

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Unit 7 operated by Crownhill Resources Limited.

The permit number is EPR/GP3631QD

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:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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

Structure of this document

- Description of main features of the installation
- Annex 1 the decision checklist
- Annex 2 the consultation, web publicising and responses

Description of the main features of the Installation

The Site is located within the newly developed Logic Leeds industrial area. The Permit boundary covers some 0.52 hectares (Ha) in extent. The nearest residential receptor is located over 400m away from the Site boundary.

The Site is used for the re-processing of refuse derived fuel (RDF). RDF will be stored and treated in a building.

Baled RDF is to be brought to site by road and initially stored in a silo onsite. The RDF is processed to remove any residual recyclable elements using a combination of mechanical and manual methods. The preparation area consists of a conveyor feed from the raw material storage silo to a de-baler and through two types of magnetic field before being visually inspected with a final hand pick. The raw material is then shredded to a uniform size. The prepared material is then stored in a feedstock silo with a continuous push floor to regulate flow to the processing plant. The feedstock is delivered to the processing plant which dries the material through heating and compacts it into a finished product (pellets). At this stage any water extracted from the process will be removed and monitored prior to being discharged to sewer.

Annual waste throughputs will be less than 75,000 tonnes per annum.

The building will have a bespoke dust extraction system which exhausts through a single pulse jet bag filter unit sited externally to the process building.

Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and permit/notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	<p>A claim for commercial or industrial confidentiality has been made.</p> <p>We have not accepted the claim for confidentiality. We consider that the inclusion of the relevant information on the public register would not prejudice the applicant's interests to an unreasonable degree. The reasons for this are given in the notice of determination for the claim. The decision was taken in accordance with our guidance on commercial confidentiality.</p>	✓
Identifying confidential information	<p>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 commercial confidentiality.</p>	✓
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none">• Local Planning Authority• Environmental health• Public Health England• Director of Public Health• Health and Safety Executive• Local Sewerage Undertaker	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
Operator		
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</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	taken in accordance with our guidance on what a legal operator is.	
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition report	The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . There are no Sites of Special Scientific Interest (SSSI) or European Sites (Special Protection Areas (SPA's), Special Areas of Conservation (SAC's) or Ramsar sites) within 2 km of the Site. The nearest SSSI is located 6.3 km east of the Site. Townclose Hills SSSI is a 12.1ha unimproved magnesian limestone grassland which supports a range of vegetation including tor grass tall herbs and scrub woodland. It is also designated as a Local Nature Reserve (LNR). The nearest European Site is South Pennine Moors Phase 2 SPA, located some 22km north west of the application boundary. We have not formally consulted on the application. The decision was taken in accordance with our guidance.	✓

Aspect considered	Justification / Detail	Criteria met Yes
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The potential impact of pollution for each aspect of the Site has been considered including:</p> <ul style="list-style-type: none"> • Dust; • Odour; • Noise; • Flooding; • Accidents; • Groundwater; • Surface Water; • Unauthorised access; and • Flooding. <p>Fugitive Emissions of Dust, Mud, Litter and Pests</p> <p>The Operator must take measures to prevent the spread of dust, mud and litter from the Site.</p> <p>Permitted waste types will not include dusts, powders or loose fibres.</p> <p>In accordance with best practise, all processing of RDF and storage of untreated and treated RDF will be carried out within a building. Some residual wastes (e.g. metals) will be stored in covered skips in the yard area. Waste will be delivered to Site in curtain sided trailers.</p> <p>All RDF delivered to Site will be baled and wrapped. Processed RDF will be transferred to lorries inside the building via a loading chute.</p> <p>Waste delivery or collection vehicles will not travel on unmade ground thus the potential for generate of dust or for tracking mud onto the public highway is considered low.</p> <p>The risk of scavenging animals, scavenging birds and other pests arising from the site and affecting the surrounding environment is highly unlikely due to the type of waste accepted on the Site. Should pests become a problem then specialist contractors will be engaged to address the problem.</p> <p>Noise</p> <p>As above all treatment operations will be conducted within the building. Noise levels have been factored in to the plant design, and the plans for maintaining and operating the plant. The RDF processing zone is formed of acoustic housing. Maintaining equipment specifically to</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>reduce noise levels, for example fixing loose covers. Switching off plant, vehicles and ventilation units when not in use; and avoiding noisy work during evenings and weekends.</p> <p>Odour The maximum amount of time that wastes will be stored on site will be 3.5 days, and so odour is unlikely to be an issue this time limit also forms a requirement as part of the Fire Prevention Plan.</p> <p>Visual and aural inspections of the Site boundary will be undertaken by the Site Manager or his nominee during each working day. A complaints procedure is provided in the EMS which requires the information to be recorded.</p> <p>A person holding the appropriate Certificate of Technical Competence (CoTC) will be present or available to attend the Site as required. The appropriate technical competence is WAMITAB Level 4 Medium Risk Operator Competence for non-hazardous waste treatment and transfer.</p> <p>The operator's risk assessment is satisfactory.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>Emissions of Particulate Matter have been assessed as insignificant, and so the Environment Agency agrees that the Applicant's proposed techniques are BAT for the installation.</p> <p>The Fire Prevention Plan submitted with the application has been reviewed and assessed by the Environment Agency and this document and the method of fire prevention described form part of the approved operating techniques.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p>	✓
The permit conditions		
Use of conditions other than	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
those from the template	consultation with industry having regard to the relevant legislation.	
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. The site will accept refuse derived fuel only (EWC code 19 12 10).	✓
Improvement conditions	Based on the information on the application, we consider that we need to impose improvement conditions. We have imposed improvement conditions to ensure that: <ul style="list-style-type: none"> ➤ appropriate management systems and management structures are in place and that sufficient financial, technical and manpower resources are available to the operator to ensure compliance with all the permit conditions. ➤ appropriate measures are in place to ensure that accidents that may cause pollution are minimised. ➤ the appropriate measures are in place to prevent fugitive emissions. ➤ the appropriate measures are in place to prevent pollution from odour. ➤ the appropriate measures are in place to prevent pollution from noise and vibration. 	✓
Incorporating the application	We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.	✓
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. The following substances have been identified as being emitted in significant quantities and ELVs equivalent	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>parameters or technical measures based on BAT have been set for those substances .</p> <p>The only point source emission is to air from the Air Handling System which employs a pulse jet dry filtration unit and in line with the Environment Agency's H1 assessment the emissions of particulates are determined as insignificant at emitted levels and a BAT appropriate ELV of 20mg/m³ has been included in the permit.</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>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	We have specified reporting in the permit.	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with our guidance on what a competent operator is.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.	✓
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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with our guidance on what a competent operator is.	✓
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 the transfer of 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>	✓

Annex 2: External Consultation and web publicising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

<i>Response received from</i>
Leeds City Council – Environmental Protection Team.
<i>Brief summary of issues raised</i>
<p>It is recommended that the permit for the installation includes conditions to control adverse emissions beyond the site boundary of the following:</p> <ul style="list-style-type: none">• Odour,• Dust,• Mud,• Litter,• Noise, and• Pests. <p>It is noted that the supporting information submitted with the application states the site will initially be operated in accordance with the operators own environmental management system and, as the risk of contamination from the proposed waste operation will be low, a baseline report has not been provided. It is recommended that the Environment Agency (EA) satisfy themselves that the requirements of the Industrial Emission Directive for an audited EMS, and soil and groundwater monitoring for baseline and subsequent periodic testing frequency, is in accordance with the latest BAT conclusions and expectations.</p>
<i>Summary of actions taken or show how this has been covered</i>
<p>Conditions are set within the Permit to prevent the release of fugitive emissions such as dust. Further conditions require that emissions from the activities at the site are free from odour at levels likely to cause pollution outside the site. Also that emissions from the activities at the site shall be free from noise and vibration at levels likely to cause pollution outside the site. The Permit contains a condition which states the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>The Permit will contain Improvement Conditions that will require the Operator to submit their full Environmental Management System for agreement and audit by the Environment Agency also for the submission of a groundwater and soil monitoring report for assessment and approval by the Environment Agency.</p>

<i>Response received from</i>
Public Health England
<i>Brief summary of issues raised</i>
<p>The site is located in a new industrial and commercial area (Logic Park), with the closest residential receptors to the site lie approximately 410 metres to the north.</p> <p>The main emissions of potential concern are emissions to air from the process air handling system, and the potential for a fire at the site. Based on the information contained in the application provided, PHE has no significant concerns however regarding risk to health of the local population from this proposed activity. We do have a specific recommendation on air quality, we would ask the regulator confirms they are satisfied with the potential emissions to air from the air handling system, as there was no modelling information provided for us to make a public health risk assessment.</p>
<i>Summary of actions taken or show how this has been covered</i>
<p>The air handling system (local ventilation and extraction system) incorporates a pulse jet dry filtration unit which will ensure very low emissions of particulate matter to the Environment which is sited outside the process building. This technology is considered BAT for this process. An emission limit value for particulate matter is set in the Permit which will ensure an insignificant impact to air.</p> <p>The Operator's Fire Prevention Plan has been assessed by the Environment Agency and approved as detailed above and in the associated FPP Determination document.</p>