

Permitting Decisions - Variation

We have decided to grant the variation for Kingsnorth Oil Treatment Plant operated by Slicker Recycling Limited.

The variation number is EPR/QP3138AA/V005.

This variation consists of the addition of waste treatment methods and a review and consolidation of the installation and waste permit held at Kingsnorth Oil Treatment to incorporate changes to activity references instigated by the Industrial Emissions Directive. To maximise the recovery of oils, additional treatment steps have been added to the permit, including, container and tanker washing, interceptor effluent grit screening and centrifuge processes, and container shredding. A number of additional European Waste Catalogue Codes have been added to the consolidated 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 considerations](#) section to show how the main 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 and the variation notice.

Key issues of the decision

The proposed changes to the activities have been assessed against Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous

waste (SGN5.06) to ensure that Best Available Techniques (BAT) are being utilised.

The proposals and site infrastructure are considered to meet BAT in all areas aside from where we have set requirements within an improvement programme (table S1.3 of the permit):

- The operator must implement a site wide tank, pipework and valve labelling system within 6 months of the issue of this variation.
- The operator must install tank level meters with audible and visual alarms (high level alarms) within 12 months of the issue of this variation.
- The operator must review the site drainage system, identify and implement improvements within 12 months of the issue of this variation.

In principal the proposals for the new interceptor effluent processing activity are in line with BAT. However, as construction and re-engineering of the area has yet to take place, we have included a pre-operational condition for this activity ((table S1.4 of the permit). Final construction and engineering specifications, an implementation plan, timescales for implementation and a demonstration that it will comply with our guidance [Chemical waste: appropriate measures for permitted facilities](#) must be submitted and a report which demonstrates these works have been completed.

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.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Public Health England
- Health and Safety Executive
- Environmental Health – Medway Council
- Director of Public Health – Medway Council

The comments and our responses are summarised in the [consultation responses](#) section.

The regulated facility

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 RGN2 ‘Defining the scope of the installation’, and Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’.

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.

The site

The operator has provided plans which we consider to be satisfactory.

These show the extent of the site of the facility.

The plan is included in 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.

We have not consulted Natural England.

Environmental risk

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

The operator's risk assessment is satisfactory.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be screened out as environmentally insignificant.

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.

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 permits.

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 Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste and Technical Guidance WM3: Waste Classification - Guidance on the classification and assessment of waste.

Pre-operational conditions

Based on the information in the application, we consider that we need to include pre-operational conditions.

See [key issues](#).

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

See [key issues](#).

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.

Consultation Responses

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.

Brief summary of issues raised: Described that the site is in a predominantly industrial location and that new activities are unlikely to lead to nuisance noise or odour issues in the wider area. Recommendation for more clarity on intention for waste types, point source emissions data and waste acceptance criteria.

Summary of actions taken: A full assessment has been undertaken in line with Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste and the Waste Treatment Bref and we have concluded that waste acceptance, treatment and storage will be carried out in accordance with the relevant standards.