

Permitting decisions

Variation and Consolidation

We have decided to grant the variation for Cranford Closed Landfill, Cranford Landfill and Cranford Valley Recovery Site operated by SUEZ Recycling and Recovery UK Ltd.

The variation numbers are:

- Permit A: EPR/PP3734SE/V008
- Permit B: EPR/BB3706GH/V003

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

Cranford Closed Landfill, Cranford Landfill and Cranford Valley Recovery Site is located at Cranford St. John approximately 6km east of the town of Kettering. The centre of the site is located at National Grid Reference (NGR) SP 935 766. From now on the site will be regulated under a single permit which consolidates the preceding two permits of which Permit A will be the lead permit and Permit B will cease:

- Permit A: EPR/PP3734SE – Cranford Landfill Site
- Permit B: EPR/BB3706GH – Cranford Closed Landfill Site

Permit A, EPR/PP3734SE, relates to a Landfill Directive compliant, non-hazardous landfill site, with a total capacity of 2,211,000 tonnes, which ceased accepting waste for disposal in January 2017. Final capping is complete and restoration works are ongoing. This landfill is not yet definitively closed. Permit B, EPR/BB3706GH, relates to a closed landfill site, which was operated under the principle of dilute and attenuate, and ceased accepting waste in the late 1990s. The site accepted a range of municipal, industrial and commercial wastes. As Permit B was not operational on the implementation date for the Landfill Directive that area of the site it is not subject to that Directives requirements, including the closure arrangements. The latter site immediately abuts the former, to the south.

This variation and consolidation adds a Waste Recovery activity, known as Cranford Valley, which will straddle both former permit boundaries in order to achieve the approved restoration landform. This activity allows the infilling of a valley feature between the two landfills, and infilling of the final cell (Cell 8) of the Cranford Landfill Site. The variation also amends the current groundwater and surface water monitoring requirements relating to the Cranford Landfill Site, as informed by the Hydrogeological Risk Assessment (HRA) review.

The applicant has submitted adequate information to support their assessment of the risks posed to the environment by this waste recovery activity. The applicant has an obligation to do the works. This is a requirement under Planning Permission 16/00030/WACVOC. We agree that this scheme, based on the information that has been provided, is a recovery activity.

Detailed Waste Acceptance Criteria (WAC) based on the Landfill directive inert WAC are proposed for cell 8 and Cranford valley, with a clear waste acceptance procedure to limit the acceptance of rogue loads. The hydrogeological risk assessment submitted has demonstrated that the natural and reworked quarry material will provide suitable attenuation for the substances whose WAC are greater than the water quality standards. This has shown that suitable protection is present for the risk posed to the Northampton Sand Formation Secondary A Aquifer and the Allege Brook surface water feature.

A leachate management plan has been submitted that applies action levels for the leachate monitoring wells in the closed landfill (LC1 and LC2), to allow compliance assessment of the potential for leachate squeeze from the waste recovery activity. Levels are also to be set for boreholes G002-G012 that will apply over the period of placement of waste. A pre-operational condition is included in the permit to require the confirmation of the well specific action levels prior to the placement of waste in Cranford valley.

A stability risk assessment has been submitted that includes assessment of the risk posed by the waste recovery activity on the engineered sidewall liners of the non-hazardous landfill. A gas risk assessment has been submitted to assess the risk posed by the waste recovery activity. The monitoring installations that require extending through the period of waste placement will require a CQA plan to be submitted under condition 2.6.5 of the permit.

Groundwater compliance limits for the substances cadmium, xylene, chloride, manganese, phenol, ammoniacal nitrogen, and mecoprop are set for the down hydraulic gradient boreholes, and also for boreholes CR/102, CR/103 and CR/10 associated with the closed WML landfill for the period of the waste recovery activity. The groundwater monitored by the closed landfill boreholes could be affected by leachate squeeze.

While it has been agreed that no in-waste gas monitoring is required for cell 8, this may not be sufficient for the purposes of permit surrender if the waste acceptance records cannot demonstrate that the waste accepted was genuinely inert.

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 facility	
The regulated facility	<p>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', guidance on waste recovery plans and permits.</p> <p>The extent of the facilities are defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
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.
Deposit for recovery	We have agreed that the activity is deposit of waste for recovery.
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>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>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>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, all emissions may be categorised as environmentally insignificant.</p>

Aspect considered	Decision
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 S1.2a, S1.2b and S1.2c in the environmental permit.</p>
Permit conditions	
Updating permit conditions during consolidation	<p>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).</p>
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we need to impose conditions other than those in our permit template.</p> <p>Condition 3.1.5 which relates to the hydrogeological risk assessment (HRA) has been amended to reflect that we do not require a full HRA for the pre-landfill directive landfill.</p>
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; and the environmental risk assessment is acceptable. <p>We made these decisions with respect to waste types in accordance with our guidance 'Waste acceptance at landfills'.</p>
Emission limits	<p>ELVs or equivalent parameters have been amended in the permit following a review of the Hydrogeological Risk Assessment.</p>
Monitoring	<p>We have decided that monitoring should be amended based the review of the Hydrogeological Risk Assessment.</p>
Reporting	<p>We have amended reporting in the permit based the review of the Hydrogeological Risk Assessment.</p>
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>
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>

Aspect considered	Decision
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Financial provision	The financial provision arrangements satisfy the financial provisions criteria.
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>