

## **Environment Agency permitting decisions**

### **Environment Agency initiated variation**

We have decided to issue an Environment Agency initiated variation for Rowley Water Treatment Plant operated by Lancashire County Council.

The variation number is EPR/GP3336XG/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 to:

- 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

## Structure of this document

- Annex 1 the decision checklist

### 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
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the Environment Agency initiated variation.	✓
<b>The site</b>		
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 including discharge points from the Leachate Treatment Plant (LTP) to the sewer. The plan has been revised to include the private piped connection from the LTP to the sewer within the installation boundary - up to the point that the pipeline leaves land under the control of the operator.</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>	✓
<b>The permit conditions</b>		
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</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>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 permit with an associated leachate treatment plant.</p> <p>3.1.2 Condition added for all installations subject to the Industrial Emissions Directive (IED) for periodic monitoring of soil and groundwater.</p> <p>3.1.1. Generic condition imposed on all activities to simplify the sub-conditions. This avoids the need for additional sub-conditions that refer to compliance limits in individual tables in schedule 3</p> <p>Two sub-conditions that referred to limits in specific tables in schedule 3 deleted as they are now covered by 3.1.1.</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 an performance report.</p> <p>Schedule 1, table S1.1. Activity references amended to reflect changes introduced by Industrial Emissions Directive (2010/75/EU).</p> <p>Leachate storage moved from a specified activity to a Directly Associated Activity.</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>	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>Schedule 6. Definitions added to clarify meaning of:</p> <ul style="list-style-type: none"> <li>• Exceeded</li> <li>• Hazardous substance</li> <li>• Previous year</li> </ul> <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>We consider that we need to impose improvement conditions.</p> <p>Improvement conditions 1 and 4 have been transferred from the previous permit and new completion deadlines have been set.</p> <p>We have deleted improvement conditions 2, 3, 5 and 6 as these have now been completed. Table S1.2 Operating techniques has been updated where applicable to include any agreed techniques resulting from these conditions.</p>	✓
Operating techniques	<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> <p>No new operating techniques have been added as part of the permit review – the operating techniques in table S1.2 have been transferred from the existing permit.</p> <p>These are specified in the Operating Techniques table in the permit.</p>	✓
Monitoring	<p>We have decided that monitoring should be carried out for the certain parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>The monitoring requirement from the previous permit have been transferred.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Reporting	The reporting requirements remain unchanged.	✓
<b>Growth Duty</b>		
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.	