

Permitting decisions

Bespoke permit

We have decided to grant the permit for Hill Barton IBA operated by Rock Solid Processing Limited.

The permit number is EPR/XP3503PF.

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. The introductory note summarises what the permit covers.

Key issues of the decision

Description of application

The facility is permitted to accept less than 100,000 tonnes per year of incinerator bottom ash (IBA), produced by off-site incineration plants. The unprocessed IBA is imported to the site and stored outside until a sufficient tonnage has been reached for treatment. It is expected that 3 treatment campaigns will be undertaken per year. During the storage time, the IBA goes through a 'natural ageing' process and due to its cementitious properties develops a crust of the outside. The IBA is then processed through a series of mechanical sorting mechanisms, including crushing, screens, eddy current and magnetic metal separation to produce different grades of processed IBA aggregate (IBAA) and to remove the ferrous and non-ferrous metals. This takes place within the site building. All finished IBAA is to be used as aggregate, ferrous and non-ferrous metals are sent for recycling at an appropriate facility, any unburnt material will be sent back to the facility of origin for further processing.

The operator has an internal integrated Environmental Management System.

The site is equipped with a moveable water cannon to suppress dusty emissions. The permit incorporates a dust management plan which details further measures in place for the control of dust.

The site will have an impermeable surface and a sealed drainage system. All waste water flows to the on-site leachate treatment plant (LTP) prior to discharge to sewer. Sludge produced from the leachate treatment plant will be pumped straight from the LTP to a tanker for disposal as an appropriate facility.

There are no point source emissions to air from the installation

IBA is a coarse ash produced from the incineration of municipal solid waste. Depending on the waste burnt, IBA is likely to contain varying quantities of glass, ceramics, brick, concrete and metals in addition to clinker and ash

The principal aim of IBA treatment is to improve ash quality in order to generate a material that has the potential for recovery (e.g. for use as a secondary aggregate material in road construction) and to mechanically separate and collect the ferrous and non-ferrous metal fractions for further recycling.

Application of Best Available Techniques (BAT) for processing of Incinerator Bottom Ash (IBA)

Waste pre-acceptance and acceptance

The facility will pre-dominantly accept IBA from a single source, the MED energy from waste facility. Pre-acceptance and acceptance procedures are in place to ensure that only suitable IBA is accepted. IBA accepted at the site will be tested in accordance with the Environmental Services Association's '*A Sampling and Testing Protocol to assess the status of IBA*'. Incoming deliveries are received via the weighbridge, documentation is checked and a visual inspection of the load is completed. All deliveries are further inspected at the end of the day prior to stockpiling. Any waste found to be non-conforming will be quarantined prior to removal.

Waste storage and handling

Both IBA and treated IBAA will be stored on site, on an impermeable surface with a sealed drainage system which drains to the leachate treatment plant on site, prior to discharge to sewer. The storage area is outside and will be sprayed using a water canon to minimise dust release as necessary. The storage area will have a movable retaining wall to accommodate the storage area requirements, which will vary as the treatment progresses, with the IBA stockpile decreasing and IBAA increasing. In addition to the incoming and processed material there will be ferrous and non-ferrous metal storage bays.

Waste treatment

Treatment of the IBA will take place following the ageing process, which utilises the cement-like properties of the IBA. During this stage, a number of naturally occurring chemical reactions (oxidation, carbonation, hydration) improve the physical and chemical properties of the IBA by stabilising the material and reducing its leaching capacity. The treatment will take place on a campaign basis when sufficient material has been received. All processing of IBA will be undertaken in the building. The IBA is transferred from the storage area to the processing building by loading shovel. The IBA will be sorted within the building through crushing,

screening, eddy currents and magnets to grade the IBA and to remove ferrous and non-ferrous metals for recycling.

The remaining material, which is known as IBA aggregate (IBAA) is stored prior to use as an aggregate, replacing the use of virgin materials.

Dust – Fugitive emissions

IBA contains metals, bricks, ceramics and other material that has not combusted. IBA has a cementitious property that means it forms a 'cement like' crust to its surface. IBA has a relatively high moisture content and is not generally as powdery as ash might be expected to be. Water will also be sprayed on to the stockpiled material to aid the ageing process and to further prevent dust formation.

A Fugitive Emissions Risk Assessment and Management Plan was submitted with the application. This plan details measures which will be taken to prevent and minimise off-site emissions of dust. Key measures in the plan include:

- IBA will be brought to site in covered vehicles to minimise emissions.
- The IBA will typically be stockpiled once a day following receipt of all waste to minimise movement.
- The site, including IBA stockpiles, will be routinely wetted using a spray cannon system sprays to ensure the site surface is dampened down.
- IBA and IBAA is stored in dedicated storage areas that will benefit from a dust suppression water spray system.
- The layout of the site minimises the distance travelled from the stockpile to the processing building.
- Speed limits on site will be restricted to 10mph to minimise the potential for dust rise from the site surface.
- Movement of IBA around the site will be kept to a minimum to reduce the need for double handling.
- Drop heights will be minimised where practicable.
- The Operator has committed to a good housekeeping regime and will undertake regular visual inspections to ensure storage areas are kept clean and dampened down as necessary.
- Processing activities are carried out inside a building which benefits from a sprinkler system to maintain the moisture content. The process building is fully enclosed with all doors and shutters closed except for access and egress requirements.

Based upon the information in the Application, we are satisfied that appropriate measures will be in place to prevent and /or minimise fugitive of dust. We have reviewed the Fugitive Emissions Risk Assessment and Management Plan. We consider that the plan is in accordance with Environment Agency guidance document *Quick guide 384_12 – Storing and treating incinerator bottom ash* and takes into account the BAT Reference document for waste incineration (currently in draft form) for the processing and storage of IBA at this Installation. The plan has been incorporated into the permit as an operating technique in Table S1.2.

Odour

IBA and IBAA are not considered to be malodorous or offensive. The Applicant has waste pre-acceptance and acceptance procedures in place to ensure that only IBA is accepted for treatment at the facility. Based upon the information in the Application, we are satisfied that appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour and that no additional measures are necessary at this time.

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"> • South West Water • Health and Safety Executive • East Devon Council The comments and our responses are summarised in the consultation section .
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', guidance on waste recovery plans and permits. 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 has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

Aspect considered	Decision
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a protected habitat, deciduous woodland.</p> <p>We have assessed the application and its potential to affect all known protected habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect the site of protected habitat identified. The site will operate in accordance with the dust management plan to prevent any dust emissions leaving the site boundary.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment [or similar methodology supplied by the operator and reviewed by ourselves], all emissions may be categorised as environmentally insignificant</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Permit conditions	
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> • they are suitable for the proposed activities • the proposed infrastructure is appropriate • the environmental risk assessment is acceptable.
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>Prior to the construction of the perimeter walls, IBA cannot be stored outside and must be stored within the processing building.</p>
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme to ensure that:</p>

Aspect considered	Decision
	<ul style="list-style-type: none"> • the final drainage as constructed is confirmed to the Environment Agency • the dust monitoring and suppression is working as expected • the minimisation and reuse of water on site has been investigated.
Emission limits	We have decided that emission limits are not required in the permit.
Reporting	We have specified reporting in the permit.
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 taking advantage of the grace period to obtain technical competence. Stephanus Roos is registered to complete the MROC1 WAMITAB VQ.</p> <p>We are satisfied that the operator meets our technical competence requirements.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not</p>

Aspect considered	Decision
	<p>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

Responses from organisations listed in the consultation section

Response received from
East Devon District Council
Brief summary of issues raised
No issues raised. The consultee is satisfied the permit will cover any noise and dust concerns.
Summary of actions taken or show how this has been covered
The permit incorporates the Dust and Emission Management Plan in the operating techniques. Noise has not been assessed in detail as part of the permit determination as the site does not meet the requirements for a noise impact assessment to be submitted. The permit includes our standard noise condition which allows for a noise management plan to be requested if deemed necessary.