

Permitting decisions

Variation

Decision document recording our decision-making process

The Variation Number is EPR/LP3839DK/V003

The Operator is Veolia ES Nottinghamshire Limited

The Installation is located at Welshcroft Close Transfer Station, Welshcroft Close, Kirby in Ashfield, Nottinghamshire, NG17 8EP

What this document is about

This is a decision document, which accompanies a variation and consolidation notice.

It explains how we have considered the Operator's Application, and why we have included the specific conditions in the variation and consolidation notice we are issuing to the Operator. It is our record of our decision-making process, to show how we have taken into account all relevant factors in reaching our position. Unless the document explains otherwise, we have accepted the Operator's proposals.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future.

Preliminary information and use of terms

We gave the application the reference number EPR/LP3839DK/V003. We refer to the application as "the **Application**" in this document in order to be consistent.

The Application was duly made on 11 April 2017.

The Operator is Veolia E S Nottinghamshire Limited. We refer to Veolia E S Nottinghamshire Limited as "the **Operator**" in this document.

1 Our decision

We have decided to grant the variation and consolidation notice to the Operator. This will allow it to operate the Regulated Facility, subject to the conditions in the variation and consolidation notice.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

The variation and consolidation contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations (EPR) and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted the details are sufficient and satisfactory to make the standard condition appropriate.

2 How we reached our decision

2.1 Receipt of Application

The Application was duly made on 11 April 2017. This means we considered it was in the correct form and contained sufficient information for us to begin our determination but not that it necessarily contained all the information we would need to complete that determination: see below.

The Applicant made no claim for commercial confidentiality. We have not received any information in relation to the Application that appears to be confidential in relation to any party.

2.2 Consultation on the Application

We carried out consultation on the Application in accordance with the EPR, our statutory Planning Policy Statement (PPS) and our own internal regulatory guidance (RGS) Note 6 for determinations involving Sites of High Public Interest. We consider that this process satisfies, and frequently goes beyond the requirements of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which are directly incorporated into the Industrial Emissions Directive (IED), which applies to the Installation and the Application. We have also taken into account our obligations under the Local Democracy, Economic Development and Construction Act 2009 (particularly Section 23). This requires us, where we consider it appropriate, to take such steps as we consider appropriate to secure the involvement of representatives of interested persons in the exercise of our functions, by providing them with information, consulting them or involving them in any other way. In this case, our consultation already satisfies the Act's requirements.

We advertised the Application by a notice placed on Citizen Space which contained all the information required by the IED, including telling people where and when they could see a copy of the Application.

A summary of consultation comments and our response to the representations we received can be found in Consultations section of this document. We have taken all relevant representations into consideration in reaching our determination.

Key issues of the decision

We consider the key issues of this determination to be:

- Withdrawal of the proposed standard rules and outdoor storage of waste;
- Odour;
- Particulate emissions.

Description of the facility and general issues

The Operator applied to vary an existing permit for a waste treatment facility which produces Refuse Derived Fuel (RDF).

The original permit was granted on 10 March 2017 and permitted the site to accept up to 75,000 tonnes of waste per year to produce baled RDF.

The original variation application contained proposals to make the following changes to the permit:

- Addition of outside storage of baled waste;
- Addition of an emission point to air (A1) from the main RDF building; and
- Addition of a waste transfer station under Standard Rules SR2015 No4 (household, commercial and industrial waste transfer station).

Following revisions to the application (submitted by the Operator on 15 August 2017 and 26 January 2018), the variation authorises the following changes to the permit:

- A new emission point to air, A1, has been added from the main Refuse Derived Fuel (RDF) building;
- The addition of a waste transfer activity, allowing the storage and transfer of waste codes listed in Table S2.3; and
- Addition of two new waste codes for glass and glass packaging.

Withdrawal of proposed standard rules and outdoor storage of waste

The Operator withdrew the proposal for outside storage of baled waste from their application on 15 August 2017. The proposal for outside storage is therefore not discussed further within this document.

We were minded to refuse the addition of the Standard Rules SR2015 No4 (household, commercial and industrial waste transfer station) to the permit for reasons outlined below. However, the Operator withdrew this proposal on 26 January 2018. Subsequently the Operator amended their application to include the addition of a bespoke waste transfer activity with restricted waste tonnage and waste codes. This will allow the operator to store and transfer wastes, which are already permitted for RDF, for storage and transfer without any treatment.

The site is designated as a Site of High Public Interest (SHPI). This is due to previous complaints from local residents with regards to odour emissions from the site. The addition of the standard rules would allow for an additional 75,000 tonnes of waste to be accepted and stored on site annually, thus doubling the current permitted waste throughput. It was considered that the increased annual throughput and additional waste codes associated with the addition of the standard rules, could have resulted in an increase in odour emissions from the site.

Given the previous odour complaints and the proximity of residential properties, it was decided that the standard rules risk assessment did not consider or adequately address the site specific risks. Therefore, we did not consider the addition of standard rules permit to be appropriate for this site. This is in accordance with paragraph 8.10 of the Environmental Permitting Guidance: Core Guidance for the Environmental Permitting (England and Wales) Regulations 2010 (last revised March 2013) (the Core Guidance) which states "Regulated facilities that require a location specific assessment of impact and risk are not suitable for standard rules".

We discussed our concerns with the Operator and advised that we would be minded to refuse the standard rules part of their application. The Operator amended their proposal and in line with our guidance submitted a site specific risk assessment for a bespoke waste transfer station to be added to the site instead.

The waste transfer station will allow the installation to accept wastes, which are already permitted for RDF, for storage and transfer without any treatment. There will be no increase to the total amount of waste permitted to be accepted at the site, which will remain at 75,000 tonnes per annum.

The only wastes codes which have been added to the permit through this variation (for the waste transfer activity only) are as follows:

- 15 01 07 – Glass packaging
- 20 01 02 – Glass

Wastes associated with the waste transfer station will be stored within the main RDF building in open fronted bays prior to loading for off-site recovery, with the exception of glass which will be stored outside on an impermeable surface. The transfer station can also be used for the transfer of residual non-recyclables in the event that the production of RDF is not available

An updated risk assessment has been provided by the Operator which considers potential noise and odour from the delivery, storage and collection of glass. Deliveries and collections will only occur during daytime hours, between the hours of 9am and 3pm. To mitigate against odours occurring from the storage of glass, the storage area will be emptied and washed twice a week.

We consider the standard odour, pest and noise conditions within the permit alongside the site specific risk assessment to be appropriate to manage amenity at permit determination.

Odour Emissions from emission point A1

An emission point to air (A1) has been added for air extraction from within the main RDF building. This is principally as a health and safety consideration for the workers within the building. To prevent the escape of odours the building is primarily operated with the doors closed, except to allow movement of pedestrians and vehicles in/out of the building. The use of the emission point will allow the building to operate under a negative pressure, further reducing the potential for fugitive odorous emissions to occur even when the doors are opened. The extraction system includes a pre-filter to remove particulates and a carbon filter to remove odorous compounds. The extraction system has an internally mounted control panel which alerts the Operator to pressure loss, this indicates the need for the filters to be changed.

The collected air will be exhausted to the atmosphere via a 12 meter high stack located on the eastern side of the main RDF building. As part of their application the Operator submitted an air quality impact assessment for the emission point. The dispersion modelling assessed the impact of odour and particulate matter concentrations from the stack at sensitive receptor locations. The assessment of emissions from the facility was undertaken using the latest version of ADMS (version 5.2), supplied by Cambridge Environmental Research Consultants Limited. We consider this form of modelling suitable for this type of assessment.

An odour unit is defined as 1 OU_E (European Odour Unit), where 1 OU_E/m^3 is the threshold of detection; the concentration at which half the population can detect the odour. The result of the modelling has been compared against benchmarks set by the Environment Agency as detailed within our Horizontal Guidance document H4. The benchmarks set out in the guidance are expressed as multiples of the threshold concentration and are based on the 98th percentile of hourly average concentrations of odour over a year at the site boundary. The benchmarks are;

- 1.5 OU_E/m^3 : benchmark for most offensive odours
- 3 OU_E/m^3 : benchmark for moderately offensive odours
- 6 OU_E/m^3 : benchmark for less offensive odours

The report submitted by the Operator has used the benchmark of 1.5 OU_E/m^3 , as the criteria at which air emissions from the stack would cause 'no reasonable annoyance'.

The closest sensitive receptors are commercial properties which are situated to the south and east of the installation boundary. The closest residential properties are located approximately 20 meters to the east of the installation boundary.

Considering the history of odour complaints, proximity of receptors and the source of odour the tightest 1.5 OU_E/m^3 benchmark for most offensive odours has been adopted for this modelling assessment criteria. The results from the modelling indicate that the predicted ground level 98th percentile odour concentrations from the new emission point A1 will not exceed the selected 1.5 OU_E/m^3 benchmark level at any of the receptor locations. The highest 98th percentile odour concentrations are predicted to be at the commercial properties closest to the site boundary. The predicted concentration at this location is 1.3 OU_E/m^3 , which is below the selected assessment criteria for 'most offensive' odours of 1.5 OU_E/m^3 . It is expected that odour concentrations would decrease further with distance from the installation boundary.

Negative pressure will be maintained within the building, directing the air released through the abatement system rather than escaping when the doors are opened. Therefore reducing and further controlling the impact of odours emissions from within the building.

Odour Management Plan (OMP)

The operator has submitted an updated OMP (V6), the OMP is referenced within Table S1.2 of the permit as it forms part of the Operating Techniques. The OMP details the methods employed at the site, including olfactory monitoring and contingencies to prevent, control and minimise odour pollution. A summary of the main points are as follows:

- Waste delivered to site will be controlled through contractual agreements arranged with the waste suppliers. Contractual obligations help to manage the type and volume of waste delivered to site by establishing suitable collection schedules and storage arrangements. Contracts will also contain a clause which covers the delivery of malodorous material and the site supervisor can reject material where necessary (e.g. odorous wastes that have been stored too long).
- Waste acceptance checks are in place and any incoming waste considered to be malodorous will either be processed immediately or rejected from the site and diverted to alternative treatment facilities if odour is perceived to be an issue.
- The processing of wastes received on site will be undertaken using a 'first in first out' approach. Unless wastes are identified as having a higher odour potential, in which case these will be prioritised and processed within 24 hours.
- Once wastes have been deposited within the main RDF building the holding time in all cases will be limited to 72 hours. Wastes will usually spend less than 24 hours in the storage area prior to processing or transfer.
- All wastes will be stored within the main RDF building with the exception of glass which will be stored outside.
- Once waste have been shredded for the use of RDF the shredded material is transferred directly to the baler, to be baled in several layers of plastic.
- All baled waste is stored within the RDF building, baled waste will be stored and removed from the building on a 'first in first out' basis. The usual storage time for baled waste will be 3 working days. The maximum retention time for baled waste will be 1 week.
- The Operator has committed to good housekeeping, including regular cleaning of the shredder, loader and operational areas. The storage areas will be kept clean to ensure that vehicles leaving the site do not transfer odorous material offsite. In addition, any areas that have contained particularly odorous material will be washed down using a jet wash or high pressure hose as required and inspected on a daily basis.
- The outside storage area for the glass will be emptied and washed twice weekly.
- A planned maintenance regime is in place on all plant and equipment. Critical spares for the ventilation system, including filters and pre-filters are maintained on site.
- Monitoring will be carried out by the operator each day, this includes a daily walkover and twice daily sniff testing at the site boundary. If required, upon receipt of complaints, sniff testing will be undertaken at the locations of sensitive receptors.
- The OMP includes procedures for recording and investigating odour complaints.

Summary

We consider that the operator has taken reasonable measures to reduce and manage the emission of odours from the site, as detailed above. The installation of a negative pressure system with odour abatement (A1) on the RDF building should further reduce odour emissions. We consider that the addition of the waste transfer activity is unlikely to cause an increase in odour emissions from the site, as there will be no change to waste types (with the exception of glass) and capacities. We have reviewed the applicants Odour Management Plan (OMP) and we are satisfied that the operator has implemented appropriate operating techniques to mitigate against odours where possible. The permit includes our standard odour condition which allows the Environment Agency to request a revised OMP should there be further issues relating to odour. In summary we consider the risk of odour should not increase as a result of the changes authorised within this variation application.

Particulate Emissions from A1

The shredding of waste has the potential to cause particulate matter (dust) to be released. Emissions of particulate matter have the potential to harm human health. All treatment and storage of waste material will take place within the main RDF building, with the exception of the storage of glass. It is not considered that the storage of glass will have an impact on particulate matter being released to the atmosphere. The impact of emissions of particulate matter is considered with regard to EU Air Quality Limit Values for PM₁₀. PM₁₀ refers to particulate matter with a diameter of less than 10 micrometres.

The only point source of particulate matter at the installation is from the new emission point A1 which serves the main RDF building. Prior to discharge the air is passed through a dust pre-filter and a carbon filter. The filtration system is designed to achieve a concentration of 4mg/m³ for particulate matter.

The operator submitted an Air Quality Impact Assessment, the assessment modelled the impact of PM₁₀ being released from the site to the atmosphere. The operator has used the Environment Agency's H1 guidance for the assessment criteria.

To complete an air emissions risk assessment firstly the environmental concentration for each substance must be calculated, known as the process contribution (PC).

Screen Out Insignificant Emissions

Once short-term and long-term PCs have been calculated (either by dispersion factors or modelling), they are compared with Environmental Quality Standards (EQS) referred to as "benchmarks" in the H1 Guidance.

Where an EU EQS exists, the relevant standard is the EU EQS. Where an EU EQS does not exist, our guidance sets out a National EQS (also referred to as Environmental Assessment Level - EAL) which has been derived to provide a similar level of protection to Human Health and the Environment as the EU EQS levels.

PCs are considered insignificant if:

- the long-term process contribution is less than 1% of the relevant EQS; and
- the short-term process contribution is less than 10% of the relevant EQS.

The long term 1% process contribution insignificance threshold is based on the judgements that:

- It is unlikely that an emission at this level will make a significant contribution to air quality;
- The threshold provides a substantial safety margin to protect health and the environment.

The short term 10% process contribution insignificance threshold is based on the judgements that:

- spatial and temporal conditions mean that short term process contributions are transient and limited in comparison with long term process contributions;
- the proposed threshold provides a substantial safety margin to protect health and the environment.

Deciding whether Detailed Modelling is needed

Where an emission cannot be screened out as insignificant as a PC through applying the first stage of our H1 Guidance, it does not mean it will necessarily be significant.

In these circumstances, the H1 Guidance justifies the need for detailed modelling of emissions, long-term, short-term or both, taking into account the state of the environment before the Installation operates, where:

- local receptors may be sensitive to emissions;
- released substances fall under an Air Quality Management Plan;
- the long term Predicted Environmental Concentration (PEC) exceeds 70% of the appropriate long term standard, (where the PEC is equal to the sum of the background concentration in the absence of the Installation and the process contribution);
- the short term Process Contribution exceeds 20% of the headroom, (where the headroom is the appropriate short term standard minus twice the long term background concentration)

Air emissions assessment from emission point A1

The table below summaries the potential impact of particulate matter on air quality from new RDF building emission point A1, the highest values for background concentrations and the predicted environmental contributions have been used.

Pollutant	Reference Period	Background $\mu\text{g}/\text{m}^3$	EAL $\mu\text{g}/\text{m}^3$	PC $\mu\text{g}/\text{m}^3$	% PC of EAL	PEC $\mu\text{g}/\text{m}^3$	% PEC of EAL
PM ₁₀	Hourly Average (Short Term)	26.2	50	1.4	2.8	27.3	54.6
	Annual Mean	17.4	40	0.5	1.25	17.9	44.75

PC: Process Contribution EAL: Environmental Assessment Level PEC: Predicted Environmental Contribution

The table above shows that short term emissions of particulates can be screened out as insignificant in that the short term process contribution of $1.4 \mu\text{g}/\text{m}^3$ is less than 10% of the short term EAL of $50 \mu\text{g}/\text{m}^3$.

Long term emissions of particulates cannot be screened out as insignificant as the long term process contribution of $0.5 \mu\text{g}/\text{m}^3$, is not less than 1% ($0.4 \mu\text{g}/\text{m}^3$) of the long term EAL of $40 \mu\text{g}/\text{m}^3$. We have therefore taken background value into account. Although the long term PC is not considered insignificant, we consider the headroom between the PEC and the EAL to be adequate to indicate that an exceedance of the EAL is unlikely. Therefore we consider that detailed modelling is not required for the release of long term particulate emissions from the installation.

The results from the modelling indicate that the addition of the new emission point A1 on the RDF building is unlikely to have a significant impact on the nearest receptors for particulate matter. We are confident that the site is unlikely to have a significant impact on the local air quality or the amenity of the surrounding receptors.

With the exception of glass all wastes are stored within the RDF building and therefore fugitive dust emissions from wind are minimal. Other sources of fugitive dust emissions from the site are managed through good housekeeping, keeping the site clean and tidy. We do not consider the risk from dust emissions to increase as a result of this variation.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made. The decision was taken in accordance with our guidance on confidentiality.
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 confidentiality.
Consultation/Engagement	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consider this application to be of high public interest and advertised the application on Citizen Space from 21 August 2017 to 19 September 2017. The comments and our responses are summarised in the consultation section .
Engagement	We consider this application to be of high public interest and so contacted the following stakeholders to notify them of the variation from the operator; <ul style="list-style-type: none"> • 48 local residents and local businesses who had previously contacted the Environment Agency regarding odour emissions from the site. • Ashfield District Council, Cllr Jacqueline James and Cllr John Knight • MP Gloria De Piero • Action group chair Tref Walters • Clerk of Selston Parish Council • Clerk of South Normanton Parish Council The comments and our responses are summarised in the consultation section of this document.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits. The extent of the facility defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
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.

Aspect considered	Decision
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>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. The sites are listed below</p> <ul style="list-style-type: none"> • Kirkby Grives Site of Special Scientific Interest (SSSI) within 2km of the installation. <p>In addition there are 12 Local Wildlife Sites (LWS) within 10km of the installation.</p> <p>We consider that the application will not affect any sites of nature conservation as there is no pathway for pollution.</p> <p>There are no proposed changes of how the waste will be shredded and baled on site. As such we are satisfied that this change does not increase the risk and that there is unlikely to be an impact on the protected sites.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> <p>In accordance with our guidance, as there are statutory sites within 2km of the installation, we are required to complete an Appendix 4 CRoW Act Assessment for the Site of Special Scientific Interest for auditing purposes only. The appendix 4 was completed on the 7 March 2017 and is recorded for information only.</p>
Environmental risk assessment	
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>There are no proposed changes to how the waste will be shredded and baled on site.</p>
Operating techniques	
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>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> <p>Please refer to the Key Issues section for further information.</p>
Fire prevention plan	<p>We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.</p> <p>The site stores non-hazardous wastes including wood and cardboard pending</p>

Aspect considered	Decision
	<p>shredding and baling to be used in the energy sector. The wastes stored and processed within the main RDF building (with the exception of glass which will be stored outside) have the potential to be combustible. As such we requested that the operator submitted a revised FPP, in line with our guidance, as part of the application.</p> <p>We have reviewed the FPP and are satisfied that the necessary measures will be put in in place to prevent waste fires from occurring. We therefore approve the FPP and consider that it complies with the standards in our guidance.</p>
Permit conditions	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).
Raw materials	We have specified limits and controls on the use of raw materials and fuels. There are no changes to the raw materials specified in the variation.
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"> • they are suitable for the proposed activities • the proposed infrastructure is appropriate; and • the environmental risk assessment is acceptable. <p>We have added the following waste codes to the bespoke waste transfer activity (Table S2.3);</p> <p>15 01 07 – Glass packaging 20 01 02 – Glass</p> <p>See key issues for further information.</p>
Emission limits	<p>An emission point to air has been added to the permit (A1), we have not set any emissions limits for this new emission point.</p> <p>No emission limits have been added, amended or deleted as a result of this variation.</p>
Monitoring	Monitoring has not changed as a result of this variation.
Reporting	Reporting has not changed as a result of this variation.
Operator competence	
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.
Growth Duty	
Section 108 Deregulation	We have considered our duty to have regard to the desirability of promoting

Aspect considered	Decision
Act 2015 – Growth duty	<p>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.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“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>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>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, our notice on GOV.UK for the public, and the way in which we have considered these in the determination process.

Representations from community and other organisations

Brief summary of issues raised (response received 17/09/2017)
The respondent has made several observations regarding the information supplied within supporting documentation submitted with the application. With regard to the Odour Management Plan (OMP), the respondent has made comments on when/how often the ventilation/extraction system will be used and how the speed of the of the system corresponds to the outside air temperature. In addition comments have also been made about the testing schedule of the extraction system and how often the media will need to be replaced. The respondent has also raised concerns over the use of 'sniff' tests and the operator's use of self-reporting. The final point raised is the use of 'Airborne 10' on site to suppress odours.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Representations from individual members of the public.

Brief summary of issues raised (response received 30/08/2017)
The respondent has raised concerns regarding the proximity of the site to residential properties. Concerns have also been raised over the odours being emitted from the site and flies.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 30/08/2017)
The respondent has commented on the odour and flies being caused by the activities on site. This has led to the respondent having to keep windows closed at their property. The respondent has also stated that the site should not be permitted to expel contaminated air into the environment.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 31/08/2017)
The respondent has raised several concerns regarding the planning process. These include the location of the site and the lack of consultation with local residents prior to the construction of the site. The respondent has raised concerns that the site has had a detrimental impact on property prices within the local area and an impact on resident's health. The respondent has also mentioned the odours and flies.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 12/09/2017)
The respondent has raised concerns with the supporting documents submitted with the application, namely the Odour Management Plan (OMP) and the Fire Prevention Plan (FPP). Within the OMP the respondent has question how long recyclable material removed from the waste stream will be stored on site prior to removal. Points have also been raised on how the Operator will investigate and report complaints from local residents. The respondent has concerns that the Operator hasn't given enough consideration to the local residents should a fire occur on site.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 13/09/2017)
The respondent has raised concerns that the filter system won't be used as often during the winter months compared to the summer months. The respondent also has concerns over the operators management of contaminated waste should it be received on site. Other concerns include odours, chemicals used on site, vermin, risk of fire and an increase in traffic.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 16/09/2017)
The respondent has stated that they reject any further applications made in relation to the Welshcroft site. In addition they have raised the following concerns, an increase in the amount of flies, odour, an increase in traffic/vehicle movements, the original planning application and chemicals used on site.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Brief summary of issues raised (response received 03/09/2017)
The respondent has made objections to the location of the site. They have stated the site is situated in the wrong location and it should be closed down immediately. Their response expresses concerns over the original planning application and that there was a lack of consultation during the original application process. The respondent has also raised concerns over the odours being emitted from the site, the number of flies and the impact of the increasing number of refuse and delivery trucks/lorries are having on the local area. The respondent has also made comment on the impact the site has had on human health, including an increase in stomach bugs, skin conditions and breathing problems. In addition the respondent has made comment on the use of filters and deodorisers.
Summary of actions taken or show how this has been covered
Please refer to section below for responses to comments made during the consultation.

Responses to comments made during the consultation;

Air emission point

The inclusion of an air emission point is a health and safety measure to improve conditions for the workforce who work within the main RDF building. The updated Odour Management Plan (OMP) states that the ventilation system will be in use whenever the plant is operational. Prior to the air being emitted to the environment the air is treated by pre-treatment filters and activated carbon filters. The activated carbon filters will remove odorous compounds. No chemicals are used on site to treat the air prior to emission.

The results from the modelling within the air quality impact assessment indicate that odour concentrations from the new emission point will not exceed the benchmark level for offensive odours beyond the site boundary. The modelling indicates that the emissions of particulate matter from the emission point are unlikely to have a significant impact on the nearest receptors. Critical spares for the ventilation system, including filters and pre-filters are maintained on site. See key issues of this decision document for more information.

Fire Prevention Plan (FPP)

The Operator submitted a revised FPP as part of the variation, we are satisfied that the FPP meets the measures and objectives set out in the FPP guidance. The objectives of the guidance are;

- minimise the likelihood of a fire happening
- aim for a fire to be extinguished within 4 hours
- minimise the spread of fire within the site and to neighbouring sites

The storage of recyclable material onsite is governed by the retention times detailed within the FPP. The FPP states that wastes are expected to be stored on site for less than 24 hours up to a maximum of 3 days prior to shredding and baling. Once the waste has been shredded and baled, the bales will be stored on site for a maximum of 3 days during normal operational conditions, however under abnormal operating conditions bales will be stored up to one week. The FPP guidance produced by the Environment Agency states that to prevent self-combustion of wastes, wastes should be stored onsite for less than three months.

The FPP includes measures of contacting local residents downwind of the site should a fire create large amounts of smoke. We have approved the FPP, we are confident that the operator has demonstrated that their FPP has appropriate measures in place to meet the three objectives of preventing a fire on site.

Impact on human health

Public Health England were consulted with during the determination of the original permit application (consulted on 7 December 2016). Their response dated the 9 December 2016 stated that 'Public Health England has no significant concerns regarding the risk to the health of the local population from the installation'. This is based on the assumption that the permit holder shall take appropriate measures to prevent or control pollution, in accordance with relevant sector guidance and industry best practice.

We are satisfied that this variation does not increase the risk to human health for the reasons set out in this decision document.

Location

Comments regarding the location of the site have not been taken into consideration during the determination of this variation. These considerations are for planning with Nottinghamshire Country Council and fall outside the scope of the Environment Agency.

Odour

The operator has taken reasonable measures to mitigate against the release of odours from the site, these are detailed in the updated Odour Management Plan (OMP). The mitigation measures include fast acting shutter doors, the processing of waste is sequential order of when it was received and rejecting waste which doesn't conform to the acceptable specification. Municipal wastes containing high levels of putrescible material will be prioritised. The operator has committed to good housekeeping, which includes the regular

cleaning of the shredder, loader and operational areas. The storage areas will be kept clean to ensure that vehicles leaving the site do not transfer odorous material offsite. Any areas which have contained highly odorous material will be washed down as required and inspected on a daily basis. The external storage areas will be emptied and washed twice weekly.

The addition of the emission point (A1) allows the building to operate under negative pressure and prevents the escape of odours emissions. The extraction system will treat the air prior to discharge through the use of pre-filter to remove particulates and a carbon filter to remove odorous compounds. The results from the modelling within the air quality impact assessment indicate that odour concentrations will not exceed the benchmark level for offensive odours beyond the site boundary. Critical spares for the ventilation system, including filters and pre-filters are maintained on site. Following the removal of the outside storage of baled waste the use of deodorisers have been removed from the updated Odour Management Plan (OMP).

The Operator will carry out twice daily monitoring in the form of sniff tests at the site boundary in addition to a daily site walkover. The OMP includes procedures for recording and investigating odour complaints. The permit includes condition 3.3, which allows the Environment Agency to request an updated OMP should the need arise. The Operator has updated the complaints section within the OMP, all complaints are recorded on the operators reporting system, RIVO. Complaints are reviewed at a monthly management meeting, in addition to a quarterly review with Nottinghamshire County Council. The updated OMP reflects that sniff testing will be used as described in the Environment Agency guidance, H4 Odour Management – How to comply with your environmental permit.

By implementing the measures listed within the OMP the operator has taken appropriate measures to reduce the impact of odour to the sensitive receptors in the local area. See key issues of this decision document for more information.

Pests

Waste is stored within the main RDF building with the exception of glass which will be stored outside. The Operator has taken measures to mitigation against the impact of the pests such as flies; these include limiting the amount of waste being stored on site, treating waste sequentially so the oldest waste is treated first and using fast acting doors on the main building. The operator has committed to good housekeeping, which includes the regular washing down of internal storage areas and the emptying and washing of the external glass storage areas twice weekly. The storage of incoming waste is limited to 72 hours, however in practice wastes will usually be processed or transferred within 24 hours. Once wastes have been shredded and baled, baled waste will be stored on site for a maximum period of 1 week. Under normal operating conditions baled waste will be stored for 3 days. The permit includes the pest condition, 3.6. This condition allows the Environment Agency to request a pest management plan should it be required.

Traffic

The variation does not permit an increase in the maximum quantity of waste that will be processed on site. As the maximum tonnages will remain the same, there will no change in the number of vehicle movements. Decisions about land use and impacts of traffic are matters for the land-use planning system.

Summary

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the variation

Advertising and Consultation on the Draft Decision

This section reports on the outcome of the public consultation on our draft decision carried out between 21 March 2018 and 20 April 2018.

In some cases the issues raised in the consultation were the same as those raised previously and already reported in the above section of this decision document. Where this is the case, the Environment Agency response has not been repeated and reference should be made above for an explanation of the particular concerns or issues.

Also some of the consultation responses received were on matters which are outside the scope of the Environment Agency's powers under the Environmental Permitting Regulations. Our position on these matters is as described previously.

Representations from Community and Other Organisations

Brief summary of issues raised from consultation response (response received 13/04/2018)
The respondent raised a number of concerns regarding the draft permit and decision document. The main points of their representation are the dates of the consultation period, the associated noise of collecting and storing glass on site along with the potential for the attraction of pests and vermin. The respondent has asked for clarity over the total quantity of waste that is to be stored and transferred from the site. In addition concerns have been raised over emissions of PM _{2.5} from the emission point and the monitoring of particulate emissions.
Summary of actions taken or show how this has been covered
Concerns raised regarding odour, pests, storage and treatment of waste for transfer along with the collection and storage of glass have previously been covered in the responses to consultation section above and the key issues section of this decision document. Information regarding the consultation dates and the emissions of PM _{2.5} are detailed in the section below.

Representations from Individual Members of the Public

A total of 8 of responses were received from individual members of the public. These raised many of the same issues as previously addressed.

Brief summary of issues raised from consultation response PR1 (response received 21/03/2018)
The respondent has made strong objections to any applications which vary the permit to increase any activities taking place on site. In addition the respondent has mentioned that the since the site has been operational they have been unable to use their garden due to odours and flies and an increase in vermin such as rats. The responded has also mentioned an increase in traffic as a result of the site being operational.
Summary of actions taken or show how this has been covered
Concerns regarding odour, pests and traffic have previously been covered in the above section of this decision document.

Brief summary of issues raised from consultation response PR2 (response received 21/03/2018)

The respondent has made comments on the odour and flies as a result of the activities on site which has restricted the use of their garden last summer. In addition the respondent has also raised concerns over the increase in traffic from the site and odours from the passing HGVs.

Summary of actions taken or show how this has been covered

Concerns regarding odour, pests and traffic have previously been covered in the above section of this decision document.

Brief summary of issues raised from consultation response PR3 (response received 27/03/2018)

The respondent has raised concerns over the increase in pests such as flies and odours from the site.

Summary of actions taken or show how this has been covered

Concerns regarding odour and pests have previously been covered in the above section of this decision document.

Brief summary of issues raised from consultation response PR5 (response received 15/04/2018)

The respondent has raised concerns over noise, odour, increased traffic and the site operating at weekends.

Summary of actions taken or show how this has been covered

Concerns regarding odour, pests and traffic have previously been covered in the above section of this decision document. There have been no changes to the operational hours of the installation under this variation.

Brief summary of issues raised from consultation response PR6 (response received 16/04/2018)

The respondent has raised concerns over the storage of baled waste and the increase in vermin. The respondent has also questioned whether the site will operate with the doors open following the inclusion of the air emission point. In addition the respondent has also made comment regarding the dates of the consultation, the total quantity of waste to be processed and stored on site and the monitoring of PM₁₀ & PM_{2.5}.

Summary of actions taken or show how this has been covered

Concerns raised regarding odour, pests, storage and treatment of waste for transfer have previously been covered in the responses to consultation section above and the key issues section of this decision document. Information regarding the consultation dates and the monitoring of emissions are detailed in the section below.

Brief summary of issues raised from consultation response PR7 (response received 18/04/2018)

The respondent has raised concerns over the storage of glass on site due to the increase in noise and odour emissions. The respondent has also raised concerns regarding increased traffic from HGV's and the associated emissions of NO_x. In addition the respondent has made comment regarding the operational times of the site.

Summary of actions taken or show how this has been covered

Concerns raised regarding odour, traffic, noise and the collection and storage of glass have previously been covered in the 'responses to consultation' section above and the key issues section of this decision document.

Brief summary of issues raised from consultation response PR8 (response received 20/04/2018)

The respondent has raised concerns over the use of chemicals on site along with the storage of glass and the associated potential for further noise and odour emissions and increased likelihood of pests. Concerns have also been raised regarding increased traffic from HGV's and the associated emissions of NO_x.

Summary of actions taken or show how this has been covered

Concerns raised regarding the use of chemicals, odour, traffic, noise and the collection and storage of glass have previously been covered in the 'responses to consultation' section above and the key issues section of this decision document.

Responses to comments made during the minded to consultation;

Particulate Matter

The inclusion of an air emission point is primarily a health and safety measure to improve conditions for the workforce who work within the main RDF building. The modelling submitted by the Operator in support of their application indicates that emissions of PM₁₀ from the emission point are unlikely to have a significant impact on the nearby receptors. Emissions of PM_{2.5}, (PM_{2.5} refers to particulate matter with a diameter of less than 2.5 micrometres) are unlikely to be generated at the site. PM_{2.5} is more commonly associated with the combustion industry and the incineration of waste. As no combustion activities take place on site, emissions of PM_{2.5} are not considered to be a risk. Furthermore during the original determination Public Health England were consulted and no concerns were raised regarding the release of particulate matter. As such emissions of PM_{2.5} have not been considered in the determination of the variation.

With the exception of the storage of glass all waste will be stored and processed within the main RDF building with the doors closed. The storage and processing of waste within the main building will mitigate against fugitive emissions of particulate matter.

Monitoring of PM₁₀ has not been added to the permit as we consider that this variation does not increase the risk and there is unlikely to be a significant impact on the nearest receptors from releases of particulate matter. The permit contains the standard condition 3.2 'Emissions of substances not controlled by emission limits'. This condition allows the Environment Agency to request an emission management plan and implementation of the approved emissions management plan should it be required.

Dates of the consultation

The minded to consultation was advertised on Citizen Space from 21 March to 20 April 2018. The draft permit and decision document were advertised for a total of 30 days, an additional two days were added to the required 28 day consultation period to account for the two bank holidays during the advertisement period. It was decided that extending the advertisement period further to include the date of the liaison meeting was not required. The decision not to extend the consultation period was made as stakeholders had all been notified of our consultation and how they could comment on our decision and also because the perceived risk of the application had been reduced through the removal of the outside storage of baled waste and the removal of the standard rules aspect of the application.

Summary

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the variation.