

# Permitting decisions

## Bespoke permit

---

We have decided to grant the permit for Changing Waste operated by Changing Waste Ltd.

The permit number is EPR/FB3601CJ.

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
- 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. The introductory note summarises what the permit covers.

# Key issues of the decision

## Site condition report

The site is located at Spaldington Airfield, Wood Lane, Spaldington at National Grid Reference 74425 32682. A Site Condition Report was submitted with the application, it includes information on the previous land use and details of the geological setting of the site.

Historic land use maps indicate that prior to the 1950's, the Spaldington Airfield site was undeveloped. From the 1950's onwards, historic maps show a number of buildings on site. Shed 1 was developed first, initially for agricultural storage, with further buildings added at a later date. Until recently the site was operated for the manufacture and distribution of Ammonium Nitrate based fertilisers. Chemicals associated with fertiliser manufacture have been removed from site.

Records show that, historically there have been two significant pollution events to the west of the site, along the Great Committee Drain. These incidents occurred in 2007 and 2011 and involved the deposit of biodegradable and agricultural materials into the drain.

The underlying bedrock is Mercia Mudstone, which is overlain by Thorganby Clay Member. These are classified as a Principal Aquifer and an Unproductive Aquifer, respectively. The installation does not lie within a groundwater source protection zone.

There are a number of surface water features within 500 metres of the installation boundary. A number of surface water drains are located within the vicinity of the site, including the Great Committee Drain, which runs to the west of the site and an unnamed surface water drain approximately 80m to the east. Drains run in a southerly direction, meeting the Commonend or Feathered Drain to the south of the site and ultimately draining into the River Foulness.

The majority of the site is situated in a designated Flood Zone 1 area, which is classed at low risk of flooding from fluvial sources. The east of the site is located within a Flood Zone 2 area (areas at risk of flooding during an extreme rainfall event, or between a 1 in 100 and 1 in 1,000 annual probability of river flooding). The car park, site offices and lagoon are located to the western area within the installation boundary. No infrastructure is planned within the Flood Zone 2 area at the time of permit application / determination.

All waste processing, storage and treatment will take place within the dedicated process building. The entire operational area will be lined with concrete and sloped to direct all surface water runoff towards a sump (within the building) or a lagoon (uncontaminated run-off from external areas). We agree that, as the site has adequate surfacing and pollution prevention measures, there is a low risk of pollution to soil and groundwater.

As the site is covered in impermeable concrete surfacing the Applicant has decided not to disturb this in order to collect baseline samples. Therefore no chemical baseline has been provided in support of the application.

## Application of Best Available Techniques (BAT)

The permit allows the treatment of waste to create a feedstock with the final destination being treatment via anaerobic digestion at another installation. No anaerobic digestion is undertaken at this site.

We have reviewed the measures proposed by the Applicant and compared them against the indicative BAT set out in our sector guidance note S5.06 (Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste). A summary of the key operating techniques proposed

for waste acceptance, storage and treatment are provided below. We are satisfied that these measures represent BAT for the installation.

#### *Waste pre-acceptance and acceptance*

- All wastes will be assessed for suitability of acceptance by an appropriately trained member of staff.
- Waste types and quantities will be compared against the accompanying paperwork.
- Waste streams will have undergone prior testing, ensuring that their composition is known and that they are appropriate for treatment.
- Where waste is not in compliance the load will be rejected and will be returned to the waste producer where possible. If this is not possible the waste will be directed to the designated quarantine area, where it will remain segregated prior to removal from site. Storage of quarantined wastes will be limited to a maximum of five working days for any load.
- Incoming wastes will be weighed at the weighbridge.
- Wastes will not be accepted at the site unless there is sufficient space within the waste reception area and adequate storage capacity.

#### *Waste storage, handling and treatment*

- During normal operation the majority of wastes will not remain on site for more than 48 hours, reducing the potential for the waste to become odorous. Waste may remain on site slightly longer over a bank holiday and certain palletised wastes may be fed into the process over a period of 72 hours.
- The reception area has an impermeable pavement with sealed drainage.
- Liquid wastes will be unloaded in a dedicated area outside the building. This area will be provided with impermeable surfacing and kerbing to contain any spillage.
- The buildings will be enclosed and equipped with roller shutter doors in order to provide containment and minimise emissions of odour, litter and dust.
- Loads are received separately and are not blended until the waste acceptance procedure has been completed. A tracking system will be in place confirming all loads of waste accepted on site and the batch or batches in which it was blended.
- All site operations will take place in areas provided with impermeable concrete flooring and a sealed drainage system. The building is designed so that any water is directed to a sealed sump. External drainage is directed to the on-site lagoon.
- Alcoholic beverages are accepted in containers, minimising exposure of the flammable liquids. These potentially flammable liquid wastes will be transferred to tanks following a written procedure for safe handling of the materials.
- Storage tanks for slurry will be located on an impervious surface within a bunded area which will provide 25% of the total capacity of all the tanks.
- Tanks and bunds will be inspected weekly and repaired and maintained.
- Tanks on site will be fitted with high level alarms as an additional precaution against over filling. Should the level in the tank continue to rise, following the high-level alarm, the feed pump will automatically stop and feed to the tank will be prevented.
- All pipework will be routed above ground allowing it to be easily inspected and maintained.
- In the event that a shutdown will be required for 48 hours or more then waste inputs will be diverted to another permitted site.

## Odour

The site is located in predominately rural setting. There is an intensive pig farm and a waste treatment facility adjacent to the facility. The nearest residential receptors to the facility are Newsholme Farm (approximately 685 metres from the site) and Brind Leys Farm (approximately 860m from the site). There is also a golf course approximately 270m to the south east.

The permitted activities will comprise the treatment of food, drink and tobacco wastes to produce a feed stock for anaerobic digestion. No anaerobic digestion is undertaken at this site.

The areas on site with the potential to generate odour have been identified in the site's Odour Management Plan (OMP) as emissions from vehicles delivering wastes to the site, emissions from waste material received at the site, emissions from sorting and treatment of waste within the food waste building and emissions from vehicles removing waste from site.

The process takes place mainly within enclosed plant or sealed tanks, therefore it is expected that the main source of potential odour will be from unloading of incoming waste. Odour emissions from waste reception will be controlled by the sites waste acceptance procedures. All deliveries will be planned and managed to ensure there is sufficient capacity available. The volume of waste received and held in stockpiles within the building prior to processing will be managed in order to keep stockpiled material to a minimum. If the site is full, waste will be diverted to another site. Waste will be checked on arrival at the site to ensure that only permitted waste is accepted. Waste loads delivered to the site will be carried in enclosed or sheeted vehicles and all solid waste will be off-loaded, stored and depackaged inside the building. Wastes will be processed and taken off site on a first in first out basis with any noticeably odorous wastes being prioritised for processing. All food waste received will be treated by the end of the working day. Some palletised wastes may need to be fed into the process more slowly and will be treated within 72 hours. The roller shutter door is only opened to allow vehicles to enter or exit the building. Once the vehicle is within the building the door is closed during unloading. Pedestrian access doors, and other openings in the building, will be kept closed at all times when wastes are being delivered, stored and treated other than to allow access and egress. Following treatment waste will be transferred to an enclosed tank before being transferred to a sealed tanker for removal to an AD plant. Packaging waste is loaded directly into a compactor container which will be exchanged at least once a day. No more than 30m<sup>3</sup> of packaging waste will be stored on site at any one time.

To further reduce odour emissions from site activities, the Operator proposes the following measures:

- Good housekeeping, the site will be kept clean and tidy with the reception area being cleaned down at least once every two days.
- A wheel wash will be provided and a procedure will be in place to ensure that vehicles are washed before leaving the site so that they cannot track wastes out of the site.
- Drainage systems and sumps will be visually inspected daily to ensure that they are operating effectively.
- Should the motor fail, the roller shutter doors can be closed manually to contain odour within the building.
- The odour management plan includes procedures for recording and investigating odour complaints

The Odour Management Plan also details the procedures which will be in place for monitoring odour at the site. Daily inspections/ sniff tests will be made at multiple points along the site boundary, with the frequency increased if odour is detected or in the event of odour complaints.

The Site Manager will be notified immediately of any detected odours that are considered to have the potential to give rise to significant off-site odour impact. This will trigger a supplementary off-site odour survey at any downwind potential receptor locations. Odour inspection personnel will be chosen from office-based staff as they are less likely to have become desensitised to odours generated on site. All staff regularly responsible for assessing odour will complete training on the odour inspection procedure in addition to formal odour sensitivity and detection threshold assessments.

Odour control at the site relies on the quick turn round of waste, treatment within a building and good housekeeping. All of these can be effective methods for limiting and controlling odour emissions from a site. The OMP states that this will be kept under review so that abatement can be retrofitted if needed.

Our technical guidance note *How to comply with your environmental permit: Additional guidance for Anaerobic Digestion (November 2013)* sets out the indicative BAT requirements for odour control at anaerobic digestion sites. Whilst no anaerobic digestion is taking place at the site, given the nature of the permitted waste, we consider that the reception and treatment of waste at the site should meet the same standards required for equivalent waste acceptance and pre-treatment activities at an anaerobic digestion site. The guidance states that the reception and pre-treatment of odorous or potentially odorous wastes should take place within an enclosed building with an appropriate air management system that maintains a negative pressure within the building and discharges via an emissions abatement system. We consider that the current odour management measures do not meet BAT as no additional odour abatement has been proposed at the site.

We have therefore included an improvement condition (IC1) that requires the Operator to carry out an assessment of the options available to reduce the potential for odour at the site. This must include consideration of an odour abatement system with air extraction. If required as a result of IC1, the Operator must submit a commissioning plan detailing the full specification of the odour abatement system proposed for the facility (Improvement Condition 2 (IC2)).

The Operator submitted an odour management plan (OMP) as part of this application which we have reviewed. Following the installation of the odour abatement system, or any other additional measures agreed under IC1, the Operator shall submit an updated OMP detailing measures taken on site to further reduce odour emissions in accordance with Environment Agency Guidance IPPC S5.06, *How to comply with your environmental permit: Additional guidance for Anaerobic Digestion and H4 – Odour Management (Improvement Condition 3 (IC3))*.

We consider that the conditions in the permit are sufficient to ensure that odour emissions from the facility do not cause annoyance. Monitoring by daily sniff tests at the site boundary will also ensure that emissions of odour are not causing annoyance. In the event that odour emissions are causing pollution, the permit conditions require the Operator to comply with the measures specified in the site's operating techniques and odour management plan (following approval).

### **European Waste Catalogue (EWC) code for the alcohol waste stream and resulting feedstock**

The operator applied to include a waste stream consisting of alcohols confiscated by government agencies in their permit, under EWC code 16 03 05\* (*off specification batches and unused products: organic wastes containing hazardous substances*). We are satisfied that the waste stream has been correctly coded as EWC 16 03 05\*.

When using the European Waste Catalogue (EWC), wastes are classified based on their source. This means that different waste streams of alcohol may be coded differently depending on their origin. For example, 02 07 wastes in the EWC are described as '*wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)*'. These wastes must be from the place where the beverages are actually produced. So for the proposed waste stream the use of the 02 07 code is not appropriate. Similarly, 20 01 wastes in the EWC are described as '*Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions*' with 20 01 08 described as '*biodegradable kitchen and canteen waste*', this does not accurately describe the alcohol waste stream as it does not arise from a kitchen or canteen, so this waste code is not appropriate.

The waste in question is not directly from a beverage production activity or from a kitchen/canteen. Instead it arises from illegal activities, either from counterfeit (off-specification) or confiscated beverages (unused product).

As the descriptions in EWC chapters 1-12, 17-20 and 13-15 do not fit the waste stream, the next step is to consider chapter 16. This chapter is intended to catch any products which fall out of the other chapters. We have decided that the 16 chapter code and 03 sub chapter code is the appropriate code to use for this waste. This position has been in place since at least 2015/2016 when work on the classification of alcohol and tobacco waste was undertaken with the Border Force.

The EWC 16 03 05\* waste stream is not included in the list of standard wastes on the Environment Agency's biowaste treatment permit templates. However, we are satisfied that the alcohol content of this waste will not be inhibitory to the anaerobic digestion process. This waste stream has been previously assessed and permitted for treatment via anaerobic digestion at other sites. Also, other waste streams containing alcohol are routinely treated via anaerobic digestion. We therefore consider that it can be blended with other wastes in order to produce a suitable feedstock for anaerobic digestion. We have included it in Table S2.2 of the permit with the following description '*organic wastes containing hazardous substances - alcoholic drinks with an alcohol by volume of 6% or higher only*'.

The Applicant stated in their application that '*the treatment process will render the wastes non-hazardous, as the flammability risk is removed*'. However, we consider that the mixing/dilution of the alcohol to below the flammability threshold does not remove the hazardous classification. This is clarified in the Waste Framework Directive (Directive 2008/98/EC) which states that "*the reclassification of hazardous waste as non-hazardous waste may not be achieved by diluting or mixing the waste with the aim of lowering the initial concentrations of hazardous substances to a level below the thresholds for defining waste as hazardous*".

The Applicant also proposed that the resulting feedstock could be coded as 19 12 12 (*other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11*). However, processing at the site involves the removal of waste from its packaging, size reduction (where applicable) and mixing; we consider this to be a physico-chemical treatment process rather than mechanical treatment meaning 19 12 12 is not appropriate for the resulting feedstock. Also 19 12 12 is a non-hazardous EWC code, and if the mixture of wastes contains a hazardous waste stream the entire feedstock would need to be coded as hazardous.

Our guidance document *Classifying and Coding Wastes from Physico-Chemical Treatment Facilities* (HWR06 Version 5.0 – April 2011) covers the mixing of wastes. It explains that if a hazardous waste is mixed with a non-hazardous waste and a reaction does not take place, then this is considered pre-mixing. It goes on to say that this waste is coded 19 02 04\* (*premixed wastes composed of at least one hazardous waste*) and that this code will apply for onward movement of this waste.

As a result of the proposed mixing/ blending only dilution takes place, with no specific treatment of the hazardous properties of the waste. This means that when mixed with other wastes the original hazardous classification remains. Once the hazardous alcohol (16 03 05\*) is mixed with other wastes the resulting feedstock would be classified under 19 02 04\*. This is an absolute hazardous entry in the EWC so threshold criteria do not apply. The output could only be sent to a facility that can accept hazardous waste code 19 02 04\*. The Applicant should ensure they have identified an outlet for the waste before operations begin.

If the site chose to create a feedstock without incorporating the hazardous waste stream, the feedstock would be coded as 19 02 03 (*premixed wastes composed only of non-hazardous wastes*).

## **Fire Prevention**

We have a regulatory duty to protect the environment and people. A fire that occurs on a site storing combustible waste materials can have a severe impact on the environment and on local communities. Waste fires can produce smoke that contains a variety of harmful emissions including asphyxiants and irritants. The longer the exposure to smoke the more likely there may be significant pollution or harm to human health. Therefore our approach is first to minimise the risk of a fire occurring and then to recognise that if a fire does occur it should be extinguished as quickly as possible whilst at the same time preventing it from spreading.

The measures set out in the Fire Prevention Plans: environmental permits guidance (November 2016) (the guidance) have therefore been designed to meet the following three objectives:

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

There is a potential risk of fire from the installation due to the treatment and storage of combustible non-hazardous wastes. The Operator submitted a fire prevention plan (FPP) as part of the application. The FPP sets out the measures put in place to prevent a fire and the actions that will be taken in the event of a fire occurring. Appropriate measures are in place for managing common causes of fire; preventing self-combustion; managing waste pile sizes; preventing fire spread; quarantine area; detecting fires; firefighting techniques; fire water containment; and contingency planning during and after an incident. We consider these to be in line with the guidance.

Having considered their FPP we are satisfied that appropriate measures will be in place to prevent waste fires, and that if fire did occur, the impact on people and the environment will be reduced. We have approved the Operator's FPP as it meets the minimum regulatory standards that we expect operators to follow.

The approved FPP is referenced within Table S1.2 of the Permit as it forms part of the Operating Techniques for the Installation.

## **Surface water management**

The process is expected to use large quantities of water, to minimise use of mains water this will be sourced as far as possible from site runoff. The application states that water usage will be reviewed at least once every four years and where further efficiencies implemented where possible.

Clean surface water runoff will be collected separately from the potentially contaminated runoff/leachate. Clean rain water run-off from the external yard and from some of the building roofs will drain to a surface water lagoon to the west of the waste treatment building. There are no point source emissions to surface water, sewer or land from the lagoon; water from the lagoon will be piped to the waste treatment building for use in preparation of the AD feedstock. The lagoon will be lined to prevent fugitive emissions to surface and groundwater. Uncontaminated runoff from roofs may also discharge to the Great Committee Drain, via two discharge points (W1 and W2).

All treatment operations will take place inside the waste treatment building, which has an impermeable concrete floor and a sealed drainage system. Contaminated run-off from within site building will be retained in a sealed sump that is located inside the building. The sump will be inspected weekly (as well as following any spillage) and will be emptied on a regular basis. Water from the sump may be reused on site to prepare the slurry or, where this is not appropriate, it will be tankered off site for disposal.

Liquid wastes delivered by tanker will be discharged directly to a sealed and bunded tank inside the building from an unloading point external to the building. The delivery point will have impermeable flooring and a sealed drainage system, it will also be bunded to ensure any accidental spills are contained. Deliveries and collections of liquids and sludges will be supervised. The Applicant has stated that connections will be checked to ensure a good seal and the delivery/collection will be observed so that any leaks or spills are detected and resolved. Before any transfer begins the level in the receiving tank will be checked to ensure that sufficient capacity is available. Tanks on site will be fitted with high level alarms as an additional precaution against over filling.

All tanks and treatment vessels will be bunded. Up to 30 tanks will be located in the tank area, arranged in a six by five matrix. Each tank will have a capacity of 30m<sup>3</sup> and will be located in a bund, which will provide 25% of the total capacity of all the tanks. The Applicant has confirmed that tanks and bunds will be inspected weekly and repaired and maintained as necessary. Fuel and chemical products such as liquified petroleum gas and oils are stored in double skinned tanks with surrounding protection from collision.

The Applicant has confirmed that all plant and equipment will be serviced and maintained in accordance with the manufacturer's recommendations, minimising the risk of spills from site plant. A maintenance programme will also be in place for tanks, pipes and bunds; regular inspections will ensure that they remain fit for purpose.

Spill kits will be available on site. Spillages in the process building will drain to the sump and any liquid can be reused in the waste treatment process, if appropriate. In the event of a spillage of fuel, or other combustible liquid, sand will be used as an absorbent in the first instance. Contaminated sand will be sealed in a bag and disposed of in an appropriate landfill.

Based upon the information in the application, we are satisfied that appropriate measures will be in place to prevent and /or minimise fugitive emissions to surface water and groundwater.

## **Noise**

Following their risk assessment the Operator concluded that the risk of noise from the site is expected to be low. This is based on design measures and operating techniques incorporated into the new installation. These are summarised below:

- All waste to be processed within a building
- Engines turned off when not in use and deliveries timed to avoid queuing vehicles outside of the site buildings
- On site vehicles will be fitted with broadband reversing alarms to reduce noise levels.



- All plant and machinery to be maintained in accordance with manufacturers specifications

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from noise. We are satisfied that the standard noise condition, together with the operating techniques described in the application and summarised above, are sufficient and no other measures are necessary at this time.

## **Pests**

Given the nature of the material and operations to be undertaken on site, there is potential for the site to attract pests such as flies and vermin. The risk assessment submitted with the application considers this and details operating techniques in place to mitigate against pests. These are summarised below:

- Waste will be treated on a first in first out basis
- The majority of waste will be transferred off site within 48 hours (or 72 hours for some contained and palletised wastes).
- Waste will be stored in enclosed tanks or containers
- The reception area will be cleaned at least every two days
- A pest control contractor will make monthly visits to the site
- Staff will inspect the site on a daily basis and any signs of infestation will be recorded. Should pests be observed at significant levels, arrangements will be made for a pest control contractor to attend the site as soon as possible.

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to ensure the activities will not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the site boundary. We are satisfied that the standard pests condition, together with the operating techniques described in the application and summarised above are sufficient and no other measures are necessary at this time.

## 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	<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>• Food Standards Agency;</li> <li>• Environmental Health;</li> <li>• Health and Safety Executive.</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
Control of the facility	<p>We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.</p> <p>During the determination of the permit (as of 03 April 2018) the Applicant changed their company name. The Permit has been issued to Changing Waste Ltd however the application was made under EFLSAD LTD. The Company's registered office address and the legal entity, identified by the Company number remains the same, therefore this change is noted as a change of fact only.</p>
<b>The facility</b>	
The regulated facility	<p>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.</p> <p>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.</p>
<b>The site</b>	
Extent of the site of the	The operator has provided a plan which we consider is satisfactory, showing

Aspect considered	Decision
facility	the extent of the site of the facility. The plan is included in the permit.
Site condition report	<p>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.</p> <p>The site condition report shows evidence of historic contamination. The operator provided partial baseline reference data; chemical sampling of water from on-site surface water lagoon. But no sampling of ground, groundwater or the Great Committee Drain at the site. The Operator provided an email response on 21 May 2018 detailing that no further baseline data would be provided for the SCR at this time and that they understand the possible implications at permit surrender and are comfortable with this decision.</p>
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>The following sites are located within 10,000m of the installation:</p> <ul style="list-style-type: none"> <li>• Lower Derwent Valley (SAC, SPA, Ramsar);</li> <li>• Skipwith Common (SAC);</li> <li>• Humber Estuary (SAC, SPA, Ramsar);</li> <li>• River Derwent (SAC).</li> </ul> <p>The following local wildlife sites are located within 2,000m of the installation:</p> <ul style="list-style-type: none"> <li>• Rushwood: Feather Bed Lane common and drain, Bishopsal Drain;</li> <li>• North Howden Fish Ponds;</li> <li>• Bring Measow;</li> <li>• Brindleys Wood;</li> <li>• Wressle Verge.</li> </ul> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified as there is no pathway for pollution.</p> <p>We have not formally consulted Natural England on the application. The decision was taken in accordance with our guidance. A Stage 1 Habitats Regulations Assessment form was completed for the SACs, SPAs and Ramsars. The assessment concluded no likely significant impact and was submitted to Natural England for information only.</p> <p>No assessment was required on the impacts of emissions to air from the boiler, on sites of heritage, landscape or nature conservation, and/or protected species or habitat due to the size of the combustion plant (500 KW thermal input). The combustion process at the installation is not considered 'relevant' for assessment under the Environment Agency's procedures which cover The Conservation of Habitats and Species Regulations 2010 (Habitats</p>

Aspect considered	Decision
	Regulations). This was determined by referring to the Agency's guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes.' Therefore the impact of combustion gases on Habitats sites have not been considered further.
<b>Environmental risk assessment</b>	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility.  The operator's risk assessment is satisfactory.
<b>Operating techniques</b>	
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.
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We have set an improvement conditions in the permit which require the Operator install an odour abatement system and to submit an updated odour management plan following its installation. We consider that the conditions in the permit are sufficient to ensure that odour emissions from the facility do not cause annoyance. Monitoring including daily sniff tests at the site boundary will also ensure that emissions of odour are not causing annoyance. In the event that odour emissions are causing pollution, the permit conditions require the Operator to comply with the measures specified in the site's operating techniques and odour management plan (following approval). See key issues section for further information.
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. See key issues section for further information.
<b>Permit conditions</b>	
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.  We are satisfied that the operator can accept these wastes for the following reasons: <ul style="list-style-type: none"> <li>• they are suitable for the proposed activities</li> <li>• the proposed infrastructure is appropriate</li> <li>• the environmental risk assessment is acceptable.</li> </ul> We have restricted the following wastes for the following reasons:  02 06 02, 16 03 05* and 16 03 06 have all had additional descriptions placed in the waste code tables to limit the types of wastes which can be accepted

Aspect considered	Decision
	<p>under these codes. These EWC codes are 'non-standard' for sending to anaerobic digestion and therefore further description was required. These waste streams have been previously assessed and permitted for treatment via anaerobic digestion at other sites. We therefore consider that they can be blended with other wastes in order to produce a suitable feedstock for anaerobic digestion. See the key issues section for further information regarding EWC code 16 03 05*.</p> <p>We made these decisions with respect to waste types in accordance with the Framework Guidance Note 'Framework for assessing suitability of wastes going to anaerobic digestion, composting and biological treatment' dated July 2013.</p>
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 improvement conditions to ensure that the appropriate measures are in place to prevent pollution from odour. See key issues section for further information.</p>
Emission limits	We have decided that emission limits are not required in the permit.
Reporting	We have specified reporting in the permit.
<b>Operator competence</b>	
Management system	<p>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.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Technical competence	<p>Technical competence is required for activities permitted.</p> <p>The operator is a member of an agreed scheme.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</p> <p>The Environment Agency carried out investigations into potential permit breaches in 2013/14 on one of the named directors. The cases never progressed into convictions.</p> <p>The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
<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>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 individual members of the public.

<b>Brief summary of issues raised – Public Response 1 (received 20.04.18)</b>
Summary of concerns raised:  <ol style="list-style-type: none"><li>1. Will the waste produced in the process conform to a PAS 110 standard 100% of the time. What checks / monitoring is in place at commissioning and going forward. What happens when there is a non-conformance?</li><li>2. Concerns raised around risks and impacts from: noise pollution, odour and airborne emissions, human health implications, pests and leaks and spillages. How do you intend to a) Establish measures and controls for each of the above? And b) monitor or 'police' them going forward? With what regularity?</li><li>3. Who can be contacted if there are 'issues'</li><li>4. Concerns regarding the AD plant and its ongoing management processes</li></ol>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.

<b>Brief summary of issues raised – Public Response 2 (received 27.04.18)</b>
Summary of concerns raised:  <ol style="list-style-type: none"><li>1. How will the site affect the health and safety of the residents with regards to:<ol style="list-style-type: none"><li>a. Odour (including impacts on human health)</li><li>b. Noise - there will be intrusive noise to the residents with onsite traffic and machinery, how will this be monitored?</li><li>c. Liquid Waste - concerns over the use of a soakaway as site prone to standing water / flooding</li><li>d. Safety of the local residents – how will the site be monitored?</li><li>e. Pests (prevention of rodents)</li><li>f. Suitability of buildings</li><li>g. Fire risk (wood storage in neighbouring storage yard)</li><li>h. PAS 110 standards (monitoring &amp; compliance with standard)</li></ol></li></ol>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.

<b>Brief summary of issues raised – Public Response 3 (received 27.04.18)</b>
Summary of concerns raised:  <ol style="list-style-type: none"><li>1. Odour and Noise (winds predominantly from West towards village)</li><li>2. Transport and unloading / transfer of wastes</li><li>3. Rapid action roller shutter doors – with high vehicle movements what level of control will these doors actually have on dust / noise / odour.</li><li>4. Monitoring – who would conduct the monitoring and what monitoring is proposed?</li><li>5. Spreading of product on local land and use of soak away – concerns raised over pre-existing standing water levels within the area and spreading would add to this and soakaway would not function. New soak away's are not allowed for residential so why should it be for a new installation?</li><li>6. Complaints – responses to complaints within timescales.</li></ol>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.

<b>Brief summary of issues raised – Public Response 4 (received 28.04.18)</b>
Summary of concerns raised: <ul style="list-style-type: none"> <li>1. Concerns regarding the management of the AD Plant, including emissions from gas flaring</li> <li>2. How will the site be monitored?</li> <li>3. Land is prone to flooding</li> <li>4. Odour</li> <li>5. Noise</li> <li>6. Light pollution</li> <li>7. Pollution to waterways</li> <li>8. Pests</li> <li>9. Diesel emissions and traffic movements from increased HGVs</li> <li>10. Preventative Maintenance Plans</li> <li>11. Fire and explosion risks</li> </ul>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.

<b>Brief summary of issues raised – Public Response 5 – (received 29.04.18)</b>
Summary of concerns raised: <ul style="list-style-type: none"> <li>1. Concerns with regard to AD Plant – Odour, Noise, Visual.</li> <li>2. Compliance with the environmental permit</li> <li>3. Risks from flooding and leaks</li> </ul>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.

<b>Brief summary of issues raised – Public Response 6 (received 29.04.18)</b>
Summary of concerns raised: <ul style="list-style-type: none"> <li>1. Odour <ul style="list-style-type: none"> <li>a. Application describes “in general” wastes will not be stored &gt;48hours,</li> <li>b. No exceptions to 72 hours as described within permit application docs</li> <li>c. Monitoring and reporting – concerns over proposals. More objective odour assessment required and the need for reporting.</li> <li>d. Food reception emptied at the end of the day “if possible” – no assurance this will be carried out.</li> </ul> </li> <li>2. Emissions to air</li> <li>3. Noise</li> <li>4. Vermin and pests</li> <li>5. Litter</li> <li>6. Dust and Mud</li> <li>7. Leaks and Spills</li> </ul>
<b>Summary of actions taken or show how this has been covered</b>
See combined response in table below.



Brief summary of issues raised:	Summary of action taken / how this has been covered
Concerns about the operation of an anaerobic digestion plant	A number of the responses received raised concerns related to the operation of an anaerobic digestion plant, including associated activities (such as gas flaring) and emissions. However, no anaerobic digestion is undertaken at this site. The permit only allows the pre-treatment of waste to create a feedstock. This feedstock will be transferred to another suitable site for treatment via anaerobic digestion. Therefore, the concerns raised with regard to the operation of an anaerobic digestion plant have not been considered further within the response from the Environment Agency.
Concerns about compliance with PAS110	A number of the responses received raised concerns related to compliance with PAS 110. PAS 110 sets out the end of waste criteria for the production and use of quality outputs from anaerobic digestion. The site is not permitted to undertake anaerobic digestion meaning the PAS 110 standard is not applicable to this operation. Therefore, the concerns raised with regard to compliance with PAS110 have not been considered further within the response from the Environment Agency.
Concerns about spreading of the product on local land	The site is only permitted to mix suitable wastes in order to produce a feedstock. This feedstock will not be spread on land, instead it will be transferred offsite to another facility for treatment via anaerobic digestion. The subsequent disposal or recovery routes for the resulting outputs from the anaerobic digestion process are not covered by this permit.
Concerns over the location	The location of the Installation is primarily a planning consideration. Location is only a relevant consideration for Environmental Permitting in assessing potential to have an adverse environmental impact on communities or sensitive environmental receptors. The environmental impact has been assessed as part of this determination process. We are satisfied that the operation of this site is not likely to have a significant environmental impact.
Concerns about ongoing compliance with the permit conditions and how the site will be regulated	Changing Waste Ltd - the Operator - is responsible for compliance with the permit. Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions. If any Permit condition is not met we will take action under our enforcement and sanctions statement. We would take appropriate action as required to prevent any Installation causing a significant impact.
How issues can be reported	Our website details how the public can report environmental incidents to the Environment Agency. If we receive a complaint we will investigate the complaint and take action if required. Site contact numbers will be shown at the site entrance gate. The Applicant has stated in their application that should a complaint be received from a member of the public it will be recorded and investigated.
Safety of the local residents and human health implications	The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. We are satisfied that there will not be a significant risk to human health.

Brief summary of issues raised:	Summary of action taken / how this has been covered
Odour	<p>See the key issues section of this document for further information about odour management at the site and details of the improvement conditions we have included in the permit.</p> <p>If odour issues from the Installation were to occur then we would take action as necessary.</p>
Noise	<p>Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from noise. We are satisfied that the standard noise condition, together with the operating techniques described in the application, and summarised in the key issues section of this document, are sufficient and no other measures are necessary at this time. If noise issues from the Installation were to occur then we would take action as necessary.</p>
Suitability of buildings	<p>Based on the information In the application, we are satisfied that the buildings will be fit for purpose. The buildings will be enclosed and equipped with roller shutter doors in order to provide containment and minimise emissions of odour, litter and dust. All treatment operations will take place inside the waste treatment building (Shed 1), which has an impermeable concrete flooring and a sealed drainage system.</p>
Pests	<p>Based upon the information in the application, we are satisfied that the appropriate measures will be in place to ensure the activities will not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the site boundary.</p> <p>We are satisfied that the standard pests condition, together with the operating techniques described in the application, and summarised in the key issues section of this document, are sufficient and no other measures are necessary at this time.</p> <p>If pest issues from the Installation were to occur then we would take action as necessary. Permit condition 3.6.2 allows us to request a pest management plan should it be required in the future.</p>
Increase in traffic and emissions from traffic	<p>Comments regarding the impacts of traffic have not been taken into consideration during the determination of this permit. These considerations are for the land-use planning system.</p>
Leaks and Spills	<p>Based upon the information in the application, we are satisfied that appropriate measures will be in place to prevent and /or minimise fugitive emissions to surface water and groundwater. See key issues section of this document for further information.</p>
Concerns over the use of a soakaway	<p>No reference to the use of a soakaway has been made in the application. The Applicant has also confirmed that they have surveyed all drains on site and have not identified a soakaway. The key issues section details the surface water management arrangements at the site.</p>

Brief summary of issues raised:	Summary of action taken / how this has been covered
Dust / Mud	<p>Waste types accepted at the site are not expected to be especially dusty. Waste will be unloaded inside the building and the site will have concrete surfacing.</p> <p>In order to minimise the potential for any dust or mud to leave the site boundary a wheel wash will be installed and vehicles will be cleaned before they leave the site. In addition the Applicant has committed to cleaning the waste reception area every two days.</p> <p>We consider that the infrastructure and controls in place on site will minimise the potential for dust. We are satisfied that the standard conditions in the permit, together with the operating techniques described in the application are sufficient and no additional measures are necessary at this time.</p>
Flooding	<p>The site lies on the edge of Flood Zone 2, with most of the site lying in Flood Zone 1 (i.e. lowest risk). Flood Zone 2 which represents a medium probability of flooding is limited to the western area of the site.</p> <p>The car park, site offices and lagoon are located in the western area within the installation boundary. No infrastructure is planned within flood zone 2 at the time of permit application / determination.</p>
Emissions to air	<p>Comments received concerning emissions to air from an anaerobic digestion process have not been considered no anaerobic digestion is undertaken at this site.</p> <p>There are two point source emissions to air from the site (a common breathing vent from the storage tanks and a boiler stack). We are satisfied that no emission limit values (ELVs) were required to be set within the permit for either of these emission points. The boiler is small with a thermal input of 500KW. As this is less than 1MW it does not fall within the scope of the Medium Combustion Plant Directive (MCPD) and is not subject to the MCPD limits. We do not routinely set ELVs for odour. For this site we do not consider that it is appropriate to impose a specific ELV in respect of odour emissions. See key issues section for further information about the control of odour at the site.</p>
Monitoring / Reporting	<p>We are satisfied that no emission limit values (ELVs) were required to be set within the permit. The boiler is less than 1MW, we do not routinely set ELVs for odour and the discharge to surface water is restricted to uncontaminated run-off from roofs only.</p> <p>Schedule 4 of the permit requires the Operator to report annually on the amount of hazardous and non-hazardous waste treated at the installation. They are also required to report on water, energy and raw material usage.</p> <p>Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions. If any Permit condition is not met we will take action under our enforcement and sanctions statement. If we receive a complaint we will investigate the complaint and take action if required.</p>

Brief summary of issues raised:	Summary of action taken / how this has been covered
Planned preventative maintenance	<p>The Applicant has committed to undertaking a planned preventative maintenance programme. This form part of the site's Environmental Management System. All site infrastructure and equipment will be inspected on a regular basis and serviced in accordance with the manufacturer's recommendations. Records will be kept of all inspections and any necessary repairs or maintenance will be noted, with timescales for these to be carried out.</p> <p>This will ensure that pro-active work is undertaken to maintain the integrity of all site infrastructure and minimise the potential for pollution as a result of equipment or infrastructure failure.</p>
Fire / explosion risk	<p>The Applicant submitted a Fire Prevention Plan which we have assessed in line with our guidance. The Fire prevention Plan considers nearby sensitive receptors, including both commercial and residential receptors.</p> <p>Having considered their FPP we are satisfied that appropriate measures will be in place to prevent waste fires, and that if fire did occur, the impact on people and the environment will be reduced. We have approved the Operator's FPP as it meets the minimum regulatory standards that we expect operators to follow. See key issues section of this document for further information.</p>
Light pollution	<p>Comments regarding the impacts of light pollution have not been taken into consideration during the determination of this permit. These considerations are for the land-use planning system and fall outside the scope of the Environment Agency.</p>