

Permitting Decisions- Variation

We have decided to grant the variation for Sheffield Energy Recovery Facility operated by Veolia ES Sheffield Limited.

Variation Number: EPR/BM4082IY/V008

Issued: 01/04/2021

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 considerations section to show how the main 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.

Decision considerations

The variation permits the following:

- Addition of a Section 5.1A(1)(a) activity so that healthcare orange bagged waste, under waste codes 18 01 03* and 18 02 02*, can be incinerated on the incineration line;
- Addition of non-hazardous waste EWC codes (18 01 09, 18 02 03 and 18 02 08, 18 01 07 & 20 01 99) to the list of waste that can be incinerated.
- Addition of a clinical waste transfer activity to accept a range of clinical waste at the site. Waste accepted will either be incinerated by the on-site incinerator or will be transferred off-site for treatment e.g. High Temperature Incineration (HTI).
- Addition of a Section 5.3 activity to allow the repackaging of more than 10 tonnes per day of hazardous waste. This activity is required as the maximum quantity of hazardous that could undergo re-packaging, including waste destined for High Temperature Incineration off site or orange bagged waste repacked in metal containers for incineration (or

transfer off site during incineration plant shut down) may exceed 10 tonnes per day.

The Operator has described in the application the key operating techniques assessments that will be employed on site. They have stated that all the measures and controls from the relevant legislation and guidance will be implemented for the proposed operation. The guidance includes Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020); Sector Guidance Note EPR5.01 applicable to the incineration of waste and waste incineration BAT conclusions.

We have reviewed the proposed operating techniques and risk assessments provided in the application and we are satisfied that they are appropriate and the proposed operation will not cause significant pollution or harm to human health. The following is a summary of the key issues considered:

Site management and technical competence

The Operator has provided evidence of an appropriate technical competent person which is required for the clinical waste transfer activity and treatment of clinical waste. The Operator has also stated that the site's management systems will be revised to reflect the requirements of the recently issued guidance Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020).

Point source emissions

There will be no point source emissions to air, water (other than sewer), land or groundwater from transfer station activity.

Effluent arising from the transfer station will be limited to effluent generated by the bin washing facilities and cleaning activities. The effluent will drain towards a dedicated underground 'clinical waste' interceptor tank where it will be sampled for key process parameters (including microbial tests) before being pumped out to the site dirty water drainage network or taken off-site in a tanker for disposal. Once in the dirty water network the effluent will be either be recycled for bottom ash quenching or discharged to sewer under trade effluent consent. We have included a pre-operational condition for future development, for the Operator to provide an assessment identifying the main chemical/biological constituents of the process effluent and assess the fate of the substances emitted and impact on receiving waters following the Environment Agency's risk assessment guidance <https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>. The assessment shall be submitted to the Environment Agency for approval.

Emissions to air from the incineration of the proposed waste types will be abated by the existing multi stage flue gas cleaning system and emitted to air from the

existing 76m stack. Emissions will be continuously monitored in accordance with the existing permit conditions.

The application includes an analysis of emissions data from Sheffield and Leeds ERFs which have been incinerating orange bagged waste under a Local enforcement condition in accordance with regulatory position statement RPS222. The analysis showed that there was no significant adverse effect on emissions to air from the incineration of orange bagged waste.

Fugitive emissions and odour

Based upon the information in the application we are satisfied that the appropriate measures will be in place to minimise fugitive emissions and to prevent or where that is not practicable to minimise odour and to prevent pollution from odour. The following is a summary of the proposed operating techniques:

- All clinical waste activities will take place in areas with an impermeable surface and dedicated drainage.
- Storage and bulking operations will be undertaken within the transfer station building with the exception of some offensive waste bins which may be located outside but adjacent to the building in the event of a shutdown of the incineration line.
- Waste will be transported and stored in sealed containers minimising the risk of pollution from dust and litter.
- All waste entering and exiting the site will be contained and/or bagged.
- Site surfaces will be periodically disinfected and buildings cleaned.
- Anatomical wastes will be stored in a refrigerated unit.
- Bin washing operations will be fully enclosed.
- During shutdown periods, the transfer station will carry on operating and waste streams normally treated on the incineration line will be transferred off site for treatment at an alternatively permitted facility.

Waste types

A range of waste types have been included in the permit that can be accepted at the new clinical waste transfer station.

Under this variation Orange bagged waste under codes 18 01 03* and 18 02 02* are permitted for incineration. These waste will be fed directly into the furnace feed hopper via dedicated metal loading containers, a hoist will be used to transport the container so it can be emptied directly into the hopper and return the empty container to ground level.

Also permitted for incineration is offensive waste resulting from animal care under code 18 02 03. The incineration line already accepts offensive waste from human healthcare (18 01 04). Prior to incineration these wastes may be lightly compacted to enable its transfer to the bunker of the incineration line for

treatment. 'Light compaction' is considered an appropriate measures for offensive wastes, provided it is carried out in line with the guidance note Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020). As stated above the Operator has stated that they will operate in line with this guidance.

Also included for incineration as part of this variation are non-hazardous pharmaceutical and chemical wastes under codes 18 01 09 and 18 02 08. Waste under these additional codes will either be transferred directly into the bunker or directly in to the furnace hopper using the same method employed for the orange bagged waste detailed above. We have also included wastes codes 18 01 07 & 20 01 99 these waste codes are currently permitted under RPS C23.

Based upon the information in the application we are satisfied that the installation can accept the proposed waste types.

BAT and Legislation

IED

IED article 50(6) requires that infectious clinical waste is placed directly into the furnace, without first being mixed with other categories of waste and without direct handling.

The Operator had proposed that waste will be received in orange bags contained in 770 litre wheeled bins. The waste will be transferred into metal loading containers. A hoist system will then be used to lift the metal containers and tip the orange bags directly into the hopper.

We are satisfied that the Operator's proposal meets the requirements of IED article 50(6)

Article 50(2) requires a furnace temperature of 1,100 °C for hazardous waste with >1% of halogenated organic substances. The orange bagged waste is not characterised as hazardous due to organic chlorinated compounds and so 1,100 °C is not required by IED.

Confidential information

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

We consulted the local authority environmental and planning departments; Public Health England; local Director of Public Health; Health and Safety Executive; Food Standards Agency and Yorkshire Water.

We also publicised the application on the GOV.UK website.

No responses were received from the organisation listed above. However we did receive a response from a member of the public, see consultation responses section below for further details.

The regulated facility

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 RGN2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1'

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.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

As there will be no increase in emissions as result of this variation. We have not consulted Natural England

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

General operating techniques

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.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Updating permit conditions during consolidation

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.

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

We made these decisions with respect to waste types in accordance with guidance note Healthcare Waste: appropriate measures for permitted facilities

(published 13/07/2020); Sector Guidance Note EPR5.01 applicable to the incineration of waste and waste incineration BAT conclusions.

Reporting

We have amended reporting in the permit to include reporting annually of the tonnage of hazardous clinical waste incinerated at the facility.

Management system

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Technical competence

Technical competence is required for the transfer and treatment of clinical waste.

The operator is a member of the CIWM/WAMITAB scheme

We are satisfied that the operator is technically competent.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

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

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 variation.

Paragraph 1.3 of the guidance says:

“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.”

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.

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 Responses

Representations from individual members of the public

Brief summary of issues raised: Request for clarification about whether the site will be required to operate in line with the revised EPR5.07 guidance from start of operations.

Summary of actions taken: The Operator has stated that all the measures and controls from the relevant legislation and guidance will be implemented for the proposed operation. The guidance includes Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020). We will therefore expect this to be the case from commencement of operations.

Brief summary of issues raised: Concern raised that the quarantine area will not be large enough.

Summary of actions taken: The Operator has stated that all the measures and controls from the relevant legislation and guidance will be implemented for the proposed operation. The guidance includes Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020). We are satisfied that the quarantine area will be appropriate.

Brief summary of issues raised: Concern raised about storage arrangements, capacities and storage times of waste destined for HTI.

Summary of actions taken: The storage capacity is limited by the permit and the Operator has stated that the maximum storage time will be as per the guidance Healthcare Waste: appropriate measures for permitted facilities (published 13/07/2020).

Brief summary of issues raised: Concern over whether the Operator will compliant with Carriage of Dangerous Goods Regulations (ADR) when transferring waste destined for high temperature incineration.

Summary of actions taken: The Operator has confirmed that waste transferred off site will be in accordance with the requirements of the Carriage of Dangerous Goods Regulations.

Brief summary of issues raised: Concern about how the Operator will maintain traceability of the waste for processing when mixing bins of waste into one container.

Summary of actions taken: The Operator has described there process for maintaining traceability and we are satisfied it is appropriate.

Brief summary of issues raised: Concern raised about the risk of fugitive emissions from bags splitting or loose material transported in the metal containers prior to incineration, particularly as they will not be sealed/lidded.

Summary of actions taken: The operator has stated that their previous experience of this treatment process shows that bags are rarely compromised during the tipping process and the risk of fugitive emissions is very low. They have a procedure for inspection and dealing with split bags. We are satisfied that the measures described in the application will minimise the risk of fugitive emissions.

Brief summary of issues raised: For the discharge of bin washing water, has the Operator submitted a fully characterised emission profile of the discharge and assessed the impact of the substances emitted to water as per section 6.4 of the revised EPR5.07.

Summary of actions taken: Effluent will either be discharged to sewer under a consent to discharge or tankered off site. We are satisfied that emissions will not cause significant pollution. However we have included pre-operational condition in the permit to carry out the assessment as per our guidance.

Brief summary of issues raised: Concern raised about the odour control measures described in the application.

Summary of actions taken: We are satisfied that the proposed operating techniques are appropriate and odour will be minimised and is unlikely to cause significant pollution. However should odour become an issue the permit contains conditions to control it.

Brief summary of issues raised: Concern raised about whether there will be a requirement to monitor biological emissions within the bin wash area to ensure compliance.

Summary of actions taken: The operator has confirmed that monitoring of fugitive emissions to air will be carried out during the commissioning to demonstrate the proposed containment measures are effective in line with Environment Agency guidance – Healthcare waste: appropriate measures for permitting facilities guidance (published 13/07/2020).