

Permitting decisions

Bespoke permit

We have decided to grant the permit for Stanford Depot operated by Ringway Infrastructure Services Limited.

The permit number is EPR/HP3331JK

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

The permit authorises recovery and treatment of hazardous and non-hazardous waste. The hazardous waste treatment involves full encapsulation of asphalt wastes containing coal tar (known as AWCCT) following crushing by a cold foam treatment process that involves the use of bitumen as a binder. The AWCCT will be imported to the site from highway maintenance and improvement works across the midlands. Once the AWCCT is fully encapsulated it is suitable for reuse in the sub-surface layers of highways as cold recycled bound material (CRBM).

The Schedule 1 listed activities undertaken at this installation are:

- Section 5.3 Part A(1)(a)(vi) – Recovery of hazardous waste involving recycling or reclamation of inorganic materials (crushing);
- Section 5.3 Part A(1)(a)(vi) – Recovery of hazardous waste involving recycling or reclamation of inorganic materials (encapsulation); and
- Section 5.6 Part A(1)(a) – Temporary storage of hazardous waste pending any of the activities listed in Section 5.3.

The directly associated activities which serve the installation are raw and auxiliary material storage, energy generation and surface water management. The facility includes a directly associated activity that fall under

Section 3.1 Part B (b) of The Environmental Permitting (England & Wales) Regulations 2016 - use of cement in bulk. Cement is stored on-site in a dedicated silo and used in the AWCCT encapsulation process.

The site also undertakes a waste operation including the storage and treatment of non-hazardous highway excavation wastes. These wastes will undergo sorting, separation, crushing and screening to produce secondary aggregates for either reuse in highway maintenance/excavation works or supply to local markets. Non-hazardous road planings will be stored on site for use in highway maintenance and excavation works

The site will receive a maximum of 10,000 tonnes per annum of hazardous waste and up to 40,000 tonnes per annum of non-hazardous highway excavation wastes, soils and concrete. Hazardous and non-hazardous wastes are not mixed.

The Sites (National Grid Reference SO 84687 71582) is located in a rural area, surrounded by farmlands. The nearest villages are: Torton, located circa 660 m to the north, Hartlebury, located circa 900 m to the south and Charlton, located circa 1300 m to the south west of the Site. Other than the villages, within a radius of 1 km, there are a number of individual residential dwellings and farms. The A449 is located to the immediate west and runs perpendicular to the Site boundary with the B4193 adjacent. Beyond these the area is predominantly agricultural land. A dismantled railway is orientated parallel to the northern perimeter of the Site separated by a belt of trees and shrubs. Additional agricultural land borders the Site to the immediate south and east.

The river Stour and the Staffordshire and Worcestershire Canal are located to the west of the Site in the range of 2.20-2.35km. To the east, the Elmley Brook is of a similar distance at 2.20km from the Site boundary. Hartlebury Brook lies directly adjacent to the sites northern/eastern boundary.

There is one Site of Special Scientific Interest (SSSI) at Hartlebury Common/Hillditch Pool which is located circa 1.56 km to the south west of the Site at the closest point. Hartlebury Castle Marsh and Pools Local Wildlife Site (LWS) is approximately 200 metres downstream of Hartlebury Brook. There is an area of Deciduous Woodland Priority Habitat adjacent to part of the north west boundary of the Site.

Waste acceptance

Waste loads from highway excavation works where coal tar may be present will only be accepted where core logging and testing has been undertaken to confirm whether materials are hazardous or non-hazardous. A copy of the test survey and laboratory report will be required before any pre-acceptance is approved. Any potentially hazardous waste loads arriving at the site that have not been tested will be rejected and refused entry. Core logging and test results enables the accurate identification of hazardous wastes and non-hazardous wastes and allows the Operator to excavate them separately and avoid the mixing of such materials. Waste storage meets the indicative Best Available Techniques (BAT) specified in our guidance SGN 5.06.

Waste treatment

Non-hazardous waste will be crushed and screened to produce secondary aggregates for reuse in highway maintenance or supply to local markets. Non-hazardous wastes are not treated through the encapsulation process.

The AWCCT is crushed and screened to a desired particle size before being introduced into the cold foam mixing plant via a feed hopper and conveyer. Water is added to the AWCCT to assist the mixing and treatment processes. The foamed bitumen is sprayed onto the AWCCT and mixed within the plant to ensure that foam distribution is homogeneous and all materials are adequately coated and encapsulated. The treated material is then discharged from the plant via a conveyor, typically to tipper vehicles for off-site removal or onto a stockpile for temporary storage prior to off-site transfer.

Additives such as pulverised fuel ash (PFA) and ordinary Portland cement (OPC) are added, as required, to improve the cohesion and binding process. Depending on operational requirements, PFA and/or OPC will be stored in a mobile silo and fed via a screw augur into the plant's mixing chamber.

These techniques meet the BAT specified in our guidance SGN5.06.

Dust emission controls

The crushing and screening plant incorporates a dust suppression system which atomises water through nozzles to bind airborne dust. The nozzles are located at the crusher outlet, in the bypass and over the main discharge belt.

OPC will be stored in a dedicated and purpose designed sealed silo. OPC will be delivered to the site by road tanker and transferred to the silo pneumatically via a connected and sealed flexible pipeline. It will be transferred from the bottom of the silo to the cold foam plant via an enclosed screw conveyer. The use of a sealed systems to transfer cement into and out of the silo minimises any potential for fugitive dust escape. During filling operations, displaced air from the silo has to be vented to atmosphere. The silo will incorporate a dust filter to capture fugitive emissions of dust during venting.

Other operational dust control measures include; vehicle movements are limited to speed of ≤ 10 mph, site entrance and access road will be tarmacked and swept to prevent dust accumulation, use of a water bowser or hose, road sweeper as required and reduction of waste drop heights to 4m. The Site boundary will be inspected on a daily basis for any dust or particulates escaping the Site.

These methods are in accordance with our guidance SGN5.06

Surface water management

The hazardous waste pre-processing and processed material bays are 3 sided and will be roofed. Within the roofed bays, a drainage gulley will be installed to collect run-off generated in the event of extreme weather. Any potentially hazardous run off generated will drain to a dedicated sealed tank/sump from where it will be tankered off site. Rainwater run-off generated across the rest of the site, including non-hazardous storage and processing areas, will be discharged to surface water (Hartlebury Brook) via a Class 1 full retention interceptor.

Hartlebury Brook is a classified Water Framework Directive stretch and is currently reported as 'Moderate' overall Ecological status and with an objective to get to 'Good' overall Ecological status by 2027. We have assessed the discharge based on the nature of the wastes accepted on site which are considered either inert or of low leaching potential. We consider that the risk of breaching the Environmental Quality Standard (EQS) is low and so monitoring has been included in the permit accordingly. The surface water discharge will need to be monitored monthly for both suspended solids (100mg/l limit) and visible oils or grease. Bi-annual reporting of monitoring has been stipulated. We consider that these requirements are appropriate based on the low risk nature of the discharge.

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 not identified information provided as part of the application that we consider to be confidential.
Consultation	
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"> Local Authority Environmental Protection Department Public Health England Food standards agency Health and Safety Executive Local planning authority <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	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.
The facility	
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>
The site	
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>The plan is included in the permit.</p>
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

Aspect considered	Decision
	Emissions Directive.
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, 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.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</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>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant.</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. Relevant guidance notes for this activity are:</p> <ul style="list-style-type: none"> • Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste. <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Operating techniques for emissions that screen out as insignificant	<p>Emissions of Nitrogen Dioxide, Carbon Monoxide and PM10 have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.</p> <ul style="list-style-type: none"> • The 0.158MW diesel generator used on site is significantly below the 1MW generator threshold specified in Schedule 25b of the Medium Combustion Plant Directive, and so emission limits have not been set.
Permit conditions	
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>

Aspect considered	Decision
	<ul style="list-style-type: none"> • they are suitable for the proposed activities • the proposed infrastructure is appropriate • the environmental risk assessment is acceptable. <p>We made these decisions with respect to waste types in accordance with:</p> <ul style="list-style-type: none"> • Technical Guidance WM3: Waste Classification - Guidance on the classification and assessment of waste • Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste. • Our regulatory position statement 075: The movement and use of treated asphalt waste containing coal tar.
Emission limits	<p>ELVs have been set for the following substances.</p> <ul style="list-style-type: none"> ▪ Suspended solids – 100mg/l ▪ Oils or grease - No significant trace present so far as is reasonably practicable <p>We consider the discharge to surface water from the facility to be low risk but we set have these limits to ensure the EQS is not breached.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure the EQS is not breached.</p> <p>We made these decisions in accordance with our monitoring guidance TGN M18 - monitoring of discharges to water and sewer.</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 specified reporting in the permit.</p> <p>Bi-annual reporting of the surface water monitoring has been specified to identify any seasonal variations in the discharge.</p> <p>We made these decisions in accordance with our monitoring guidance TGN M18 - monitoring of discharges to water and sewer.</p>
Operator competence	
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>

Aspect considered	Decision
	We are satisfied that the operator is technically competent.
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. 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.
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>

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.

Responses from organisations listed in the consultation section

Response received from
Worcestershire Regulatory Services - Environmental Health Department
Brief summary of issues raised
No objections to the proposal
Summary of actions taken or show how this has been covered
No actions required.

Response received from
Public Health England
Brief summary of issues raised
Recommend that any Environmental Permit should contain conditions to ensure that emissions to air from dust, noise and odours are prevented, controlled and managed such that they do not adversely impact upon public health.
Summary of actions taken or show how this has been covered
We have assessed the risk of dust, noise and odour from the site and conclude that there is likely to be no significant effect on the environment or local amenity. We have used the standard conditions for fugitive emissions, noise and odour in the permit which allow for appropriate management plans to be requested by the EA should emissions become an issue of concern in the future.