

## Permitting Decisions- Variation

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We have decided to grant the variation for Aylesbury Transfer Station operated by Hoban Waste Management Ltd.

The variation number is EPR/GB3100CF/V002.

The variation is to add an installation activity for the treatment of non-hazardous wastes for disposal in addition to the existing waste operation for treatment of non-hazardous waste for recovery.

The following changes have been made to the permit:

- Addition of a listed activity - S5.4 A(1) (a) (ii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment.
- Addition of a directly associated activity (DAA) – a floatation tank to separate heavy and light fraction wastes.
- The modernisation of the original waste management licence.
- The change of operator company name. The company registration number remains unchanged.
- Removal of WEEE, battery and accumulator storage and treatment 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:

- 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**

### **Dust and Odour Management Plans**

The operator submitted dust and odour management plans as part of this application to address specific dust and odour issues that are associated with the proposed changes to the permit as well as those related to the existing site's operations.

Some of the key issues identified during determination are as follows:

- Dust arising from the external storage of waste.
- Odour from potentially putrescible waste streams.

We are satisfied that the above key issues have been adequately addressed with the following mitigation measures:

- Perimeter wall constructed of rail sleepers to a height of 3m surmounted by a 3m dust net along the boundary adjacent to the external stockpiles.
- The storage height of external wastes piles to remain 0.5m below the top of the perimeter/bay walls.
- Black bag waste refusal as part of the site acceptance procedure together with a robust inspection policy of incoming waste.

We agree that the dust management plan (DMP) and the odour management plan (OMP) are in line with our guidance 'control and monitor emissions for your environmental permit' and they have been included as operating techniques in table S1.2 of the permit.

### **Best Available Techniques (BAT)**

The operator has provided a BAT assessment which outlines the sites operating techniques against the requirements of Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste and the Waste Treatment Bref.

BAT conclusions 26-28 relating to the mechanical treatment in shredders of metal waste no longer apply as the site has changed their processes to include the removal of metal wastes from the waste stream before shredding and sizing takes place.

In accordance with BAT conclusion 14d relating to the containment, collection and treatment of diffuse emissions we have restricted the shredding and crushing activities to be carried out within an enclosed building.

We compared the proposed techniques for waste pre-acceptance, acceptance, storage, treatment, emission controls and other relevant techniques against BAT and conclude that the site is operating in accordance with BAT.

## **Decision considerations**

### **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:

- Buckinghamshire County Council – Environmental Health
- Buckinghamshire County Council – Planning
- Health and Safety Executive
- Buckinghamshire Fire and Rescue Service
- Public Health England

- Director of Public Health
- Thames Water
- National Grid
- Food Standards Agency

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', Appendix 1 of RGN 2 'Interpretation of Schedule 1', and guidance on permits.

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.

## **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.

## **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.

## **Odour management**

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory and we approve this plan.

## **Fire prevention plan**

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.

The plan has been incorporated into the operating techniques S1.2.

## **Dust management**

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

## **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 - S5.06 - 'Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste'](#) and [WM3 - Waste classification technical guidance](#)

## **Emission limits**

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

## **Monitoring**

We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies specified:

These monitoring requirements have been included in order to ensure surface waters are visually inspected for oil and grease prior to discharge to foul sewer

We made these decisions with respect to monitoring in accordance with [Sector Guidance - S5.06 - 'Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste'](#)

## **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 activities permitted.

The operator is a member of the CIWM/WAMITAB scheme

We are satisfied that the operator is technically competent.

## **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

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:** Public Health England has no significant concerns regarding the risk to the health of the local population from the installation. The consultation is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.

**Summary of actions taken:** A full assessment of the dust management plan, odour management plan and fire prevention plan has been undertaken to ensure that all appropriate measures are in place to prevent dust and odour emissions from leaving the site and the prevention of fires and the mitigation of their effects. This has been incorporated into the permit.

The following organisations were consulted, however no responses were received:

- Buckinghamshire County Council – Environmental Health
- Buckinghamshire County Council – Planning
- Health and Safety Executive
- Buckinghamshire Fire and Rescue Service

- Director of Public Health
- Thames Water
- National Grid
- Food Standards Agency