

Permitting decisions

Variation

We have decided to grant the variation for Cottenham Oil Treatment Plant operated by Malary Limited. The variation number is [EPR/BT2777IK/V006](#).

We have also carried out an Environment Agency initiated variation to the permit.

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
- explains why we have also made an Environment Agency initiated variation
- 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 and the variation notice. The introductory note summarises what the variation covers.

Key issues of the decision

This variation:

- updates the activities table to conform to all requirements of the IED and EPR;
- increases the annual and daily throughput for certain activities; and
- adds additional waste codes to certain activities.

The rest of the regulated activities remain the same and are operated as follows.

The permit for Cottenham Oil Treatment Plant authorises the following installation and waste operations:

- Section 5.3 Part A(1) (a) (ii) – physical treatment of hazardous oils, effluent, oil filters, rags and wipes, and plastic.
- Section 5.6 Part A(1) (a) – Storage of hazardous waste.
- Directly associated activities for steam supply and surface water discharge.
- Non-hazardous waste storage and treatment.

The installation accepts waste oil from the motor industry for bulking, storage and treatment; as well as oil filters, aqueous wastes from a variety of sources for storage and treatment, waste rags and wipes for cleaning, and waste plastics for shredding. In addition, various other wastes are stored pending transfer off site.

Odour Management Plan

The operator submitted a new odour management plan in line with our guidance 'H4: Odour Management'. The plan includes a details of all possible sources of odour on site and the measures in place to control odorous emissions from these sources. Liquid waste materials are quickly transferred via sealed pipework to bulk vessels so any risk of odour nuisance is minimised. All non-liquid wastes are stored within a building which remain closed at all times unless access is required.

The plan includes a thorough monitoring, reporting and investigation process for all odour nuisance reports, including a commitment to review the plan at least twice per year to validate its effectiveness.

The odour management plan satisfies the requirements of the guidance and also demonstrates where best available techniques are being used, we consider this to be satisfactory for the issue of this variation.

Noise Management Plan

The operator undertook a full BS4142 noise impact assessment and used the findings to produce a noise management plan in line with our guidance 'H3: Noise Assessment and Control' to demonstrate how noise nuisance is minimised. We assessed the impact assessment and found that there would not be a significant change to the existing situation with regards to noise impacts at local receptors. There is a commitment to keep the roller shutter doors shut as much as possible to reduce noise impacts from the processing areas.

The plan includes a thorough monitoring, reporting and investigation process for all noise nuisance reports, including a commitment to review the plan annually to validate its effectiveness.

The noise management plan satisfies the requirements of the guidance and also demonstrates where best available techniques are being used, we consider this to be satisfactory for the issue of this variation.

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.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Public Health England • Health and Safety Executive • Environmental Health (South Cambs District Council) • Director of Public Health • Sewerage Undertaker (Anglian Water) • Cambridgeshire Fire and Rescue Service <p>The comments and our responses are summarised in the consultation section.</p>
The facility	
The regulated facility	<p>We considered the extent and nature of the facility/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' and Appendix 1 of RGN 2 'Interpretation of Schedule 1'.</p> <p>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.</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 S1.2 in the environmental permit.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Fire prevention plan	<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>
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>
Changes to the permit conditions due to an Environment Agency initiated variation	<p>We have varied the permit as stated in the variation notice.</p> <p>The notice contains a list of conditions that have been added and amended based on a review of the conditions considered appropriate for this type of permit.</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 'Sector Guidance Note 5.06: Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste' and 'WM3: Waste Classification Guidance'.</p>
Emission limits	<p>No emission limits have been added, amended or deleted as a result of this variation.</p>

Aspect considered	Decision
Operator competence	
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.
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
Environmental Health (South Cambridgeshire District Council)
Brief summary of issues raised
Dates of complaints provided regarding noise and odour during late 2017 and throughout 2018.
Summary of actions taken or show how this has been covered
See key issues section for details of how odour and noise have been considered.

Response received from
Public Health England
Brief summary of issues raised
No significant concerns regarding the risk to health of the local population, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance.
Summary of actions taken or show how this has been covered
An assessment of the Best Available Techniques (BAT) used at the facility has been undertaken and we consider the facility is in line with 'Sector Guidance Note 5.06: Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste'.