

Permitting decisions

Bespoke permit

We have decided to grant the permit for Plaistow Wharf operated by Keltbray Environmental Ltd.

The permit number is EPR/CP3035QC.

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

Keltbray Environmental Ltd currently hold a permit at Thames Wharf, E16 1AF (permit number EPR/MB3437RG) for the storage and transfer of hazardous and non-hazardous wastes - predominantly soil and stone from construction, demolition and excavation sites. Due to the commencement of works for the Silvertown Tunnel the operator must vacate the existing site and is looking to relocate to Plaistow Wharf which is approximately 600m to the south-east of the Thames Wharf site. The activities at the new site will largely mirror the operations currently undertaken at Thames Wharf. No treatment of wastes will be undertaken at the installation. Wastes will enter and leave the site by road and river (barge). Wastes will be stored externally in stockpiles within bays.

Fire Prevention Plan

The operator has provided a Fire Prevention Plan (FPP) which aims to: minimise the likelihood of a fire occurring, enable a fire to be extinguished within 4 hours, and minimise the spread of fire within the site and to neighbouring sites. The operator accepts small quantities of combustible wastes, typically arriving within loads of waste soils. The wastes are segregated into designated skips and stored separately from other wastes on site.

The main measures specified in the FPP are:

- 22m³ maximum volumes of each type of combustible waste
- 6m separation distances between each skip of combustible waste
- fire resistance time of 2 hours for all bay walls
- regular inspections to monitor fire risk
- provision of adequate water supply for firefighting and other firefighting equipment
- adequate containment of firewater
- provision of a designated quarantine area for use in the event of a fire

We are satisfied that the measures detailed in the FPP are appropriate for the volumes and types of wastes to be stored at the installation. The FPP forms part of the operator's environmental management system and has been incorporated into the permit in table S1.2.

Barge Loading

Wastes are transferred into and out of the site by barge during both daytime and night-time hours due to the nature of the tide, occurring once every 12 hours. The operator has confirmed that according to river laws barges are not allowed to travel on the Thames during reduced visibility, e.g. due to fog, or during high winds and exceptional weather events. Barges will therefore not be loaded or unloaded during these times.

The operator has provided operating procedures that detail the measures in place to ensure that wastes and dusts are prevented from entering the water. These include:

- good communication with established barge companies
- detailed planning of shipments prior to cargo transfer
- trained personnel to carry out operations
- all barges are closed during transit
- only one vessel is loaded at a time
- barges kept close to dock edge to minimise gap between stockpiles and river bed
- use of a clamshell bucket (tight close grab) to load/unload wastes
- use of slow controlled movements to minimise dust emissions
- lowering of grab into the barge to minimise drop heights
- investment in high performance material handling machine to reduce loading times
- use of powerful floodlights to ensure the operation is properly illuminated
- the full length of the wharf-side boundary is raised by 1 – 1.5m. This, in combination with a 2m gap between the stockpiles and water's edge will prevent the escape of wastes into the river
- use of handheld hoses to dampen wastes to minimise escape of dust
- maintenance of machinery

We are satisfied that the operating techniques proposed are appropriate to minimise the risk of loss of materials into the Thames.

BAT Assessment

We have reviewed the measures proposed by the applicant and compared them against Best Available Techniques (BAT) Conclusions for Waste Treatment. A summary of the key operating techniques are provided below. We are satisfied that these measures represent BAT for the installation.

BAT 1 – Environmental management system

The operator has confirmed that they operate in line with the certified ISO14001 Environmental Management System (EMS) held by the parent company Keltbray Ltd. The EMS is implemented at senior level and integrated into plans and policies, with the issue of an Environmental Policy Statement. Impacts on the environment are identified and clear objectives and targets are set to improve the management of these aspects, as well as overall environmental performance. The EMS is reviewed on an ongoing basis. The Environmental Policy Statement is disseminated to all employees at each review. It is also displayed at all sites and easily accessible through the company's intranet. [BAT 1].

The operator has submitted a number of documents in support of their application that will form part of the EMS, namely the site working plan, materials acceptance procedures, environmental plan, dust management plan and fire prevention plan.

BAT 2 – Overall environmental performance of the plant

The operator has provided the procedures they will follow before wastes are delivered to the site (pre-acceptance), on arrival at the site (acceptance), storage and transfer off-site.

Prior to wastes arriving at the site, each customer is required to send a description of the waste including a chemical analysis, which is assessed by technically competent staff. Keltbray notify the customer whether the waste has been approved for acceptance and the delivery is pre-booked at least 24 hours in advance. [BAT 2a]

On arrival at the site, all vehicles report to the weighbridge office, where the paperwork (waste transfer notes and consignment notes) is checked and the waste weighed and directed to a designated bay so the material can be tipped. A procedure is in place for calculating the weight of wastes arriving by barge using its displacement in the water. The site foreman visually checks the waste before the waste is tipped to ensure the waste is as described.

In addition to visual checks, the qualified site chemist undertakes random sampling of wastes in order to confirm that the composition of the waste matches the customer's original chemical analysis. The frequency of random sampling is approximately one in every 1000m³. Wastes remain on site until the verification analysis is confirmed. Samples are also taken at the start of each new contract. [BAT 2b]

Wastes are rejected from the site if they are not in accordance with the information provided on the accompanying paperwork or if they meet the operator's waste rejection criteria. If non-permitted wastes are discovered within a load that has already been deposited, the waste is immediately isolated pending removal off-site to a licensed facility.

The operator uses a software system to hold information and track all wastes through the entire process, from pre-acceptance to transfer off-site. Each enquiry is allocated a unique reference number prior to the material arriving on site. All stockpiles on site are clearly marked with the number on a stake and a plan of the site is maintained showing the locations of all wastes on site. The tracking system operates as a waste inventory/stock control system and a spreadsheet is updated daily to monitor total quantities stored at the site. This is backed up by GPS surveys of the stockpiles to verify quantities on site. The system ensures that wastes cannot be accepted onto site unless sufficient storage capacity exists. [BAT 2c]

The operator has designated bays for hazardous and non-hazardous soils as well as combustible wastes, which can arrive within loads of soils. These wastes are manually separated into designated skips. [BAT 2g]

The bays are separated by 3.8m high concrete bay walls to ensure that incompatible wastes cannot come into contact with each other. More information is provided on waste storage under BAT 4 below. [BAT 2e]

Whilst BAT 2d (output quality management system) is not directly applicable because there is no treatment of wastes undertaken at the facility, the operator does undertake characterisation testing and analysis to ensure the wastes meet the waste acceptance criteria of the destination disposal facility.

Barges can carry between 500 to 2000 tonnes of waste and therefore wastes are bulked prior to loading. The operator has confirmed that wastes are only bulked once they meet the waste acceptance criteria for disposal. [BAT 2f]

Hazardous wastes that are treatable are transferred to another of Keltbray's waste facilities, Mohawk Wharf. Non-treatable hazardous wastes are transferred to an appropriate landfill.

The site working plan specifies the minimum staffing levels on site. The operator has considered the impact of potential holidays or illness absence and has procedures in place to ensure the site is always adequately manned to receive wastes.

The operator keeps records of duty of care transfer notes for non-hazardous waste and consignment notes for hazardous waste for at least three years following receipt of the waste.

BAT 4 – Storage of waste

Plaistow Wharf works as a road-river hub for hazardous and non-hazardous soils. Soil typically arrives by road and is transferred on to barges or vice versa to an end disposal destination. There is therefore an inherent need for the site to be located on the wharf-side. The operator has confirmed that there will be no more than 10,000 tonnes of waste stored on site at any one time; typically around 4,000 tonnes will be stored.

The operator has designated bays for the storage of combustible wastes closest to the entrance to the site. This will allow easiest access for the fire and rescue service in the event of a fire. Non-hazardous wastes are stored in closest proximity to the water's edge with hazardous waste bays located further away. There is a 1–1.5m wall along the wharf-side boundary, which will prevent the escape of wastes into the river. The operator has confirmed that a 2m gap will also be maintained between the stockpiles and water's edge. [BAT 2a]

The whole site is surfaced in impermeable concrete. The bay walls are 3.8m-high concrete bolt down retaining walls, which ensure that incompatible wastes cannot come into contact with each other. All stockpile bays are inspected daily for damage and any damage is repaired as soon as practicable. If containment is compromised, wastes are removed immediately until the repair is completed.

Storage bays are permanently identified by letter (A-F). On arrival at the site drivers are guided to a designated bay where the wastes are directly tipped. Additionally, each stockpile is allocated a stake that displays a unique reference number, which can be referenced to the characteristics of the waste and acceptance records. Wastes remain on site until characterisation testing and analysis is complete to ensure the wastes meet the waste acceptance criteria of the destination disposal facility. No material is stored longer than six months. Typically wastes are stored for a maximum of two weeks before onward transfer to a destination disposal facility. The operator has procedures in place to manage wastes that have been tipped at the site but are subsequently found to be non-conforming. The producer of the waste will be notified to collect the waste immediately. If the producer will not remove the waste Keltbray will remove the waste immediately from site where possible and if not, within seven days to an appropriately permitted facility. If the wastes contain substances which are hazardous to health, e.g. asbestos, it will be removed immediately.

The operator's software system tracks wastes in and out of the site using the unique reference number. The tracking system operates as a waste inventory/stock control system and a spreadsheet is updated daily to monitor total quantities stored at the site. This is backed up by GPS surveys of the stockpiles to verify quantities on site. The system ensures that wastes cannot be accepted onto site unless sufficient storage capacity exists. [BAT 2b]

In addition to the above, the operator has provided a site layout plan and drainage plan, which shows the locations of waste storage bays and a separate bunded area for the storage of COSHH (Control of substances hazardous to health) materials such as fuel, oils, greases etc. Contaminated run-off from the

soils storage areas drains into a sealed sump and is tankered off-site to a licensed disposal facility. The plan shows mobile plant is to be stored on the upper barge loading area so it is as far away as possible from the designated storage bay for combustible material. [2c]

BAT 2d is not applicable at this installation as packaged hazardous waste is not accepted at the site.

BAT 11 – Water, energy and raw materials

Water consumption is calculated from monthly water readings. Energy consumption is calculated through monthly gas and electricity bills. Quantities of fuel and oils are measured using the delivery notes which indicate quantities delivered to site. Keltbray do not produce 'residues' but all wastes transferred from the site are recorded and submitted to the Environment Agency via quarterly returns.

The operator uses an on-line system – BRE SMARTWaste – which records water, energy, and materials use and waste outputs on a monthly basis.

BAT 14 – Diffuse emissions to air

Dust

The site is located in an industrial area that has experienced high levels of airborne particulate pollution (particulate matter less than 10µm (micrometres) in diameter, referred to as PM₁₀), approximately 210m from the Newham Air Quality Management Area, established to manage PM₁₀ emissions. Neighbouring businesses include a sugar manufacturer, an excavation company and other waste management facilities, including Keltbray's sister site, Mohawk Wharf. The operator has provided a Dust Management Plan, which explains what they do to prevent dust emissions from the site. The plan forms part of the operator's environmental management system and has been incorporated into the permit in table S1.2.

The measures the operator uses to control dust at the site include [BAT 14a, 14e and 14g]:

- wastes consisting solely or mainly of dusts, powders or loose fibres are not accepted
- sheeting of delivery vehicles when entering and leaving the site, even when empty. The vehicles remain sheeted until reaching their designated storage bays.
- 5mph speed limit to reduce the likelihood of dust on site surfaces to become re-suspended
- on-site road sweeper deployed to sweep the site and public highways. The whole site is covered in concrete surfacing, which ensures ease of sweeping.
 - all traffic and hard-standing areas on site are cleaned regularly using the road sweeper. The minimum cleaning frequencies are 4 times per day [Monday to Friday] and twice per day on Saturday. Other areas not accessible by the road sweeper, such as around the offices and waste storage bays, are cleaned by hand.
- wheel wash – vehicles pass through when entering and leaving the site
- no idling policy to minimise exhaust emissions
- low drop height handling procedures
- border dust suppression system to dampen wastes
- handheld hoses, sprinklers and water jets for dampening dusty wastes and site surfaces
- use of calcium magnesium acetate (CMA) dust suppressants to keep the surface of stockpiles damp
- covering of stockpiles when not in use with fine dust sheeting
- 3.8m high boundary/bay walls (the wastes are stored 0.5m below the height of the bay wall)
- 1.2m high boundary wind-break netting situated on top of bay walls

- procedures for loading and unloading of barges (see section above)
- raised edge to wharf

A dust monitor is located as shown on the site layout plan included at schedule 7 of the permit (marked as point M01). The monitor measures PM₁₀ in accordance with 'The Control of Dust and Emissions from Construction and Demolition Best Practice Guidance (Greater London Authority and London Councils)'. The data are collected on a 5 minute average period with amber and red dust trigger and action levels (0.050 mg/m³ and 0.075 mg/m³ respectively). Data are reported on a quarterly basis to the Environment Agency. If an alarm is triggered the operator assesses the site activities and takes necessary action to reduce dust emissions or suspends activities at the installation until the problem has been rectified.

Additional visual monitoring is undertaken twice a day to detect the presence of dust off-site. There are two set visual monitoring points, the locations of which are identified on the site layout plan. In the event that visual monitoring detects dust off-site, the operator follows an established procedure which includes identifying the source of dust and remedying the situation wherever possible, the additional use of dust reduction measures, such as sheeting and hand held hoses, and suspending dusty operations.

The operator has confirmed that they have a policy in place to ensure that all non-road going mobile machinery used within Greater London must meet Stage IIIA of EU Directive 97/68/EC. As older machinery is replaced, the replacements will meet the newer standards [IIIB or IV].

Based on the information provided by the operator, we are satisfied that the measures proposed by the operator to control dust emissions at the site constitute BAT for the site. However, we have included improvement conditions IC1 and IC2, in table S1.3 of the permit which require the operator to review the effectiveness of the dust management plan once 12 months of ambient air monitoring has been completed and to propose and implement further control measures if necessary.

There is one habitat site within relevant screening distances of the site – Gilbert's Pit Site of Special Scientific Interest (SSSI). The SSSI is located over 1,900m from the south western boundary of the site; we are therefore satisfied that it is unlikely that dust emissions from the site will impact the SSSI.

Odour

Plaistow Wharf is located within an industrial area; the nearest residential area is approximately 280m from the site boundary. Wastes accepted on site are predominantly soils for storage only and therefore the operator has assessed the risk of odour emissions from the site to be low.

Potential sources of odour include small amounts of biodegradable wastes which may arrive within loads of soil, e.g. vegetation, or soils containing high levels of volatile organic compounds.

All wastes are visually checked when they arrive at the site, this includes a check for odour. Wastes that are found to be malodorous are rejected, or if already tipped, removed from site by the next vehicle back to the site of production with a waste rejection note, or where this is not possible Keltbray will remove the waste from site within seven days to an appropriately permitted facility. Biodegradable wastes are stored in sealed and covered skips.

Based on the information provided by the operator we are satisfied that odour is unlikely to be a significant issue at the site. Consequently we have not required an odour management plan as part of this determination. However, we have included our standard odour condition (3.3) in the permit, which allows us to ask for an odour management plan if we become aware of odour-related problems on site.

BAT 18 – Noise and vibration

Plaistow Wharf is located within an industrial area; the nearest residential area is approximately 280m from the site boundary. Keltbray implement a number of measures to minimise the impact of noise from the site, including [BAT 18b, 18d]:

- maintenance of plant

- shutting down mobile plant between work periods, or throttled down to a minimum, if used intermittently
- acoustic covers on engines
- loading/unloading of wastes within designated bays only
- deliveries during daytime hours only
- vehicle engines switched off when waiting
- 5mph speed limit
- use of a modern material handling machine to minimise barge loading/unloading times
- operation of the material handling machine at low revs per minute
- loading from barges directly into waste bays wherever possible
- minimisation of drop heights into barges
- operator training

Based on the information provided by the operator we are satisfied that odour is unlikely to be a significant issue at the site and that the proposed measures represent BAT for the site. Consequently we have not required a noise management plan as part of this determination. However, we have included our standard noise condition (3.4) in the permit, which allows us to ask for a noise management plan if we become aware of noise-related problems on site.

BAT 19 – Water management

The operator has proposed to optimise water consumption, reduce the volume of waste water generated and minimise emissions to water by implementing the following [BAT 19b, 19c, 19d, 19f, 19g]:

- Rainwater is collected from the office roof for use in the wheel wash and/or dampening down. The wheel wash fully recycles water used in the system.
- The whole site is surfaced in impermeable concrete (more information is given under ‘Site condition report’ below). The operator confirmed that they are unable to discharge site surface water to sewer because the Port of London Authority designed and built the sewer with the capacity to accept foul water from the site offices only. The operator has therefore designed the drainage at the site to segregate contaminated and uncontaminated surface water:
 - Waste stockpile areas and road surfacing all slope towards drainage channels that flow to a sealed sump (point S01). The contents are tankered off-site to a licensed disposal facility when the level in the sump indicates it is 50% full.
 - Uncontaminated surface water run-off is kept separate, using kerbing and the profiling of site surfacing, and is discharged to the River Thames (emission point W01) via an interceptor.

The operator has established procedures for the maintenance of the interceptor including minimum fortnightly visual checks under normal operating conditions, and additional checks following heavy rainfall or in the event of a spillage. Oil and solids are removed and disposed of off-site when the system is half full, expected to be on an annual basis. The interceptor and all mechanical parts are serviced annually by an accredited third party.

The operator has committed to regular sampling of the discharge from the interceptor to check the interceptor is working correctly. Testing will occur on a quarterly basis as a minimum but can be as frequent as daily, depending on conditions on site, e.g. during periods of heavy rainfall or if any change in the characteristics of the discharge are noted (odour, colour etc.).

The interceptor can be closed via a stop valve to contain a spillage or firewater. In this instance the contents of the interceptor are disposed of off-site to a licensed disposal facility and the

interceptor and site surfacing cleaned. An additional tanker removes any water produced during the cleaning cycle.

- All of the site is 5-6m lower than the wharf wall, which means run-off into the river is prevented.
- The dust suppression system is designed to dampen the soils surfaces only and switches off to prevent any water running off the soil stockpiles and into the drainage system
- Use of manual sprinklers is controlled so that the ground is dampened sufficiently whilst minimising run-off into the drainage system.
- Bunding of fuel storage and COSHH areas.

Based on the information provided by the operator, we are satisfied that the proposed measures represent BAT for the site. However, we have included improvement conditions IC3 and IC4 in table S1.3 of the permit which require the operator to undertake monthly monitoring of the discharge at emission point W01, during the first year of operation, to verify that only uncontaminated surface water is discharged to the River Thames; in the event that monitoring shows that the discharge at W01 is not uncontaminated, the operator is required to undertake further assessment and, if necessary, propose and implement further measures to ensure only uncontaminated water is discharged to the river. IC4 additionally requires the operator to review and agree the ongoing monitoring schedule with the Environment Agency.

BAT 21 – Emissions from accidents and incidents

The operator has a series of procedures and plans which form the Accident Management Plan. The Emergency Preparedness and Response (Environmental) Procedure identifies potential incidents that can cause unexpected changes to normal operations, e.g. breakdowns, fires, vandalism, flooding and bad weather. Risks are assessed and procedures defined to minimise the likelihood of the incident happening and measures taken to minimise any impacts. The Site Event Reporting, Investigation and Analysis Procedure details the reporting and investigation of environmental incidents (including near misses and close calls) to identify causes, develop lessons learned and implement actions that prevent reoccurrence of similar incidents. The operator records all accidents and incidents using a portal called Interlex, which is an Environment, Health and Safety (EHS) integrated management system and is accessible by all employees. [BAT 21c]

The operator has procedures in place to manage leaks or spills during plant/vehicle use and waste operations, or in the event of a fire to contain fire water (see Fire Prevention Plan section above and section on water management above for a description of the drainage system). Spill kits are available for use to contain small spills; absorbent granules are used to prevent spilled substances from entering the surface water drains and granules are removed to a licensed disposal facility. Larger spills within the area that drains to the sealed sump can be contained within a temporary bund comprising waste soils already on site. The subsequently contaminated soils are retested prior to onward disposal. If any spill occurs in the uncontaminated section of the site the stop valve is closed at the interceptor, the spill is controlled using spill kits and the interceptor is cleared and cleaned prior to reuse. The site surface is also cleaned. Temporary soil bunds are not created in the uncontaminated section of the site. In the event of a significant spillage, the Environment Agency is notified as soon as possible. [BAT 21b].

The operator has identified malevolent acts which could affect the operation of the site at Plaistow Wharf: theft of plant, theft of fuel, theft of materials from the site, vandalism, arson, breaches of security into existing buildings, robbery or attacks on site. The site is located approximately 200m from the main North Woolwich road; the site is fitted with a 3m high metal fence on three sides with high quality locks, alarms and warning signs to deter potential intruders. The remaining boundary, which borders the Thames comprises a 1-1.5m wall to allow the loading of material on to barges. A non-permanent wall is a stipulation of Port of London Authority rules for safeguarded wharves so it will not hinder future cargo handling operations. Visitors are monitored to ensure only authorised people are on site.

Vehicle keys are secured in a locked cupboard when not in use, inside a locked welfare facility, away from where the machines are kept. Wherever possible, plant are covered with locked grilles, shields or plates to prevent smashing of the glass (for attempted theft or vandalism). Vehicles are immobilised using physical

security (chains, clamps, towing hitch locks), mechanical or electronic devices. Careful arrangement of certain vehicles (such as positioning of the buckets of backhoes and excavators) also assists with immobilisation.

Closed circuit television (CCTV), in combination with lighting, act as a further deterrent to intruders and assist security staff. Lighting at the entrance/exit and is sturdy and weather and tamper resistant. CCTV can be monitored on site as well as remotely. [BAT 21a]

Site Condition Report

Based on the information submitted by the operator we note that the site has a lengthy industrial history and remediation works have been previously undertaken. The site condition report did not contain ground investigation sampling to establish a baseline of site conditions prior to commencement of the operation of the installation. We recommended that the operator establish a baseline so it can be used for comparison when activities at the installation eventually cease.

In response to the Schedule 5 notice dated 17 December 2018, the operator confirmed on 11 January 2019 that soil and groundwater sampling and analysis will be completed across the site to establish baseline conditions. Accordingly we have included pre-operational condition (PO1), which requires the submission of a report for approval prior to the commencement of commissioning. The report shall detail intrusive sampling undertaken at the site to establish the condition of the site before the facility is put into operation.

The operator has confirmed that the whole site will be surfaced with impermeable concrete designed for heavy industrial uses. The fuel storage and COSHH areas will have additional bunding and containment facilities on top of this base slab. We have included pre-operational condition (PO2), which requires the submission of a copy of the final Construction Quality Assurance Validation Report, documenting the completion of all hard surfacing and drainage construction works, prior to the commencement of operations.

The fuel tank on site is a double skinned tank located within an impermeable concrete bund designed to contain 110% of the capacity of the tank. The bund is covered to prevent ingress of rain water. The COSHH store is also located within the bund, but does not contain any single container greater in size than the fuel tank.

The operator has provided a summary of their refuelling procedures, which includes:

- use of approved licensed fuel suppliers
- supervision by site staff during tank filling
- equipment checks and dynamic risk assessment prior to refuelling mobile plant using designated fuel pump
- on completion of refuelling, equipment is put away and the base slab is checked for spills
- provision and use of a spill kit in the event of a spill, appropriate disposal of used items
- provision of firefighting equipment
- weekly inspection of tank integrity.

Based on the information provided by the operator, we are satisfied that the operator has proposed appropriate measures and that pollution of land and water is unlikely.

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. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
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: <ul style="list-style-type: none"> • Local Authority Environmental Protection Department (Health) – London Borough of Newham Council • Director of Public Health – Greater London Authority • Public Health England • Health & Safety Executive • Local Port Authority – Port of London Public Health England and Newham Council provided comments. The comments and our responses are summarised in the consultation section . No other comments were received.
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	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'. 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.
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. The plan is included in the permit.
Site condition report	The operator provided a description of the condition of the site but it did not

Aspect considered	Decision
	<p>contain ground investigation sampling to establish a baseline of site conditions prior to commencement of the operation of the installation. We have included pre-operational condition (PO1), which requires the submission of a report that details intrusive sampling undertaken at the site prior to the commencement of commissioning.</p> <p>See the key issues section for more detail.</p> <p>The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.</p>
<p>Biodiversity, heritage, landscape and nature conservation</p>	<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>Gilbert's Pit (Charlton) Site of Special Scientific Interest is located approximately 1,900 metres to the south west of the site.</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>See the key issues section for further explanation.</p>
<p>Environmental risk assessment</p>	
<p>Environmental risk</p>	<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>Operating techniques</p>	
<p>General operating techniques</p>	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes (best available techniques for waste treatment) 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> <p>See the key issues section for more detail.</p>
<p>Fire prevention plan</p>	<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>See the key issues section for more detail.</p>
<p>Permit conditions</p>	
<p>Waste types</p>	<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>All EWC codes listed in Tables S2.2 and S2.3 mirror codes included in the existing Thames Wharf permit.</p> <p>The operator confirmed that wastes which are accepted under EWC code 19 12 12 are predominantly soils and stones which have been subject to prior screening at another waste management facility. No combustible wastes are accepted under this waste code and these wastes are therefore not included within the scope of the operator's Fire Prevention Plan. The description ascribed to EWC code 19 12 12 in Table S2.3 more accurately defines the wastes accepted on site under this code.</p> <p>The decision on the suitability of waste types was made in accordance with Sector Guidance Note SGN 5.06: Guidance for the Recovery and Disposal of Hazardous and Non-hazardous Waste and Fire Prevention Plans: Environmental Permits (published 29 July 2016, last updated 04 May 2018 (link)).</p>
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions:</p> <p>PO1: which requires a report detailing intrusive sampling undertaken at the site to establish the condition of the site before the facility was put into operation.</p> <p>PO2: which requires the submission of a copy of the final Construction Quality Assurance Validation Report documenting the completion of all hard surfacing and drainage construction works.</p> <p>PO3: which requires the operator to develop a monitoring programme to validate the assumptions made in relation to the releases of pollutants to surface water (via the interceptor) at emission point W01.</p>
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>IC1 & IC2: which require ambient air monitoring to review the effectiveness of the dust management plan and, if necessary, propose further measures to control dust at the site.</p> <p>IC3 & IC4: which require the operator to implement the monitoring programme required by pre-operational condition PO3. A report is to be submitted to include monitoring results for the first year of operation, environmental risk assessment where necessary, a review of the ongoing monitoring schedule, any proposals for amendments to procedures or additional measures and a proposed timetable for completion of any changes or works.</p>
Emission limits	We have decided that emission limits are not required in the permit.
Monitoring	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.

Aspect considered	Decision
	These monitoring requirements have been imposed in order to monitor the particulate (PM ₁₀) levels within the installation and mirror the requirements specified in the operator's existing permit at Thames Wharf.
Reporting	We have specified reporting in the permit, which mirrors the requirements specified in the operator's existing permit at Thames Wharf.
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> <p>We are satisfied that the operator is technically competent.</p>
Relevant convictions	<p>The Case Management System 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>
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
Public Health England
Brief summary of issues raised
PHE recommended that the permit should contain conditions to ensure that the following potential emissions do not impact upon public health: fugitive dust emissions.
Summary of actions taken or show how this has been covered
<p>Conditions 2.3.1, 3.2.1 and Table S1.2 Operating techniques – incorporate into the permit the operator’s Dust Management Plan, which describes the methods the operator will use to control dust at the site. See the key issues section above for more explanation.</p> <p>Condition 3.5.1 and Table S3.4 Ambient air monitoring requirements – require the operator to undertake monitoring of particulate matter less than 10µm in diameter (PM₁₀) at a 5 minute frequency.</p> <p>Condition 2.1.4 and Table S1.3 Improvement programme requirements – include improvement conditions IC1 and IC2. These conditions require the operator to submit a written report to the Environment Agency, following 12 months of ambient air monitoring, which reviews the effectiveness of the Dust Management Plan and which identifies further measures to be undertaken to reduce dust emissions from the facility if necessary.</p>

Response received from
Local Authority Environmental Protection Department (Health) – London Borough of Newham Council
Brief summary of issues raised
The local authority raised concerns over potential amenity impacts arising from the site (dust, noise, odour)
Summary of actions taken or show how this has been covered
<p>See comments above regarding our approach to dust management at the site.</p> <p>Based on the information provided by the operator we are satisfied that noise and odour are unlikely to be a significant issue at the site and that the operator’s proposed measures represent BAT for the site. See the key issues section for further explanation.</p> <p>However conditions 3.3 (odour) and 3.4 (noise and vibration) have been included in the permit and allow us to require a noise or odour management plan at any time if we notice noise or odour risk-related problems on site.</p>