

Permitting decisions

Bespoke permit

We have decided to grant the permit for Day Group Recycling Facility operated by Day Group Limited.

The permit number is EPR/EP3735QM.

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 summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

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

Future Operations

The Application briefly mentions that the Salfords IBA Recycling facility is part of a wider development at the rail yard that also includes the establishment of a Hydraulically Bound Mixtures (HBM) manufacturing plant that will combine Incinerator Bottom Ash Aggregates (IBAA) with recycled construction & demolition (C&D) waste together with hydrated lime and/or cement to produce a stabilised recycled aggregate. The recycled C&D material will either be imported by rail or road from other company depots and the HBM will be exported to the local market by road. It is also proposed to establish a rail-based Refuse Derived Fuel (RDF) transfer facility. RDF will be stored in containers and transferred from road to rail for onward transportation and treatment at a separate facility. These operations are **not** being built currently and do **not** form part of this Permit Application. If/when the operations do get built, the Permit may need varying to include the HBM within the installation and add the RDF facility as a waste transfer station.

Dust Management

The treatment and storage of ashes is a potentially dusty operation and we require such activities to have a Dust Management Plan (DMP), especially as there are commercial properties within 20m of the site and residential properties within 115m of the plant. The Applicant has provided a DMP and we have reviewed it, and assessed the proposed measures against the relevant BAT conclusions:

BAT 23 requires that to prevent or reduce diffuse dust emissions to air from the treatment of slags and bottom ashes, BAT is to include in the Environment Management System the following diffuse dust emissions management features:

- identification of the most relevant diffuse dust emission sources
- definition and implementation of appropriate actions and techniques to prevent or reduce diffuse emissions over a given time frame.

The DMP fulfils this requirement.

BAT 24 requires that in order to prevent or reduce diffuse dust emissions to air from the treatment of slags and bottom ashes, BAT is to use an appropriate combination of the techniques given below:

- (a) Enclose and cover equipment
- (b) Limit height of discharge
- (c) Protect stockpiles against prevailing winds
- (d) Use water sprays
- (e) Optimise moisture content
- (f) Operate under sub-atmospheric pressure (dry or low moisture ashes only)

The DMP covers this techniques as follows:

- (a) The processing of Incinerator Bottom Ash (IBA) will be within enclosed buildings
- (b) The Applicant has stated that moving discharge heights has not been widely adopted due to impracticalities with it. However they have used a rubber sock enclosing a dust suppressing "Halo" at the end of the conveyor, which has proved effective at other sites.
- (c) IBA will be stored and matured in a 3-sided building; the IBAA stocking area is enclosed by retaining walls with a cantilevered canopy to protect it from the wind as it has to be oriented into the wind due to the site layout. The additional product storage bays are out of the prevailing winds and so a cantilevered roof is not considered necessary.
- (d) Water spray dust suppression system used on all potentially dusty areas and materials

- (e) The IBA must be damp for the weathering process to be maintained. The Operator will regularly test the physical parameters of the received IBA, including water content. This ensures that the imported material is suitable for treatment and whether additional water is required to facilitate the maturation process. The moisture content of the IBAA is also monitored and additional water added if necessary to prevent dust release.
- (f) The application states that the primary screening station has a fabric filtration system, however they do not operate under negative pressure as the ash is not dry.

We consider that the combination of techniques proposed meet the requirement of BAT 24.

BAT 26 requires the use of a bag filter on “channelled dust emissions to air from the enclosed treatment of slags and bottom ashes with extraction of air” and sets a dust BAT-AEL. There are 2 potential emission points to air - building 2 screening station is enclosed and has dust extraction and also the primary hopper has extraction. However, as this is not a dry IBA processing plant, there is no requirement for the enclosed processing areas to be under negative pressure and so these emissions points are considered to be vents mainly for moisture and so BAT 26 does not apply to them..

Further to the above BAT conclusion measures, the Operator will also employ:

- Transport via covered conveyors;
- Site surface fully concreted;
- Site roads will be swept as necessary and the automatic watering of the site to ensure that dust will not be an issue within the site;
- Speed limit on internal haul routes; and
- A vehicle wash-down facility and a wheel wash is in place for vehicles leaving the site.

The Applicant is not proposing routine dust monitoring, but if required they will carry it out.

We consider that the measures described in the DMP are BAT for the Installation

Noise management.

Noise Management Plan (NMP) and Best Available Techniques,

We reviewed the Application NMP and found that there were a few missing aspects which would make the NMP more robust. This information was requested via a schedule 5 notice (dated 29/01/2020) and the Applicant provided a revised NMP on 19/02/2020.

BAT conclusion section 2.4 also has the following NMP requirements:

- (a) a protocol for conducting noise monitoring;
- (b) a protocol for response to identified noise incidents, e.g. complaints;
- (c) a noise reduction programme designed to identify the source(s), to measure/estimate noise exposure, to characterise the contributions of the source(s) and to implement prevention and/or reduction measures.

The NMP contains a protocol for conducting noise monitoring, noise complaints procedures, and has identified and characterised noise sources and identified the measures taken to minimise noise emissions.

We have reviewed the NMP in accordance with our Horizontal Guidance Note IPPC H3, and with regards to the BAT conclusions requirements. We consider that the NMP is satisfactory.

BAT 37 states that in order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to use one or a combination of the techniques given below:

- a. Appropriate location of equipment and buildings
- b. Operational measures
- c. Low-noise equipment
- d. Noise attenuation
- e. Noise control equipment/infrastructure

A summary of the measures to minimise material handling, processing and vehicle noise include:

- a. Plant orientation designed such that as far as reasonably practicable vehicle movements and loading in the IBAA storage area is as far away as possible from the dwellings on Southern Avenue;
- b. The recycling facility will be constrained to the hours of 07:00 to 17:30 Monday to Friday and 08:00 to 13:00 on Saturdays unless an abnormal incident occurs. In addition, train movements will be minimised. Staff on duty during train movements at night (23:00 to 07:00) will have been made aware during their regular training of the need to minimise noise during this operation. Loading shovels and excavators operated by Vocational Qualification trained staff with maintenance functions performed by supplier engineers. Processing plant will be subject to regular maintenance inspections. Training for operators with reference to revving of engines and generation of unnecessary noise, i.e. use of horns
- c. Utilisation of the latest wheeled loading shovels and excavators, with white noise reversing indicators. Transfer chutes lined with rubber to reduce noise.
- d. Installation of a nominally 6m high acoustic barrier to the Northern boundary Enclosure of IBA.
- e. Acoustic cladding for the 4 main processing buildings.

We consider that the measures proposed meet the requirement of BAT 37.

Noise Impact assessment,

The site is located on the eastern side of a mixed industrial/commercial area with a rail line running to its west. The closest residential area is some 130 m to the north. There are other residential areas further to the east and west. The site will contain a rail depot for the unloading of bottom ash. The unloaded material will be processed before removal by train or HGV. The site will have one processing building with forced ventilation and numerous external items. The Applicant has provided acoustic data for these. This was obtained from measurements on similar sources at other sites. The site operating times will be on weekdays (07:00 to 17:30) and Saturday mornings (08:00 to 13:00).

The loudest activity will be the rail unloading and loading process. However, this will not be continuous and is expected to last for just two to three hours, once or twice a week. The Applicant has considered noise impacts from site activities with and without the unloading and loading.

In order to mitigate the noise impact at the closest northern receptors (Southern Avenue) the Applicant will construct a 6 m high screening barrier which will extend up to the rail line from the site. Otherwise screening is provided by an additional 4 m barrier contiguous with the 6 m barrier and extending further into the site, together with the industrial/commercial buildings to the east and the southern, 5 m tall storage bays.

The Applicant provided a BS 4142 assessment for the closest receptors (Southern Avenue and Westmead Avenue). A BS4142: 2014 impact assessment is based on measured background noise levels, predicted specific levels at receptors, estimated acoustic feature corrections (penalties) and context. The BS4142: 2014 methodology assesses the impact by subtracting the measured background noise level from the predicted rating level (specific plus feature correction). The likely significance of any impacts can be based on the following criteria:

- A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on context
- A difference of around +5 dB is likely to be an indication of an adverse impact, depending on context
- Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

The Applicant assumed that no acoustic feature corrections were applicable and predicted (spreadsheet a worst case BS 4142 numerical estimate of impact of around +3 dB for receptor heights of 1.5 m. These would occur when rail unloading and other activities were taking place. Otherwise rating levels (LA,1hr) would be below the LA90 background. The Applicant concluded that the worst case impact would be around adverse.

In terms of context, the Applicant noted that for the closest receptors, the predicted specific noise levels were below the existing ambient levels.

The Environment Agency carried out our own check modelling to review these predictions. We checked sensitivity of our noise level predictions to the height of the northern barrier, specified at 6 m

We predicted specific noise levels at the receptors considered by the Applicant and also three others approximately 500 m away to the east. We used the background values resulting from our examination of the submitted data. We applied a +3 dBA acoustic feature correction for the site noise at the closest receptors for the site possibly possessing a readily distinctive character in what is a predominantly suburban area.

We found that our predicted specific levels (LAeq,1hr) are slightly higher than those of the Applicant. When combined with somewhat lower background values and a 3 dB acoustic feature correction our predictions for numerical impact are between adverse and significant adverse for the times when rail unloading is underway, otherwise they are less than adverse.

In summary we agree with the Applicant's conclusion that the facility is likely to cause an adverse impact but not a significant adverse impact, and as discussed, in the above Noise management section, we consider that the Applicant has used BAT. Also, the loudest activity will be the rail unloading and loading process which is expected to last for just two to three hours, once or twice a week.

To ensure that the barrier is effective we have set improvement condition IC01 to carry out a noise survey when the site is operational with and without rail unloading/ loading underway. IC01 also requires a review of the NMP to consider avoiding rail unloading /loading in early mornings, early evening or Saturday mornings as a potential additional measure.

Emissions to Sewer,

There will be potentially contaminated water from drainage area 4, where IBAA is stored externally, which will occasionally discharge to sewer. The discharge to foul sewer of this water will be rainfall dependent and includes sub-surface, 3 stage settlement and wedge pits. This is considered an appropriate combination of techniques for this potential discharge. Surface water will normally be contained in attenuation tanks for use in dust suppression and only pumped to foul sewer if there is no capacity left in the tanks due to rainfall.

The Applicant completed a risk assessment (using the EA's H1 Database (v2.78)) of the impacts of the discharge to sewer as part of their response to a schedule 5 request for information notice, dated 29/01/2020, to establish if the proposed discharge could be screened out by passing the key tests in the H1 model.

As the IBAA plant is not yet operational, relevant data for effluent flow rate and release concentrations were taken from actual data from the Day Group IBAA plant at Royal Edward Dock in Avonmouth. The

proposed plant at Salfords would be similar operationally to that at Avonmouth and it is therefore considered appropriate to use this data. In total 14 pollutants were assessed: chloride, fluoride, sulphate, arsenic, boron, cadmium, cobalt, chromium, copper, mercury, nickel, lead, vanadium, and zinc.

In their consultation response to the Applicant, Thames Water stated that Earlswood STW “discharges to an unnamed tributary on the River Mole”. No grid reference for the discharge point was been provided to the Applicant; however, as the receiving water is stated to be an ‘unnamed tributary’, the Applicant considered that it refers to one of the minor ordinary watercourses to the west of South Earlswood. Therefore, the Applicant took the receiving water as being the nearest downstream main river, i.e. the River Mole (at Sidlow).

The first freshwater screening test 1 is “Does the concentration of the substance in the discharge exceed 10 percent of the EQS?” This test is devised to quickly screen out substances. If the concentration of the substance in the discharge is <10 percent EQS the substance cannot cause more than 10 percent deterioration in the watercourse, even if it receives no dilution. If a substance causes less than 10 percent deterioration in the watercourse, it is not liable to cause pollution. Only Arsenic passed this first screening test.

The second freshwater screening test 2 is “does the process contribution (PC) exceed 4 percent of the EQS?” If the PC exceeds 4 percent of the EQS, it is potentially significant and should be carried forward to Test 3. If it does not, the substance is insignificant and is screened out i.e. it is not liable to cause pollution and requires no control. The rest of the pollutants screened out with this test.

The Environment Agency has identified that the Reigate (Earlswood) STW discharges to the Earlswood brook, so we assessed the potential impact on the brook, using the H1 database tool. We estimated the Q95 flow upstream of STW to be 0.00398 m³/s, and downstream to be 0.120 m³/s. The proposed discharge will be very small in relation to the existing discharge by the STW. Also, the STW's existing discharge is greatly in excess of the natural flow in the brook.

Using the smaller upstream brook flowrate in the H1 database all pollutants screen out by test 1 or 2 other than Chloride, which has an AA PC of just 4.3%; and Mercury, which has an MAC PC of 9.3%. Using background data as 50% of the EQS's for these 2 pollutants, they screen out using tests 3 and 4:

Test 3: Does the difference between upstream quality and the Predicted Environmental Concentration (PEC) exceed the 10 percent of the EQS and

Test 4: Does the PEC exceed the EQS in the receiving water downstream of the discharge.

Using the larger downstream brook flowrate in the H1 database, all pollutants screen out by test 1 or 2.

In conclusion, the impacts of the discharge to sewer will be insignificant i.e. not liable to cause pollution and so require no control (i.e. emission limits).

BAT conclusions

BAT Conclusions for waste incineration were published by the European Commission in December 2019. These conclusions cover the treatment of IBA and so is relevant to this Application. There are 37 conclusions included in the BATc Document. This section provides a record of decisions made in relation to each relevant BAT Conclusion:

BAT conclusion reference	Summary of BAT Conclusion requirement	Delivered by.
BAT 1	Implement environmental management system (EMS).	Details provided in supporting information document "Environmental Management System & Operating Techniques" dated 13 th March 2020. EMS required by condition 1.1
BAT 2	N/A	
BAT 3	Monitor of process parameters in waste water from bottom ash treatment. Continuous measurement of flow,pH and conductivity.	N/A as no waste water emitted from treatment areas.
BAT 4	Monitor Channelled Emissions of dust to air from bottom ash treatment annually (associated with BAT 26)	N/A (see BAT 26 below)
BAT 5	N/A	
BAT 6	Monitor emissions to water from bottom ash treatment Including TOC, ammonium-nitrogen, sulphate, PCDD/F monthly.	N/A as no waste water emitted from treatment areas.
BAT 7 - 9	N/A	
BAT 10	Include bottom ash treatment output quality management features in the EMS (BAT 1)	IBA quality monitored during maturation and the IBAA will be subject to further testing in accordance to indicate its compliance with EN13242. This testing will be for the physical properties of the final aggregate following processing. This will form part of the EMS as required by condition 1.1
BAT 11 – 22	N/A	
BAT 23	Management system to prevent or reduce	The Application included a DMP that forms

	dust emissions from treatment of slags and ashes	part of the Permit. See key issues section of this document for details of the DMP. Permit conditions 2.3.1 and 2.3.2 and table S1.2 incorporate the DMP.
BAT 24	Techniques to prevent or reduce diffuse emissions to air from treatment of slags and ashes	Measures described in the DMP.
BAT 25	N/A	
BAT 26	In order to reduce channelled dust emissions to air from the enclosed treatment of slags and bottom ashes with extraction of air (see BAT 24(f)), BAT is to treat the extracted air with a bag filter. BAT-AEL for dust 2-5mg/m3	N/A. This is not a dry IBA processing plant, so there is no requirement for the processing areas to be under negative pressure and so emissions points are considered to be vents rather than “channelled dust emissions”.
BAT 27 -31	N/A	
BAT 32	In order to prevent the contamination of uncontaminated water, to reduce emissions to water, and to increase resource efficiency, BAT is to segregate waste water streams and to treat them separately, depending on their characteristics.	Response to question 6 of Schedule 5 Notice dated 29/01/2020 confirms segregation of contaminated waters, from clean surface waters. Permit conditions 2.3.1 and table S1.2
BAT 33	N/A	
BAT 34	In order to reduce emissions to water from from the storage and treatment of slags and bottom ashes, BAT is to use an appropriate combination of techniques, and to use secondary techniques as close as possible to the source in order to avoid dilution.	No waste water emitted from treatment areas. There will be contaminated water from drainage area 4, where IBAA is stored externally. The discharge to foul sewer of this water will be rainfall dependent and includes sub-surface 3 stage settlement and wedge pits. This is considered appropriate combination of techniques for this potential discharge. Permit conditions 2.3.1 and table S1.2
BAT 35	N/A	
BAT 36	In order to increase resource efficiency for the treatment of slags and bottom ashes, BAT is to use an appropriate combination of the techniques given below based on a risk assessment depending on the hazardous properties of the slags and bottom ashes. (a) Screening and sieving	Ageing, screening, metal separation, crushing and picking are all used which is appropriate. Permit conditions 2.3.1, table S1.2 incorporate the measures that are described in the Application

	<ul style="list-style-type: none"> (g) Crushing (h) Aeraulic separation (i) Recovery of metals (j) Ageing (k) Washing 	
BAT 37	<p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to use one or a combination of the techniques given below:</p> <ul style="list-style-type: none"> (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise attenuation (e) Noise control equipment/infrastructure 	<p>Measures are described in the Application.</p> <p>See key issues section of this document, which discusses noise management.</p> <p>Permit conditions 2.3.1, table S1.2 and 3.5.1</p>

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	<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"> Director of Public Health & Public Health England Health and Safety Executive Foods Standards Agency Local Authority – Environmental Health Local Authority Planning Sewage Undertaker <p>The comments and our responses are summarised in the consultation section.</p>
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	<p>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.</p> <p>The facility is permitted to treat 160,000 tonnes per annum of IBA and is a 5.4 Part A (1) b) (iii) "Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving the treatment of slags and ashes " activity listed in Schedule 1 of the EP Regulations.</p>

Aspect considered	Decision
	The extent of the facility 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	<p>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.</p> <p>The site is very low risk with respect to controlled Waters (non-aquifer, no drinking water safeguard zone, and is direct on Weald Clay). The Applicant is not required to collect baseline reference data as part of the application. However, without this it may be difficult for them to prove that they have not caused any pre-existing contamination when it comes to surrender.</p>
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>Mole Gap to Reigate Escarpment, SAC is 6.5km away.</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 impact assessment	<p>In determining the application we have considered the Environmental Statement.</p> <p>We have also considered the planning permission (granted in August 2013) and the committee report approving it.</p>
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, and is in line with the generic risk assessment for IBA facilities.</p> <p>The noise impact assessment is discussed in detail in the key issues section of this document.</p> <p>The applicant has confirmed that neither IBA nor IBAA has any appreciable odour, and that odorous waste will not be accepted onto site.</p>

Aspect considered	Decision
	<p>The treatment and storage of ashes is a potentially dusty operation and we require such activities to have a DMP, especially as there are commercial properties within 20m of the site and residential properties within 115m of the plant. The applicant has concluded that the residual risk of dust after the implementation of the measures proposed and the DMP will be low. See key issues section for more details.</p> <p>The site will have a diesel generator which automatically starts in the event of a power failure. This generator will be very small, ~0.18MWth input, and so will not be subject to the Medium Combustion Plant Directive. The amount of testing will be less than 50 hours per year and in accordance with guidance provided by the manufacturer. So overall the emissions from this generator are likely to be insignificant</p> <p>Emissions to sewer impact assessment is discussed in detail in the key issues section of this document.</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>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes (Sector Guidance Note IPPC S5.06 “Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste, and the BAT Conclusions document) 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>Compliance with BAT Conclusions for waste incineration are covered in detail in the Key issues section of this document.</p> <p>Waste Pre-acceptance and acceptance procedures:</p> <p>The Energy from Waste (EfW) facility producing the IBA have a responsibility to confirm the Non Hazardous status of the IBA received by Day Aggregates, the status being confirmed by rigorous testing as part of the EfW’s procedures.</p> <p>The site will also have a site specific of IBA Quarantine & Production Record and an IBA Acceptance Quarantine and Production Recording Procedure as detailed in appendix I of the supporting documentation. The incoming IBA will be subject to regular testing by the Operator, in line with the ESA IBA Sampling & Testing Protocol, (Jan 2018 or any subsequent update or replacement) to ensure it meets chemical and quality requirements. IBA received by the Operator will not be processed until at least three weeks from receipt has elapsed and emailed confirmation that IBA received during the sampling period is Non Hazardous. The date that the Non Hazardous status is confirmed will be recorded on the IBA Quarantine and Production Record</p>

Aspect considered	Decision
	<p>Form.</p> <p>Dust Management Plan:</p> <p>We have reviewed the Dust Management Plan against the BAT conclusions and our Dust Emissions Management Plan assessment form and we consider it to be satisfactory.</p>
Operating techniques for emissions that screen out as insignificant	<p>Emissions to sewer have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.</p> <p>We have not set any emission limits as a consequence</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> <p>See key issues section of this document for further information.</p>
Permit conditions	
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</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 • the environmental risk assessment is acceptable. <p>We have restricted the following wastes for the following reasons</p> <p>19 12 12 – Wastes from waste management facilities...other waste from mechanical treatment of wastes...</p> <p>We have restricted this to specifically being for incinerator bottom ash and slags to cover IBA that may have been pre-treated before arrival on site (e.g. subject to some form of treatment at the incinerator).</p> <p>We made these decisions with respect to waste types in accordance with the BAT conclusion document for waste incineration.</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 improvement programme condition IC01 to ensure that the noise mitigation is effective. See key issues section for more details.</p>
Emission limits	<p>We have decided that emission limits are not required in the permit.</p>

Aspect considered	Decision
Monitoring	Monitoring has not been require by the permit as the impacts point source emissions are predicted to be insignificant. There is also no requirement for monitoring for a dry IBA processing plant in the BAT conclusion document
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, and BAT 1.</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>
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 legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p>

Aspect considered	Decision
	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.

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, letter dated 8/11/19
Brief summary of issues raised
<ol style="list-style-type: none">1. We request that the Environment Agency takes account of the following concern when considering appropriate permit conditions: If abnormal conditions occur and quantitative monitoring for dust is required, we recommend that this monitoring should include both PM2.5 and PM10, rather than simply TSP.2. Given the proximity to sensitive receptors, we recommend that the Environment Agency should satisfy itself that there is no requirement for a bioaerosol risk assessment.3. We recommend that the Environment Agency satisfies itself that the Accident Management Plan for the site is appropriate.
Summary of actions taken or show how this has been covered
<ol style="list-style-type: none">1. The DMP in place should ensure that monitoring for dust is not required. However if it is, total solid particulate (TSP) monitoring will be a conservative measure of PM2.5. and PM10 emissions, and so specific monitoring is not considered necessary.2. The Applicant has confirmed that the bottom ash received at the site has been subject to incineration, it does not include organic material that would support any micro-organisms post incineration.3. There is no separate accident management plan, but the EMS incorporates emergency scenarios such as fire or spillage which we consider to be appropriate.