

Environment Agency permitting decisions

Environment Agency initiated variation

We have decided to issue an Environment Agency initiated variation for Kibblesworth Leachate Treatment Plant operated by SUEZ Recycling and Recovery UK Ltd.

The variation number is EPR/TP3433GQ/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.

This Environment Agency has a duty, under the Environmental Permitting (England and Wales) Regulations 2016, regulation 34(1), to periodically review permits. As a result of that review we have identified a number of necessary changes we must make to your permit to reflect current legislation and best practice. These changes principally relate to:

- Introduction of an engineering condition. This is to require that any engineering work is completed to a standard agreed with the Environment Agency, to include construction quality assurance. It is introduced for consistency with plant included within landfill permits where these standards already apply; and
- A standard reporting table (schedule 4)

We also aim:

- Consolidate permits - all variations to your permit will be brought together in to one permit so the requirements will be clearer.
- We will implement the Industrial Emissions Directive (IED) and other regulatory changes.
- We will include permit conditions to implement the statutory requirements of the Waste Framework Directive, for example to reflect the requirements of the waste hierarchy.

Site specific issues which result in a change to the current template will also be addressed, for example incorporating completed improvement conditions into the permit and removing inconsistencies.

Other changes may relate to a specific permit or amendments to monitoring requirements or emission limits which have been agreed with the Environment Agency but not incorporated into the permit.

Purpose of this document

This decision document:

- explains how the Environment Agency initiated variation 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.

Structure of this document

Annex 1: decision checklist

This document should be read in conjunction with the agreed Environment Agency variation request form and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the Environment Agency initiated variation.	✓
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> <p>Certain template conditions have been amended to reflect current best practice. These changes have been developed in consultation with industry having regard to the relevant legislation as follows:</p> <p>Condition 1.4 Generic condition added to reflect the requirements of the Waste Framework Directive</p> <p>2.5 Condition added to ensure that all plant, equipment and pipe work on site is installed to an appropriate standard, consistent with the requirements of a landfill</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>permit with an associated leachate treatment plant</p> <p>4.2.2. Amended to ensure that information on 'annual production/ treatment' (Schedule 4, Table S4.2) is provided in February each year where performance reports may be submitted at other times of the year.</p> <p>4.2.2(a) Text expanded to clarify the details we require in a performance report.</p> <p>4.3.1 Generic notifications condition added</p> <p>Schedule 1, table S1.1. Activity references amended to reflect changes introduced by Industrial Emissions Directive (2010/75/EU).</p> <p>Schedule 4, table S4.1. Amended to only require regular reports of information that relate to compliance limits.</p> <p>Table S4.3. Amended to include natural gas as an energy source for consistency with other sectors.</p> <p>Schedule 6. Definitions added to clarify meaning of:</p> <ul style="list-style-type: none"> • Exceeded • Hazardous substance • Previous year <p>See also Schedule 1 in the reviewed permit.</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 have reviewed the waste types in the existing permit to ensure only those codes appropriate for the activities are included in the permit.</p>	✓
Improvement conditions	<p>All existing improvement conditions (IC1 to IC3) in the permit have been retained. The site is not yet constructed.</p>	✓
Operating techniques	<p>We have specified that the operator must operate the permit in accordance with referenced operating</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>techniques.</p> <p>We have reviewed the Operating techniques in the existing permit to ensure only relevant and up to date operating techniques are listed in the permit.</p>	
Emission limits	There are no emission limits in the permit	✓
Monitoring	The monitoring requirements remain unchanged.	✓
Reporting	The reporting requirements remain unchanged.	✓
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.	✓
Growth Duty		
Section 108 Deregulation Act 2015 – Growth duty	We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.	