

# Permitting decisions

## Variation

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We have decided to grant the variation for Maple Lodge Waste Water Treatment Works operated by Viridor Waste (Thames) Limited.

The variation number is EPR/NP3497NN/V006.

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

## Purpose of this document

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

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

## Key issues of the decision

The operator has applied in this variation to:

- Remove the COD loading classification of non-hazardous waste which is to be treated in the facility.
- Treat interceptor waste which is a hazardous waste stream in a plate separator.

Because this variation permits the acceptance and treatment of "high COD" (Chemical Oxygen Demand greater than 3000mg/l) wastes the vented gases will be directed to the biofilter – this is no longer an option but a requirement so the biofilter will now be operational all the time.

### **Improvement Conditions (IC's):**

The existing IC1 relating to a review of odour arising from the site has not been discharged and has been carried over in this variation.

The existing IC2 relating to the waste reception pit has also not been discharged and has been carried over.

IC3 has been added to this variation which requires the operator to install metering to measure energy consumption at the facility.

## 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.  The decision was taken in accordance with our guidance on confidentiality.
<b>Consultation</b>	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.  The application was publicised on the GOV.UK website.  We consulted the following organisations: Public Health England Director of Public Health (Hertfordshire County Council) Local Planning Authority (Three Rivers District Council) Environmental Health (Three Rivers District Council) Sewage Authority (Thames Water Utilities Limited)  The comments and our responses are summarised in the <a href="#">consultation section</a> .
<b>The facility</b>	
The regulated facility	We considered the extent and nature of the facilities 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'.  The extent of the facilities is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
<b>The site</b>	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.  We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.

Aspect considered	Decision
	We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.
<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.
<b>Permit conditions</b>	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
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; and</li> <li>• the environmental risk assessment is acceptable.</li> </ul>
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme.  We have imposed an improvement condition (IC3) to ensure that the operator installs metering to measure energy consumption at the facility.
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.
<b>Operator competence</b>	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
<b>Growth Duty</b>	

<b>Aspect considered</b>	<b>Decision</b>
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<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

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
Potential concern for odour and accidental spillages of hydrocarbons.
<b>Summary of actions taken or show how this has been covered</b>
The permit stipulates that activities shall be free from odour at levels likely to cause pollution outside the site. Odour abatement is provided by a biofilter which is required to be checked and maintained regularly. Receipt and treatment of waste will be carried out on an impermeable surface with sealed drainage.