

# Permitting decisions

## Variation

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We have decided to grant the variation for Camp Wood Landfill operated by Singleton Birch Limited.

The variation number is EPR/BS9989IJ/V007.

We have also carried out an Environment Agency initiated variation to the permit.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- explains why we have also made an Environment Agency initiated variation
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

## Key issues of the decision

### The use of Used Tyre Derived Aggregate Replacement (UTDAR)

Whilst the site is situated in a relatively sensitive environmental setting (Principle Aquifer, SPZ III), we permit the use of tyre bales as a leachate drainage blanket at this location for the following reasons:

- The site will be engineered above the water table and the unsaturated zone will be maintained.
- Based on the leachate monitoring data provided for the existing part of the site, the pH is maintained above 5 during all monitoring rounds. The additional cells in this permit variation will accept the same waste streams as per the 2016 Permit Variation EPR/BS9989IJ/V006. It is therefore anticipated that pH above 5 will be maintained in the new cells: 10-21.
- The pH in the groundwater monitoring boreholes included in the existing permit is above 5.
- Low permeability of the imported waste is unlikely to allow significant leachate head build up in the landfill cells.

- Anticipated low/minimal organic content of the waste (WAC limits for TOC (<3%) and DOC (<800 mg/kg) incorporated into the permit)
- The tyre drainage blanket will be engineered within an artificial geological barrier with permeability of  $1 \times 10^{-7}$  m/s and 1m thickness (or 0.5m thickness and the equivalent permeability).
- Modelling results which reflect the worst case scenario in terms of the increase in leachate head and show no expected significant impact

Please note that the approval to use UDTAR at this site is based on the specific site justifications as listed above and not on the generic principal that the site is not within SPZ 1 & 2, where the use of tyre bales as a leachate drainage blanket is not permitted under any conditions.

**Fire management plan for the storage of up to 600 (at any one time) and snipping of earth moving tyres**

The storage and snipping of earth moving tyres for disposal and storage of tyre bales for use as an engineering material in the drainage blanket of new cells (10 – 21) and current cell 9, is incorporated into the permit under the landfill scheduled activity (5.2 A(1)(a)) and is not classed as a separate waste operation.

As a result a separate Fire Prevention Plan for this is not required, however the operator has submitted an 'Integrated Safety, Health & Environment Fire Risk Assessment Form – Earth Moving Tyre Storage' which includes control measures. This was produced and submitted as a response to a CAR form created by the sites compliance officer and thus the risk assessment has been assessed and agreed by area prior to this variation application.

**The disposal of snipped oversized (internal diameter >1400mm) tyres**

A restriction has been included into table S1.1 which only permits 'snipped' tyres being disposed of in the landfill if they are accepted on site as whole tyres. This snipping shall only be carried out in order to facilitate the handling and stability of the landfill. The acceptance of tyres (of any size) that are already 'snipped' is still prohibited, as this is a 'banned' waste in the Landfill Directive.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation</b>	
Consultation substantial change installations or mining waste	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>• Civil Aviation Authority (CAA)</li> <li>• Public Health England (PHE)</li> <li>• Director of Public Health (DPH)</li> <li>• Health and Safety Executive (HSE)</li> <li>• Local Planning Authority (LPA)</li> <li>• Environmental Health (EH)</li> <li>• Humberside Airport (Airport Operator)</li> <li>• National Air Traffic Services (NATS)</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>The site</b>	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of nature conservation.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation identified in the nature conservation screening report as part of the permitting process:</p> <ul style="list-style-type: none"> <li>• SSSI – Kirmington Pits</li> <li>• LWS <ul style="list-style-type: none"> <li>○ Melton Ross Quarry</li> <li>○ Melton Ross Road Verges</li> <li>○ Barnetby Road Verges</li> <li>○ New Barnetby Road Verges, South</li> <li>○ Melton Ross Pit</li> <li>○ Grasby Bottoms Green Lane</li> </ul> </li> </ul>

Aspect considered	Decision
	We consider that the application will not affect any sites of nature conservation identified.
<b>Environmental risk assessment</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>
<b>Operating techniques</b>	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Operating techniques for emissions that screen out as insignificant	<p>Emissions of landfill leachate have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p> <p>Groundwater compliance limits have been amended to be more stringent for ammoniacal nitrogen and cadmium:</p> <ul style="list-style-type: none"> <li>• ammoniacal nitrogen (from 1.50 mg/l in V006 to 0.39 mg/l),</li> <li>• cadmium (from 0.005 mg/l in V006 to 0.0044 mg/l), and</li> </ul> <p>These amendments have been made following a revised hydrogeological risk assessment and as a reflection of the up-gradient concentrations.</p>
<b>Permit conditions</b>	
Changes to the permit conditions due to an Environment Agency initiated variation	<p>We have varied the permit as stated in the variation notice.</p> <p>We have extended the deadline dates for Improvement Conditions 2 &amp; 3.</p> <p>We have included 'trace gas' monitoring in table S3.5</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 are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> <li>• they are suitable for the proposed activities</li> <li>• the proposed infrastructure is appropriate; and</li> <li>• the environmental risk assessment is acceptable.</li> </ul> <p>This variation adds the following waste code to the permit:</p> <p>17 05 04 – soil and stones other than those mentioned in 17 05 03</p> <p>We made these decisions with respect to waste types in accordance with our guidance 'Waste acceptance at landfills'.</p>

Aspect considered	Decision
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme to ensure that:</p> <p>We receive a revised plan that includes labels for all leachate monitoring and extraction boreholes in the landfill cells 8 – 21.</p>
Emission limits	<p>Groundwater and leachate level compliance limits based on BAT have been added and amended for following substances:</p> <ul style="list-style-type: none"> <li>• Ammoniacal Nitrogen – amended</li> <li>• Cadmium – amended</li> <li>• Leachate level limits added for new cells 10 – 21.</li> </ul>
Monitoring	<p>We have decided that monitoring should be added or amended for the following parameters, using the methods detailed and to the frequencies specified:</p> <ul style="list-style-type: none"> <li>• Groundwater – other monitoring requirements, include cadmium into annual monitoring parameters list</li> <li>• Landfill Gas – other monitoring requirements, amended to revise the monitoring frequency for parameters (except for Hydrogen Sulphide) from 6 monthly to quarterly</li> </ul> <p>These monitoring requirements have been imposed in order to ensure that emissions from the landfill are not contributing to the levels of cadmium in the underlying aquifer and to ensure that landfill gas monitoring frequencies match that of industry standard.</p> <p>We made these decisions in accordance with LFTGN 02: Monitoring of landfill leachate, groundwater and surface water.</p> <p>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.</p>
<b>Operator competence</b>	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Financial provision If this is changing as a result of the variation for Landfill, Category A mining-waste facilities and mining-waste facilities for hazardous waste	The financial provision arrangements satisfy the financial provisions criteria.
<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 grant this permit.

Aspect considered	Decision
	<p data-bbox="536 259 967 293">Paragraph 1.3 of the guidance says:</p> <p data-bbox="536 338 1406 521">“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p data-bbox="536 568 1406 723">We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p data-bbox="536 770 1398 947">We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

# Consultation

The following summarises the responses to consultation with other organisations and our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<p><b>Environmental Permit application for Singleton Birch Limited, Campwood Landfill, Melton Ross Quarries, Barnetby, North Lincs, DN38 6AE</b> <b>Application Number: EPR/BS9989IJ/V007</b></p> <p>Thank you for forwarding a copy of this application to the Centre for Radiation, Chemical and Environmental Hazards (CRCE) at Public Health England on 27 February 2017.</p> <p>The main emissions of potential concern are dust emissions to air, for example dust and risk of accidents at the site, including fires.</p> <p>For potential dust impacts the applicant has described mitigation and control measures, and as long and these measures are adhered to it is unlikely that there will be any impact on public health.</p> <p>The proposed operator's current assessment indicates a 'low' risk of fire and proposes control measures. However, given the nature of the material stored on site, the Environment Agency should ensure that the fire prevention plan submitted for review is compliant with the relevant guidance and is regularly reviewed and updated. It would be useful for the operator to consider potential impacts on nearby receptors and actions on-site to mitigate these impacts, as well as the prompt alerting of responding agencies and communication with the public in the event of a prolonged fire at the site.</p> <p>Based on the information contained in the application supplied to us, Public Health England has no significant concerns regarding the risk to the health of the local population from the installation.</p> <p>This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.</p>
<b>Summary of actions taken or show how this has been covered</b>
<p>Pollution from dust is controlled through permit condition 'emissions of substances not controlled by emission limits'. If dust pollution is observed the operator will be required to submit a dust management plan.</p> <p>The storage and snipping of earth moving tyres for disposal and for use as an engineering material in the drainage blanket of new cells (10 – 21) and current cell (9) is incorporated into the permit under the landfill scheduled activity (5.2 A(1)(a)) and is not classed as a separate waste operation.</p> <p>As a result a separate Fire Prevention Plan for this is not required (FPP's are not required for the landfill sector), however the operator has submitted an 'Integrated Safety, Health &amp; Environment Fire Risk Assessment Form – Earth Moving Tyre Storage' which includes control measures. This has been assessed and agreed as acceptable by the Environment Agency.</p>