

## Decision document variation

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We have decided to grant the variation for Gateway South Coventry operated by Buckingham Group Contracting Limited.

The variation number is EPR/HB3209GC/V002.

This variation covers changes in the waste acceptance criteria to be applied, for which appropriate groundwater risk assessment modelling has been carried out, and the addition of the hazardous waste codes 170503, 190304, 190306, 191211 and non-hazardous code 191212. The risk assessment modelling carried out for the original waste acceptance criteria was conservative to allow agreement in timescales required by the operator. The variation risk assessment modelling has incorporated more site specific information to allow the waste acceptance criteria to be revised. The variation has also incorporated groundwater compliance limits agreed under pre-operational condition 3, for the boreholes installed under pre-operational condition 2 and the addition of surface water monitoring locations at the inflow and outflow locations of the carrier drain approved under pre-operational condition 5. As part of this variation and consolidation permit the deposit of hazardous waste for the recovery aspect of this operation has been added as a listed activity as well as a liming treatment activity to manage moisture content within the bund during construction. These listed activities are installation activities.

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 to show how the main relevant factors have been taken into account. We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

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**

### **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.

### **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 not within our screening distances for these designations.

### **Operating techniques**

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

### **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.

### **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.]

## **Emission limits**

No emission limits have been added, amended or deleted as a result of this variation.

## **Monitoring**

Monitoring has not changed as a result of this variation.

## **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.

## **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.