

Permitting decisions

Variation

We have decided to grant the variation for Estuary Farm Recycling Facility operated by Greenworld Sales Limited.

The variation number is EPR/HP3096NJ/V002.

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:

- 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

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

Fire Prevention Plan (FPP)

The applicant submitted a Fire Prevention Plan (FPP) for their site which was assessed and subsequently approved by the Environment Agency. The plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance. In making our decision, we have taken into account the remote location of the site and site-specific operational procedures.

We have agreed to the maximum stockpile height of 5 metres for all wastes on the site except sawdust which has been agreed at 3 metres. The maximum stockpile volume of the processed wood waste has been approved at 750 m³. The treatment of waste wood to produce woodchip is being carried out by a slow speed wood shredder that allows good separation of wood chip from fines (sawdust) that is considered to be the main cause of self-heating and combustion. Due to the use of slow speed wood shredder and removal of dust, there is no need to use water to dampen and compact the processed wood stockpiles to control dust. The reduced need to use water on processed wood stockpiles significantly reduces the risk of self-heating. In addition, stockpiles will be monitored daily but if the external temperature is greater than 25 °C, the monitoring frequency will be increased to three times per day. Temperatures are measured using a 2-metre long temperature probe. The trigger point for processed wood is set at 50 °C. The following actions will be taken if this trigger temperature is reached:

- the temperature of the waste stockpile will be taken again to check that the reading is correct; and
- the frequency of temperature monitoring will be increased to twice daily; and
- the stockpile will be split into smaller piles/turned to dissipate heat.

The green waste, processed wood and sawdust will be stored on site for a maximum of one month with a typical turnaround of 7 to 10 days. The quick turnaround of waste means that the self-combustion and overheating is significantly minimised. Unprocessed wood storage duration has been reduced to three months which is half the recommended time in the FPP guidance.

We have also accepted the applicant's proposal to use waste soils to smother the fire in addition to using water. The site has sufficient amount of soils available at all times and enough equipment to be able to move it to the affected area in a short time.

Taking into account all of the above points, we are satisfied that the measures proposed are appropriate to meet the objectives in the FPP guidance.

Treatment of hazardous drilling cuts – change from the original proposal

The applicant initially requested the treatment of hazardous drilling cuts with non-hazardous waste as a recovery activity. We have not allowed the treated material to go for recovery as the applicants have not fully assessed the content of other contaminants that could be present (e.g. heavy metals) in the resultant material.

The applicants have revised their proposal and have now requested the treatment of hazardous drilling cuts with non-hazardous waste as a disposal activity. Biodegradable wastes are mixed/blended with the drilling cuts in order to facilitate the biological activity that will then remove the hydrocarbons to the level that would enable the waste to be classed as non-hazardous. The other wastes types (17 03 02 and 19 01 12) are used to help with the physical structure of the resultant waste material.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have identified information provided as part of the application that we consider to be confidential.
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', The extent of the facility is 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.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on environmental risk, all emissions may be categorised as environmentally insignificant.
Operating techniques	
General operating techniques	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. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.
Fire Prevention Plan	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.

Aspect considered	Decision
	The plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.
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 permits.
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 made these decisions with respect to waste types in accordance with our 'Framework Guidance Note – Framework for assessing suitability of wastes going to anaerobic digestion, composting and biological treatment. July 2013.'</p>
Monitoring	<p>We have decided that monitoring should be amended for the following parameters, using the methods detailed and to the frequencies specified:</p> <p>Process monitoring detailed in Table S3.1 in the consolidated permit.</p> <p>These monitoring requirements have been imposed in order to monitor the composting process.</p> <p>We made these decisions in accordance with the "How to comply with your environmental permit. Additional guidance for Anaerobic Digestion, Reference LIT 8737, Report version 1.0 and November 2013".</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>
Reporting	<p>We have amended reporting in the permit for the following parameters:</p> <p>For the scheduled composting activities we have included reporting for water usage, energy usage and other performance indicators in accordance with IED.</p> <p>We made these decisions in accordance with "How to comply with your environmental permit. Additional guidance for Anaerobic Digestion, Reference LIT 8737, Report version 1.0 and November 2013".</p>
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.

Aspect considered	Decision
Technical competence	Technical competence is required for activities permitted. The operator is a member of an agreed scheme. We are satisfied that the operator is technically competent.
Relevant convictions	The Case Management System and National Enforcement Database have been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>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.</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>