this variation. All operational procedures will remain unchanged with the exception of the new plans to load waste via barge. We have previously considered all procedures to be appropriate for the setting. We continue to consider these appropriate for the increased throughput of wastes at the installation.

Site Extension

The site extension will incorporate a new storage bay, barge loading and second site entrance. There will be no changes to the waste handling or segregation procedures to stockpiled waste. Instead of leaving the site via lorry it will now be transported by barge, this will reduce traffic from the site. The site expansion will allow for a new stockpile area, for material to be

moved to after treatment. This stockpile will then be loaded via barge. The management of the stock pile will be the same as the existing stockpiles at the installation which we agree is appropriate for the setting.

The plan below shows the new storage bay (6). The extension is covered with concrete hard standing and will be sloped towards a drainage point into a surface water collection tank (arrows illustrate directional flow of surface water). Edge protection is in place alongside the River Thames which will eliminate the risk of surface water entering the river.

The static water treatment plant on site will consist of a puddle pump that will suck all water from the main drainage channel on site. The pump will then fill two 1,000 litre Intermediate Bulk Container (IBC) tanks stored on site with all rain water. The pump can then be reversed and used to wet stockpiles in drier periods as an additional dust suppression system. In exceptional circumstances more IBC tanks can be used as required. These are already stored at the site. When required the tanks will be gully sucked via a licensed waste contractor to remove the small amounts of sludge that may build up from prolonged use. We agree the site surface and sealed drainage system is appropriate for the extension.



Amenity and Fugitive Emissions

The site is located adjacent to the River Thames at the end of Bradfield Road, Silvertown. The site is located within a predominantly industrial area and neighbours industrial premises to the north, east and west (the Thames is located to the south of the site). The closest residential receptor is over 400 metres to the north-east of the site across industrial premises and the North Woolwich Road. The closest residential receptor to the south-west of the site is over 500 meters across the River Thames.

Dust

The site is located in an area that has experienced high levels of airborne particulate pollution (PM₁₀). Monitoring carried out by the Environment Agency and the London Borough of Newham has shown that this site and other adjacent sites are sources of the particulate pollution.

The extension will include a separate site entrance, vehicles will remain to use the existing entrance to pass the weighbridge and use the existing wheel wash to minimise dust emissions. The same dust suppression methods will be used on the new stockpile as the existing stockpiles.

The site expansion enables waste movements via barge which should reduce vehicle movements and dust created from this. Barge loading will not take place in high winds. Stockpiles will be dampened for loading and a closed clamshell grabber will be used to minimise dust during loading of wastes to barge.

A Dust Minimisation Plan is in place. Dust inspections are conducted as a minimum daily. Visual monitoring of dust levels are undertaken on site and from transport leaving the site.

We have imposed improvements conditions (IC1 & IC2) as a result of this variation for the site to monitor and report on the dust levels at the installation. Adjacent sites have enclosed inherently dusty operations to minimise emissions, the report submitted by the Operator shall include considerations for enclosure of stockpiles at the installation.

Noise

Barge loading will take place where possible during the day to minimise operation and potential noise during unsociable hours. Transporting waste via barge will reduce vehicle movements on site and minimise traffic noise to and from the installation. By doubling the throughput of waste, noise levels will rise due to increased movements of waste and increased waste treatment. The site is located within an industrial area which has an elevated background noise level. There is no history of noise complaints from the installation. The closest residential receptor is over 400 meters beyond various industrial premises and an A-road. We do not perceive the increase in waste throughput and barge loading to give rise to noise complaints.

Odour and Pests

There is no change to the types of wastes accepted at the installation therefore we do not consider the risks from odour or pests to have changed as a result of this variation.

Barge Loading

The operator provided a risk assessment and operating procedure for the new operation of barge loading to take place at the installation. Some wastes will now be transferred to and from the site via barge. This will reduce vehicle movements to and from the site. Edge protection will be in place to eliminate the risk of driving over the edge. Loading will not take place in reduced

visibility or high winds. The material will be loaded using a closed clam shell grabber. The stockpiles will be kept damp to cohere the material and minimise dusts. Stockpiles will be located a minimum of 4 meters from the egress. Loading will only take place with trained staff in position and during daytime daylight hours.

We agree the operating techniques and mitigating methods proposed are appropriate for the setting to minimise the risk of loss of materials into the Thames.

Screening of Wastes

The installation was previously permitted for the screening of non-hazardous wastes prior to treatment. The operator also screens non-hazardous waste post treatment. This was not originally captured within the permit. We have added Section 3.5 Part B (a) and (d) activities to the permit. This local authority activity is captured within the installations permit to avoid double regulation for the site. The Defra Process Guidance Note 3/16(12) Statutory Guidance for mobile crushing and screening lists conditions relevant to the screening activity within a Part B Local Authority Permit. These conditions relevant to the activity have been added within the 'limits of specified activity' column within the activity table S1.1 of the Permit.

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 | A claim for commercial or industrial confidentiality has not been made. | ✓ |
| Identifying confidential information | 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 | <p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> • Local Authority (London Borough Newham) – Environmental Protection Department • Health and Safety Executive • Natural England | ✓ |
| Responses to consultation and web publicising | <p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p> | ✓ |
| 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 our guidance on what a legal operator is. | ✓ |
| European Directives | | |
| Applicable directives | All applicable European directives have been considered in the determination of the application. | ✓ |
| The site | | |

| 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 Industrial Emissions Directive – guidance and templates (H5).</p> <p>We have reviewed the site condition report provided with the application. A ground investigation report was provided dated February 2014.</p> <p>Suitable baseline data was submitted for the site including the extended land. The submitted intrusive site investigation reports (20545 - EGL 32603 Manhattan Wharf and 20545 - EGL 161266 Mohawk Wharf) have identified that both the soil and groundwater located beneath the site have been contaminated by a range of substances, including metals and petroleum hydrocarbons.</p> <p>A schedule 5 request for information was sent to the operator requesting additional information on the history of the site, static water treatment plant and thickness and integrity of the concrete.</p> <p>Upon submission of the additional information we agree sufficient information has been supplied to describe the condition of the new land to be incorporated within the installation boundary at permit variation issue.</p> | ✓ |
| Biodiversity, Heritage, Landscape and Nature Conservation | <p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> | ✓ |

| Aspect considered | Justification / Detail | Criteria met Yes |
|---|---|---------------------|
| | <p>The following European and Nationally protected sites are within the relevant search distances from the installation:</p> <ul style="list-style-type: none"> • Lee Valley Ramsar and Special Protection Area (SPA) 9.2km north-west from site • Epping Forest Special Area of Conservation (SAC) 8km north from site; • Gilbert's Pit (Charlton) Site of Special Scientific Interest (SSSI) 1.9km south-east. <p>Formal consultation has been carried out with Natural England. An Appendix 11 (concluding no likely significant effect) was sent for information only and an Appendix 4 (concluding not likely to damage) was saved for our own audit trail. The consultation responses (Annex 2) were taken into account in the permitting decision.</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> <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> <p>A risk assessment was submitted for the new barge loading operations at the installation. The risk assessment addressed odour, noise and dust emissions loss of material into the River Thames.</p> <p>All existing storage and treatment processes will remain the same. We agree there will be no increase in emissions as a result of this variation, and consequently no increase in environmental risk.</p> <p>See key issues for further information.</p> | ✓ |
| Operating techniques | We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. | ✓ |

| Aspect considered | Justification / Detail | Criteria met Yes |
|--|--|---------------------|
| | <ul style="list-style-type: none"> • Sector Guidance Note (SGN) 5.06 – Guidance for the recovery and disposal of hazardous and non-hazardous wastes. • Process Guidance Note 3/16(12) Statutory Guidance for mobile crushing and screening (September 2012). <p>The proposed techniques and emission levels for priorities for control are in line with the benchmark levels contained in the Technical Guidance Note and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant Best Available Techniques (BAT) Reference Document.</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>The maximum quantities of waste have been increased as a result of this variation. Tables S2.2 and S2.3 have been updated within the Permit. The site may now accept up to 50,000 tonnes of hazardous waste and 100,000 tonnes of non-hazardous waste.</p> | ✓ |
| Improvement conditions | <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> <ul style="list-style-type: none"> ➤ the appropriate measures are in place to prevent fugitive emissions (dust/particulates). <p>See key issues for further information.</p> | ✓ |

| Aspect considered | Justification / Detail | Criteria met |
|-------------------------------|--|--------------|
| | | Yes |
| 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 | No emission limits have been added, amended or deleted as a result of this variation. | ✓ |
| 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>Monitoring has not changed as a result of this variation.</p> | ✓ |
| Reporting | <p>We have specified reporting in the permit.</p> <p>Reporting has not changes as a result of this variation.</p> | ✓ |
| 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 our guidance on what a competent operator is. | ✓ |
| Technical competence | <p>Technical competency is required for activities permitted.</p> <p>The operator is a member of an agreed scheme.</p> | ✓ |

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.

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| Response received from |
| London Borough of Newham - Environmental Control. Responses received 23/08/16 and 19/10/16. |
| Brief summary of issues raised |
| 23/08/16. A response was received from the Environmental Control Officer raising concerns in regard to the new waste codes requested (these were since removed from this application), waste acceptance, the power screener and the storage capacity at the installation. 19/10/16. Following our response the Officer raised concerns of the regulation of the power screener post treatment. |
| Summary of actions taken or show how this has been covered |
| 15/09/16 and 18/10/16. We responded to the officer sending copies of the waste acceptance procedure, updated site plans (showing increased storage area) and further detail on when the power screener is used. 19/10/16. We agreed that screening of wastes post treatment was not captured within the permit. We added two Part B activities for the screening of waste to the permit to avoid double regulation. See key issues for further information. No further action required. |

This application was publicised on the Environment Agency's website between 22/08/16 and 20/09/16. No responses from this consultation were received.

No responses were received from the Health and Safety Executive or Natural England.