

# Permitting decisions

## Variation

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We have decided to grant the variation for Greener Composting operated by R. A. J. Ryman & S. A. W. Ryman.

The variation number is EA/EPR/NP3192FN/V004.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### Purpose of this document

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

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

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account

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

Greener Composting are currently permitted to compost up to 50,000 tonnes per annum of source segregated kerbside, civil amenity and green wastes for the production of an organic soil improver certified to PAS100 and QP. The process includes open windrow composting (OWC) sanitisation, stabilisation and maturation. (S5.4 A(1) (b) (i))

This variation is for the installation of two Gilles 0.99MWth biomass boilers with two Enogia ENO-40LT Low Temperature Organic Rankine Cycle modules (CHPs). The biomass boilers heat fluid which is used to drive a turbine in the CHP, to generate electricity. The fluid then comes out of the turbine where it runs by a heat exchanger with the boiler to be reheated. The reheated fluid then runs to the drying floor where its heat radiates through the drying floor to dry the biomass. No electricity is exported to the grid. All electricity generated is used as parasitic load to run the boilers. Both boilers are housed in a bespoke biomass boiler unit which contains the boilers, two dedicated walking floors and two drying floors. The purpose of the combustion process is to produce heat for drying biomass from Grade A waste wood. The two boilers are separate systems and the heat produced from each boiler will be utilised for drying agricultural products for export off site for recovery and resale and for drying waste wood as feedstock for the two boilers.

The addition of the biomass boiler falls under Section 5.1 Part B (a) (v) activity as the new boiler is fuelled with waste wood derived from untreated wood defined as Grade A. Grade A waste wood is defined as visibly 'clean' non-hazardous waste wood this means that the untreated wood must contain no halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating and excludes wood waste originating from construction and demolition waste. Wood from sources that cannot be certified as uncontaminated wood are not accepted at this site.

To confirm for clarity the biomass boiler does not fall under Chapter 1 Part A (1) Section 1.1 as the biomass boiler is not above 50MW, it also does not fall under Section 1.1 Part B (a) (i) as it is not above 20MW. Or Section 5.1 Part A (1) (b) as the capacity does not exceed 3 tonnes per hour. This activity is therefore a Section 5.1 Part B (a) (v), 'the incineration in a small waste incineration plant with an aggregate capacity of 50kg or more per hour of wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings'.

The addition of the biomass boilers does not fall under the Medium Combustion Plant Directive Schedule 25A, (EPR 2018 amendment) as the size of a MCP is calculated by adding the capacities of the plant disregarding any units <1 MWth. Each biomass boiler is 0.99MWth and therefore does not contribute to the MCP aggregation rule. However, each boiler does have a CHP unit which generates electricity for use on site, therefore this activity does fall under MCPD Schedule 25B. The specified generator regulations (SGR) apply as we must aggregate all specified generators on site. The SGR's apply to generators with a rated thermal input between 1 MW and 50 MW aggregated. Both biomass boilers aggregate to 1.98MWth.

This means that we must include the SGR's monitoring requirements and emission limit values as set out in Schedule 25B for specified generators (Tranche B). Effectively this means an emission limit value for nitrogen oxides of 190mg/Nm<sup>3</sup> at 15% Oxygen, emissions monitored at least every three years and no persistent emission of dark smoke. These requirements have been included in the point source emissions to air Schedule 3, table S3.1 of the permit variation.

#### Impact of increased capacity

The installation of the biomass boilers will enable the operator to process 24 tonnes in 24 hours. Which works out at 1,000kg/hr. Therefore, the combined aggregate capacity is 2,000kg (or 2 tonnes) per hour). Annual capacity for the category A waste wood is 15,000 tonnes/annum of the following;

- Grade A Pallet Wood 5,000 tonnes
- Grade A Arboriculture Chip 5,000 tonnes
- Grade A Civic Amenity Wood separated from green waste delivered to site 5,000 tonnes

Due to the measures the operator has in place; the proposed increased emissions to air, land or water will result in a negligible impact as a result of this variation.

#### Air Emissions

The new boilers are a modern design with emphasis placed on high efficiency and low NO<sub>x</sub> emission specifications. The applicant has provided an air quality impact assessment in support of the application. The ADMS 5.2 model used (Atmospheric Dispersion Modelling System) is an advanced atmospheric pollution dispersion model for calculating concentrations of atmospheric pollutants emitted. The assessment indicates that air emissions from the biomass boilers are likely to range from insignificant to negligible for all emission sources at both long and short-term exposure scenarios. The assessment includes both human and ecological receptors. Analysis has taken account of the downwash effect of buildings and stack heights.

The Air Quality Monitoring and Assessment Unit (AQMAU) screening tool has been run for Nitrogen Dioxide (NO<sub>2</sub>), carbon monoxide (CO) and Particulates (PM<sub>10</sub>). Sulphur Dioxide (SO<sub>2</sub>) has not been assessed due to the boiler fuel being clean category A wood which would contain very little or no sulphur. Results have indicated the environmental risk as being low.

Emission		EAL (µg/m3)	PC (µg/m3)	PC% EAL	PEC (µg/m3)	PEC% EAL	Significance
NO <sub>2</sub>	Short	200	4.81	2.41	10.61	5.3	Negligible (PC<10% EAL)
	Long	40	0.27	0.7	16.85	42.1	Insignificant (PC<1% EAL)
PM10	Short	50	2.60	5.2	11.60	23.2	Negligible (PC<10% EAL)
	Long	40	0.09	0.2	15.33	38.3	Insignificant (PC<1% EAL)
CO	Short	10,000	0.88	<0.01	97.64	0.97	Insignificant (PC<1% EAL)

Following a detailed assessment using the H1 software tool the point source emission from the boiler stacks screen out as insignificant or negligible. The boiler is serviced annually for efficiency testing and emissions monitoring by the boiler manufacturers.

However as the boilers fall under Section 25B of the specified generator MCP regulations an emission limit value has been added in for NO<sub>x</sub> emissions.

#### Fugitive emissions

All operations are in line with the best available techniques set out for this sector, 'Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste 2004 (S5.06) – Environment Agency'. The additional listed activity is carried out within fully enclosed building. This along with the BAT process equipment and the regular maintenance and servicing of the equipment will minimise the potential for fugitive emissions. The operator has provided a 'Fugitive Releases Management Plan' which has identified sources and potential sources of fugitive emissions and consideration of the risk to sensitive receptors. This Fugitive Releases Management Plan has been produced with the intention to reduce fugitive emissions within their activities so far as possible.

#### Noise from operation

There is unlikely to be any significant increased noise and vibration as a result of this variation. The biomass boilers are in a fully enclosed building. A noise survey was completed to establish the likelihood of potential noise and following a review of the noise levels associated with the new activities on site, it is concluded that no significant increase in noise level is expected under the current proposed working methodology and equipment. The nature of the storage and sorting activities externally prior to the treatment activities do not vary significantly from those already undertaken on site. Given the rural location of the site and distance from domestic receptors the risk from noise has been deemed as unlikely to have an adverse impact.

#### Odour from operation

The site has a comprehensive Odour Management Plan (EPR-C03) which is based on the Environment Agencies' Horizontal Guidance - H4 Odour Management Guidance and updated as a result of this variation. This odour management plan makes an assessment of likely sources of odour generation and sets out the good site practice and mitigation that is employed to minimise where reasonably practicable any odour emitted from site. Given the additional waste types, storage times and the management procedures in place odour from the biomass activity is not considered to have any increased impact.

#### Pre Acceptance Procedures

The operator has provided waste acceptance procedure for the new activity and it has been produced in line with the following sections of Sector Guidance Note IPPC S5.06 Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste Integrated Pollution Prevention and Control (IPPC):

- Pre-acceptance procedures to assess waste
- Acceptance procedures when waste arrives at the installation
- Waste storage

## 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:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

Table S2.2 - Only waste wood derived from Grade A wood is permitted to be imported to this site to be used as fuel in the biomass boiler and to be dried on the drying floor for recovery. This means only untreated wood that contains no halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating and which excludes, in particular, such wood waste originating from construction and demolition waste.

We have excluded the following waste type for the following reasons;

The applicant requested the inclusion of waste code 17 02 01 (untreated wood), however the description of the EWC source is from 'construction and demolition wastes (including excavated soil from contaminated sites)'. There is a very high risk from waste wood from this source that the wood will be contaminated. Wood sourced from the construction and demolition activities is classed as Grade C waste wood and therefore it is not appropriate for wood from these sources to be brought to the site as feedstock. Waste wood sourced from construction and demolition site would be considered a disposal operation and therefore fall under the Waste Incineration Directive (WID, require WID compliance and be operated to WID technical standards.

The waste codes listed in table S2.3 and the activity description detailed in Table S1.1 reflect this restriction.

## Emissions to land, sewer, surface water and groundwater.

The entire working area is surfaced by impermeable concrete or hard-standing. All materials processing takes place on impermeable surfacing with sealed drainage with drainage pipe work to ensure that all surface water, process water and leachate is captured. As part of the surface water management system there is a large leachate lagoon to the south of the concrete pad to which all runoff waters drain. The leachate lagoon is fully lined to prevent leakage into the groundwater below. The capacity of the lagoon is 576m<sup>3</sup>. The capacity of the lagoon has been reassessed and the capacity calculation has used figures that predict the quantity that will occur once in every five years over a two day period (known as the M5 48 hour rainfall). The storage capacity required is calculated as 512m<sup>3</sup> therefore the site currently has 64m<sup>3</sup> of spare capacity for leachate storage on site. Given the additional activities on site the storage arrangements for surface water and leachate from the composting area would have been sufficient however, no allowance has been made for firefighting waters, a freeboard of 750mm or for provision of a high level alarm system. Given this IP3 and IP4 form permit variation EPR/NP3192FN/V003 have been carried across in the improvement program for this variation. Albeit slightly amended to reflect current operations.

Leachate level within the lagoon are be monitored and arrangements for collection and treatment should be made in advance to reduce the likelihood of pollution. In the event that the leachate lagoon needs to be drained a tanker will be commissioned to drain the leachate lagoon and to take the leachate to an appropriate water treatment facility.

Section 4.4 of the site drainage report EPR-C04 has been excluded from the operating techniques table Schedule 1, Table S1.2. This is because leachate is a controlled waste and irrigation of leachate to land is a permitted activity. Any leachate spreading to land will require a land spreading permit with associated deployments. No irrigation to land is permitted by or from this activity.

## 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/Engagement</b>	
Consultation substantial change installations	<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> <p>EH – Environmental Health Lichfield Council</p> <p>PHE – Public Health England</p> <p>DoPH –Department of Public Health (Staffordshire)</p> <p>HSE – Health and Safety Executive</p> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</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'.</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 facility	The operator has provided an updated plan which we consider is satisfactory, showing the extent of the site of the facility including the discharge to surface water lagoon and the emissions to air point sources A1 and A2. The plan is included in the permit.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>The facility is approximately 9218m from the Cannock Extension Canal (SAC) and 1935m from Malkin's Coppice (Ancient Woodland).</p> <p>The area surrounding the site is mainly arable cropping. The nearest commercial property is approximately 315m to the south of the site.</p> <p>The area around the site, is characterised by agricultural activities. There is therefore a minor impact on air quality in the area and estimates for 2015 of annual average nitrogen dioxide (NO<sub>2</sub>) concentrations in the vicinity of the site, from the DEFRA Background Air Quality Maps, demonstrate this effect.</p>

Aspect considered	Decision
	<p>Detailed modelling has been undertaken by the applicant. The air impact assessment indicates that air emissions from the biomass boilers are likely to range from insignificant to negligible for all emission sources at both long and short-term exposure scenarios. The assessment included both human and ecological receptors.</p> <p>We consulted Natural England on the application. (Appendix 11 sent for information only) The decision was taken in accordance with our guidance.</p>
<b>Environmental risk assessment</b>	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility for the biomass boiler.</p> <p>The operator has submitted an Air Quality Impact Assessment which has been reviewed and we are in agreement with the conclusions of this assessment which are that the predicted impacts on air quality of emissions from the biomass boiler are not considered to be environmentally significant and do not lead to any potential exceedences of the Air Quality Assessment Levels (AQAL).</p> <p>The operator's risk assessment is satisfactory.</p>
<b>Operating techniques</b>	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
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>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Bioaerosol monitoring	<p>At the request of the operator the conditions relating to bioaerosols, Section 3.5 of the permit have been added. This is taken from the Installations Biowaste Open Windrow permit template dated 10/12/2018 along with revised tables S3.2 and S3.3 in line with M9 – Environmental monitoring of bioaerosols at regulated facilities. The monitoring and process monitoring remain the same with the exception of the frequency of bioaerosol monitoring in Table S3.2 now being 6 monthly rather than quarterly and in Table S3.3 there is no longer a requirement to monitor for oxygen. Both amendments are in line with the standards specified in M9. The operator has agreed these changes are acceptable.</p>
<b>Permit conditions</b>	
Updating permit conditions	<p>We have updated permit conditions to those in the current generic permit template as part of permit consolidation at the request of the applicant. The conditions will provide the same level of protection as those in the previous permit(s).</p>

Aspect considered	Decision
	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p> <p>New section 3.5 Bioaerosols has been added as this had been omitted from the previous permit and bioaerosol monitoring is a requirement of this permit. The section conditions have been taken from the Installations Bio-waste Open Windrow permit template dated 10/12/2018 along with revised tables S3.2 and S3.3 in line with M9 – Environmental monitoring of bioaerosol at regulated facilities.</p>
Raw materials	We have not specified limits and controls on the use of raw materials and fuels. However, there are reporting requirements detailed in Schedule 4.
Waste types	See key issues section. The waste codes listed in table S2.3 and the activity description detailed in Table S1.1 reflect this restriction.
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>Approved Fire Prevention Plan consisting of the following documents;  Updated Fire Prevention Plan EPR-C06 Plan I3 and the following additional document;  Accompanying Schedule 5 Fire Prevention Plan response document and;  Fire Prevention Plan Drawing GRC_002.</p>
Pre-operational conditions	Based on the information in the application, we consider that we do not need to impose pre-operational conditions.
Improvement programme	<p>Two improvement conditions have been carried over from the previous permit as a result of this variation. IP3 now IC1 and IP4 now IC2. The improvement conditions have been amended to reflect the revised operations on site.</p> <p><b>Table S1.3 Improvement programme requirements</b></p> <p><b>IC1</b> The operator shall ensure that a review of the design, method of construction and integrity of the existing site primary and secondary containment is carried out by a qualified structural engineer. The review shall compare the constructed secondary containment against the standards set out in Section 2.2.5 of Sector Guidance Note IPPC S5.06 – Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste and CIRIA C736 – Containment Systems for the Prevention of Pollution – secondary, tertiary and other measures for industrial and commercial premises or other relevant industry standard.</p> <p>The review shall include:</p> <ul style="list-style-type: none"> <li>• physical condition of the existing secondary containment;</li> <li>• the suitability for providing containment when subjected to the dynamic and static loads caused by catastrophic tank failure and fire water;</li> <li>• any work required to ensure compliance with the standards set out in CIRIA C736 or other relevant industry standard; and</li> <li>• a preventative maintenance and inspection regime.</li> </ul> <p>A written report of the review shall be submitted to the Environment Agency detailing the review’s findings and recommendations. Remedial action shall be taken to ensure that the</p>

Aspect considered	Decision
	<p>secondary containment meets the standards set out in the guidance documents and implement the maintenance and inspection regime.</p> <p><i>By 01/09/2019</i></p> <p><b>IC2</b> The operator shall submit a written report to the Environment Agency for approval. The report shall contain the results of a review of the site drainage system and lagoon and include but not be limited to:</p> <p>Confirmation that the lagoon and the drainage system have sufficient capacity that includes;</p> <ul style="list-style-type: none"> <li>• includes potential firefighting waters if an incident occurred;</li> <li>• that the lagoon provides at least 750mm of freeboard;</li> <li>• that the storage lagoon has adequate void space over a weekend or when high rainfall is predicted to prevent overtopping;</li> <li>• that all systems should be fitted with high level alarms and a record of inspection of levels kept on site;</li> <li>• evaluation of the feasibility of upgrading the drainage system; for example including an appropriately sized above ground tank, instead of or in series with the current lagoon.</li> </ul> <p>The report must contain a timetable for the implementation of any improvements identified to be phased in.</p> <p>The operator shall implement the improvements within the report as approved, and from the date stipulated by the Environment Agency.</p> <p><i>By 01/09/2019</i></p>
<p>Improvement programme Continued</p>	<p>The following improvement conditions have been removed from the permit as they have either been complied with or are superseded by submissions approved by this variation;</p> <p><b>Table S1.3 Improvement programme requirements from permit EPR/NP3192FN/V003 Dated 27/08/2015</b></p> <p><b>IP1</b> The operator shall submit a report on the baseline conditions of soil and groundwater at the installation. The report shall contain the information necessary to determine the state of soil and groundwater contamination so as to make a quantified comparison with the state upon definitive cessation of activities provided for in Article 22(3) of the Industrial Emissions Directive (IED). The report shall contain information, supplementary to that already provided in application Site Condition Report, needed to meet the information requirements of Article 22(2) of the IED.</p> <p><i>Completed 08/08/2017</i></p> <p><b>IP2</b> The operator shall submit the written protocol referenced in condition 3.2.4 for the monitoring of soil and groundwater for approval by the Environment Agency. The protocol shall demonstrate how the Operator will meet the requirements of Articles 14(1)(b), 14(1)(c), 14(1)(e) and 16(1) of the IED.</p> <p><i>Completed 08/08/2017</i></p>



Aspect considered	Decision
	<p><b>IP5</b> The operator shall develop and submit a fire prevention plan to the Environment Agency in writing. The plan shall take into account the required information as specified in the Environment Agency’s technical guidance, ‘Fire prevention plans’ (version 2, dated March 2015). The fire prevention plan shall include the appropriate measures for fire prevention and, as a minimum, include:</p> <ul style="list-style-type: none"> <li>• the management of storage of feedstock, product and waste piles;</li> <li>• the measures to prevent, detect and contain fires; and</li> <li>• the management of fire-waters.</li> </ul> <p>The notification requirements of condition 2.4.2 will be deemed to have been complied with on submission of the written proposals.</p> <p>The fire prevention plan shall be subject to a written approval by the Environment Agency. The operator shall implement the procedures and measures as approved, and from the date stipulated by the Environment Agency.</p> <p><i>Superseded by submissions approved by this variation</i></p>

Aspect considered	Decision												
Pre-operational improvement conditions	<p>No new pre-operational conditions have been added as a result of this variation.</p> <p>The following pre-operational conditions have been removed from the permit as they have been superseded by this variation. The 'new' windrow area is no longer going to be constructed as the biomass building and the external storage areas for the biomass are now instead of the previous plans to extend this area;</p> <table border="1" data-bbox="389 479 1485 1491"> <thead> <tr> <th colspan="3" data-bbox="389 479 1485 524"><b>Table S1.4 Pre-operational measures for future development</b></th> </tr> <tr> <th data-bbox="389 524 592 568">Reference</th> <th data-bbox="592 524 810 568">Operation</th> <th data-bbox="810 524 1485 568">Pre-operational measures</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 568 592 1016">PO1</td> <td data-bbox="592 568 810 1016">Construction of the new open windrow area</td> <td data-bbox="810 568 1485 1016">The operator shall submit a written report to the Agency for approval that includes a detailed site drainage plan, for those areas not in contact with waste, and the specific design detail of the containment infrastructure at the part of the site relating to the operation of the new open windrow area, including all sub-surface structures and equipment. The site drainage plan shall clearly show the location of discharge point DWG1 – the point at which surface water from this site enters the drainage system of the wider regulated facility. The report shall also include an inspection and maintenance programme for the containment infrastructure and equipment at the site.</td> </tr> <tr> <td data-bbox="389 1016 592 1491">PO2</td> <td data-bbox="592 1016 810 1491">Commissioning of new windrow area</td> <td data-bbox="810 1016 1485 1491"> <p>Prior to the commencement of composting activities on the new open windrow area/pad, the operator shall provide a written commissioning report for approval by the Environment Agency. The commissioning report shall include assessment of the build quality, drainage and dimensions of the pad to ensure it is in line with permit conditions and design specification within the report produced under IP3.</p> <p>No waste shall be accepted or site operations shall commence within the new open windrow area unless the Environment Agency has given prior written permission under this condition.</p> </td> </tr> </tbody> </table>	<b>Table S1.4 Pre-operational measures for future development</b>			Reference	Operation	Pre-operational measures	PO1	Construction of the new open windrow area	The operator shall submit a written report to the Agency for approval that includes a detailed site drainage plan, for those areas not in contact with waste, and the specific design detail of the containment infrastructure at the part of the site relating to the operation of the new open windrow area, including all sub-surface structures and equipment. The site drainage plan shall clearly show the location of discharge point DWG1 – the point at which surface water from this site enters the drainage system of the wider regulated facility. The report shall also include an inspection and maintenance programme for the containment infrastructure and equipment at the site.	PO2	Commissioning of new windrow area	<p>Prior to the commencement of composting activities on the new open windrow area/pad, the operator shall provide a written commissioning report for approval by the Environment Agency. The commissioning report shall include assessment of the build quality, drainage and dimensions of the pad to ensure it is in line with permit conditions and design specification within the report produced under IP3.</p> <p>No waste shall be accepted or site operations shall commence within the new open windrow area unless the Environment Agency has given prior written permission under this condition.</p>
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PO2	Commissioning of new windrow area	<p>Prior to the commencement of composting activities on the new open windrow area/pad, the operator shall provide a written commissioning report for approval by the Environment Agency. The commissioning report shall include assessment of the build quality, drainage and dimensions of the pad to ensure it is in line with permit conditions and design specification within the report produced under IP3.</p> <p>No waste shall be accepted or site operations shall commence within the new open windrow area unless the Environment Agency has given prior written permission under this condition.</p>											
Emission limits	Refer to section in key issues. We have included the SGR's monitoring requirements and emission limit values as set out in Schedule 25B for specified generators (Tranche B). An emission limit value for nitrogen oxides of 190mg/Nm <sup>3</sup> at 15% Oxygen, emissions monitored at least every three years and no persistent emission of dark smoke. These requirements have been included in the point source emissions to air Schedule 3, table S3.1 of the permit variation.												
Monitoring	<p>We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies specified:</p> <p>NOx – 3 yearly</p> <p>Monitoring requirements are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O<sub>2</sub> content of 15% for engines</p> <p>Reference methods specified in EA TGN M2 Monitoring of stack emissions to air.</p>												

Aspect considered	Decision
	<p>We made these decisions in accordance with the MCPD specified generator regulations Section 25B.</p> <p>Based on the information in the application we are [not fully] satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate</p> <p>Bioaerosol monitoring table S3.2 and process monitoring table S3.3 have been updated. This is taken from the Installations Bio-waste Open Windrow permit template dated 10/12/2018, therevised tables S3.2 and S3.3 are in line with M9 – Environmental monitoring of bioaerosol at regulated facilities. The monitoring and process monitoring remain the same with the exception of the frequency of bioaerosol monitoring in Table S3.2 now being 6 monthly rather than quarterly and in Table S3.3 there is no longer a requirement to monitor for oxygen. Both amendments are in line with the standards specified in M9 and have been agreed with the Operator.</p>
Reporting	<p>We have added reporting in the permit for the following parameters:</p> <p>NOx – 3 yearly monitoring and reporting.</p> <p>We made these decisions in accordance with the MCPD specified generator regulations Section 25B.</p>
<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>
<b>Growth Duty</b>	
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;

One response was received from PHE only.

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<p>No significant concerns regarding the risk to the health of the local population from the proposed new activities at this installation.</p> <ol style="list-style-type: none"><li>1) PHE noted that emission limits were not specified in the applicant's proposed monitoring schedule. The Environment Agency should confirm applicable limits and ensure predicted emissions and impacts used in the applicant's risk assessment are validated in due course on Commissioning.</li><li>2) PHE noted - The applicant's fire prevention plan identifies nearby receptors but excludes the railway line adjacent to the western site boundary. The Environment Agency may wish to consider ensuring the plan considers and mitigates potential impacts on the railway, and any implications of its presence for fire-fighting on-site.</li></ol>
<b>Summary of actions taken or show how this has been covered</b>
<ol style="list-style-type: none"><li>1) We have included the SGR's monitoring requirements and emission limit values as set out in Schedule 25B for specified generators (Tranche B). An emission limit value for nitrogen oxides of 190mg/Nm<sup>3</sup> at 15% Oxygen, emissions monitored at least every three years and no persistent emission of dark smoke. These requirements have been included in the point source emissions to air Schedule 3, table S3.1 of the permit variation. There is also monitoring carried out by the manufactures annually to ensure the boilers are operating to specification.</li><li>2) The applicant was asked via the schedule 5 notice to provide an assessment of the impact of the operation on the railway line. EPR-C06- Fire Prevention Plan has been updated, Appendix F and Table 3 now include the railway line. The railway line is unlikely influence fire-fighting on site. It does not create access issues as the main entry to the site is to the south-east, not the west. There is also sufficient space to accommodate firefighting to the material stored near the western edge of the site.</li></ol>