

# Determination of an Application for an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016

## Decision document recording our decision-making process

The Permit Number is: EPR/CP3207PV  
The Applicant / Operator is: Clinitek (Stoke) LLP  
The Installation is located at: Scotia Road  
Tunstall  
Stoke on Trent  
ST6 4HG

### What this document is about

This is a decision document, which accompanies a permit.

It explains how we have considered the Applicant's Application, and why we have included the specific conditions in the permit we are issuing to the Applicant. It is our record of our decision-making process, to show how we have taken into account all relevant factors in reaching our position. Unless the document explains otherwise, we have accepted the Applicant's proposals.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future. A lot of technical terms and acronyms are inevitable in a document of this nature: we provide a glossary of acronyms near the front of the document, for ease of reference.

## Preliminary information and use of terms

We gave the application the reference number EPR/CP3207PV/A001. We refer to the application as “the **Application**” in this document in order to be consistent.

The number we have given to the permit is EPR/CP3207PV. We refer to the permit as “the **Permit**” in this document.

The Application was duly made on 02/02/2020.

The Applicant is Clinitek (Stoke) LLP. We refer to Clinitek (Stoke) LLP as “the **Applicant**” in this document. Where we are talking about what would happen after the Permit is granted (if that is our final decision), we call Clinitek (Stoke) LLP “the **Operator**”.

Clinitek (Stoke) LLP proposed facility is located at Scotia Road, Tunstall, Stoke on Trent, ST6 4HG. We refer to this as “the **Installation**” in this document.

## How this document is structured

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## Glossary of acronyms used in this document

(Please note that this glossary is standard for our decision documents and therefore not all these acronyms are necessarily used in this document.)

AAD	Ambient Air Directive (2008/50/EC)
APC	Air Pollution Control
AQS	Air Quality Strategy
BAT	Best Available Technique(s)
BAT-AEL	BAT Associated Emission Level
BREF	Best Available Techniques (BAT) Reference Documents for Waste Incineration
BAT C	BAT conclusions
CEM	Continuous emissions monitor
CFD	Computerised fluid dynamics
CHP	Combined heat and power
COMEAP	Committee on the Medical Effects of Air Pollutants
CROW	Countryside and rights of way Act 2000
CV	Calorific value
CW	Clinical waste
CWI	Clinical waste incinerator
DAA	Directly associated activity – Additional activities necessary to be carried out to allow the principal activity to be carried out
DD	Decision document
EAL	Environmental assessment level
EIAD	Environmental Impact Assessment Directive (85/337/EEC)
ELV	Emission limit value
EMAS	EU Eco Management and Audit Scheme
EMS	Environmental Management System
EPR	Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No. 1154) as amended
ES	Environmental standard
EWC	European waste catalogue
FGC	Flue gas cleaning
FSA	Food Standards Agency
GWP	Global Warming Potential
HHRAP	Human Health Risk Assessment Protocol

HPA	Health Protection Agency (now PHE – Public Health England)
HRA	Human Rights Act 1998
HW	Hazardous waste
HWI	Hazardous waste incinerator
IBA	Incinerator Bottom Ash
IED	Industrial Emissions Directive (2010/75/EU)
IPPCD	Integrated Pollution Prevention and Control Directive (2008/1/EC) – now superseded by IED
I-TEF	Toxic Equivalent Factors set out in Annex VI Part 2 of IED
I-TEQ	Toxic Equivalent Quotient calculated using I-TEF
LCPD	Large Combustion Plant Directive (2001/80/EC) – now superseded by IED
LCV	Lower calorific value – also termed net calorific value
LfD	Landfill Directive (1999/31/EC)
LADPH	Local Authority Director(s) of Public Health
LOI	Loss on Ignition
MBT	Mechanical biological treatment
MSW	Municipal Solid Waste
MWI	Municipal waste incinerator
NOx	Oxides of nitrogen (NO plus NO <sub>2</sub> expressed as NO <sub>2</sub> )
OTNOC	Other than normal operating conditions
PAH	Polycyclic aromatic hydrocarbons
PC	Process Contribution
PCB	Polychlorinated biphenyls
PEC	Predicted Environmental Concentration
PHE	Public Health England
POP(s)	Persistent organic pollutant(s)
PPS	Public participation statement
PR	Public register
PXDD	Poly-halogenated di-benzo-p-dioxins
PXB	Poly-halogenated biphenyls
PXDF	Poly-halogenated di-benzo furans
RGS	Regulatory Guidance Series
SAC	Special Area of Conservation
SED	Solvent Emissions Directive (1999/13/EC) – now superseded by IED

SCR	Selective catalytic reduction
SGN	Sector guidance note
SHPI(s)	Site(s) of High Public Interest
SNCR	Selective non-catalytic reduction
SPA(s)	Special Protection Area(s)
SS	Sewage sludge
SSSI(s)	Site(s) of Special Scientific Interest
SWMA	Specified waste management activity
SWIP	Small waste incineration plant
TDI	Tolerable daily intake
TEF	Toxic Equivalent Factors
TGN	Technical guidance note
TOC	Total Organic Carbon
UHV	Upper heating value –also termed gross calorific value
UN_ECE	United Nations Environmental Commission for Europe
US EPA	United States Environmental Protection Agency
WFD	Waste Framework Directive (2008/98/EC)
WHO	World Health Organisation
WID	Waste Incineration Directive (2000/76/EC) – now superseded by IED

# 1 Our decision

We have decided to grant the Permit to the Applicant. This will allow it to operate the Installation, subject to the conditions in the Permit.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

This Application is to operate an installation which is subject principally to the Industrial Emissions Directive (IED).

The Permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted the details are sufficient and satisfactory to make the standard condition appropriate. This document does, however, provide an explanation of our use of “tailor-made” or installation-specific conditions, or where our Permit template provides two or more options.

## 2 How we reached our decision

### 2.1 Receipt of Application

The Application was duly made on 02/02/2020. This means we considered it was in the correct form and contained sufficient information for us to begin our determination but not that it necessarily contained all the information we would need to complete that determination: see below.

The Applicant made no claim for commercial confidentiality. We have not received any information in relation to the Application that appears to be confidential in relation to any party.

### 2.2 Consultation on the Application

We carried out consultation on the Application in accordance with the EPR, our statutory PPS and our own internal guidance RGS Note 6 for Determinations involving Sites of High Public Interest. We consider that this process satisfies, and frequently goes beyond the requirements of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which are directly incorporated into the IED, which applies to the Installation and the Application. We have also taken into account our obligations under the Local Democracy, Economic Development and Construction Act 2009 (particularly Section 23).

This requires us, where we consider it appropriate, to take such steps as we consider appropriate to secure the involvement of representatives of interested persons in the exercise of our functions, by providing them with information, consulting them or involving them in any other way. In this case, our consultation already satisfies the Act's requirements.

We advertised the Application by a notice placed on our website, which contained all the information required by the IED, including telling people where and when they could see a copy of the Application.

We sent copies of the Application to the following bodies, which includes those with whom we have "Working Together Agreements":

- Foods Standards Agency,
- Local Authority Planning,
- Local Authority – Environmental Health,
- National Grid,
- Health and Safety Executive,
- Director of Public Health,
- Public Health England.

These are bodies whose expertise, democratic accountability and/or local knowledge make it appropriate for us to seek their views directly. Note under our Working Together Agreement with Natural England, we only inform Natural England of the results of our assessment of the impact of the installation on designated Habitats sites.

A second consultation was also undertaken on updated details for the legal entity of the operator, as this was changed during determination.

Further details along with a summary of consultation comments and our response to the representations we received can be found in Annex 4. We have taken all relevant representations into consideration in reaching our determination.

### 2.3 Requests for Further Information

Although we were able to consider the Application duly made, we did in fact need more information in order to determine it, and issued an information notice on 13/11/2020. A copy of the information notice was placed on our public register.

In addition to our information notices, we received additional information during the determination from Clinitek (Stoke) LLP:

Additional air dispersion modelling data received 16/11/2020  
Response to Schedule 5 notice Dated 13/11/2020, received 10/12/2020  
Additional response to Sch5 notice, received 12/02/2021, including site plan.



Additional response to Sch5 notice, including site drainage plan.  
Notification of change of legal entity from Waste Energy Power Partners Limited to Clinitek (Stoke) LLP, received 30/03/2021.

We made a copy of this information available to the public in the same way as the response to our information notices.

### 3 The legal framework

The Permit will be granted, under Regulation 13 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* and a *waste incineration plant* as described by the IED;
- an *operation* covered by the WFD, and
- subject to aspects of other relevant legislation which also have to be addressed.

We address some of the major legal requirements directly where relevant in the body of this document. Other requirements are covered in a section towards the end of this document.

We consider that, in granting the Permit, it will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

### 4 The Installation

#### 4.1 Description of the Installation and related issues

##### 4.1.1 The permitted activities

The Installation is subject to the EPR because it carries out an activity listed in Part 1 of Schedule 1 to the EPR:

- Section 5.1 Part A(1)(a) – The incineration of hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity exceeding 10 tonnes per day

The IED definition of “waste incineration plants” and “waste co-incineration plants” says that it includes:

*“all incineration lines or co-incineration lines, waste reception, storage, on-site pre-treatment facilities, waste, fuel and air supply systems, boilers, facilities for the treatment of waste*

*gases, on-site facilities for treatment or storage of residues and waste water, stacks, devices for controlling incineration or co-incineration operations, recording and monitoring incineration or co-incineration conditions.”*

Many activities which would normally be categorised as “directly associated activities” for EPR purposes (see below), such as air pollution control plant, (including storage and preparation of treatment chemicals e.g. lime slaking), and the ash storage bunker, are therefore included in the listed activity description. There is no treatment of incinerator bottom ash at this installation.

An installation may also comprise “directly associated activities”, which at this Installation includes the generation of electricity using a screw expander turbine. These activities comprise one installation, because the incineration plant and the screw expander turbine are successive steps in an integrated activity.

Other directly associated activities at the installation include the automated washing of the containers used to transport clinical waste both to and from the site and a backup electricity generator for emergency plant shutdown.

Together, these listed and directly associated activities comprise the Installation.

#### 4.1.2 The Site

The site is located at the former Biomass Facility, Scotia Road, Tunstall, Stoke on Trent, ST6 4HG (National Grid Reference: SJ 86323 50716).

There are no European habitats sites within 10 km or Sites of Special Scientific Interest (SSSIs) within 2 km, of the installation. But there are 5 Local Wildlife sites within 2 km of the installation:

- Westport Lake (LNR/LWS)
- Bradwell Woods (Ancient and semi-natural woodland/LNR/LWS)
- Bradwell Pit (LWS)
- Goldendale Pools (LWS)
- Scotia Brook (LWS)

The Applicant submitted a plan which we consider is satisfactory, showing the site of the Installation and its extent. A plan is included in Schedule 7 to the Permit, and the Operator is required to carry on the permitted activities within the site boundary.

Further information on the site is addressed below at 4.3.

#### 4.1.3 What the Installation does

The Applicant has described the facility as an Energy Recovery Plant. Our view is that for the purposes of IED (in particular Chapter IV) and EPR, the installation is a waste incineration plant because:

Notwithstanding the fact that energy will be recovered from the process, the process is never the less 'incineration' because it is considered that its main purpose is the thermal treatment of waste. Waste is burnt as the principle source of fuel, and the waste is comprised of mixed materials which do not undergo any significant pre-treatment to enhance its performance as a fuel.

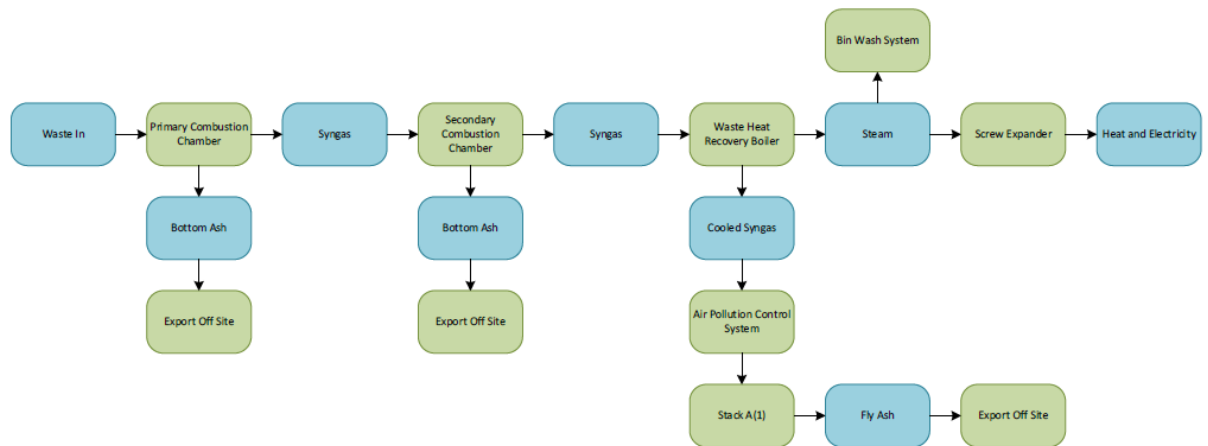
The facility is permitted to accept up to 16,000 tonnes per annum of predominantly clinical / medical wastes comprising bagged yellow, orange and 'tiger stripe' waste and other offensive healthcare wastes.

The waste heat produced as a by-product of the thermal treatment process will be used to generate electricity for use on site and export to the National Grid.

The proposed development consists of the following:

- The reception and storage of clinical waste;
- Bin movement and clean-up;
- The combustion of clinical waste;
- The reception, treatment and combustion of waste oil;
- Waste heat recovery system;
- Screw expander turbine;
- Air pollution control system;
- Bottom ash removal system;
- Filter fly ash removal system; and
- Continuous emissions monitoring system.

The following process schematic explains how these steps fit together:



The key features of the Installation can be summarised in the table below.

Waste throughput, Tonnes/line	16,000 /annum	2 / hour
Waste processed	Clinical healthcare wastes	
Number of lines	1	
Furnace technology	Stepped hearth	
Auxiliary Fuel	Gas Oil and Recovered Waste Oil.	
Acid gas abatement	Dry	Sodium bicarbonate
NOx abatement	SNCR	Urea
Reagent consumption	Auxiliary Fuel (Gas)	1,080,000 m <sup>3</sup> /annum
	Auxillary Fuel (Waste Oil)	300,000 l/annum
	Urea:	42 te/annum
	Sodium Bicarbonate:	320 te/annum
	Activated carbon:	40 te/annum
Flue gas recirculation	No	
Dioxin abatement	Activated carbon	
Stack	Grid Reference SJ 86323 50716	
	Height, 30 m	Diameter, 1.07 m
Flue gas	Flow, 6.85 Nm <sup>3</sup> /s	Velocity, 15 m/s
	Temperature 170°C	
Electricity generated	550 kWe	
Electricity exported	70 kWe	
Steam conditions	Temperature, 221°C	Pressure, 9 bar
Waste heat use	Steam generated in the heat recovery boiler is used to generate electricity and provide heat for on-site use such as bin washing.	

#### 4.1.4 Key Issues in the Determination

The key issues arising during this determination were the emissions to air, noise, site drainage and waste storage and we therefore describe how we determined these issues in most detail in this document.

#### 4.2 The site and its protection

#### 4.2.1 Site setting, layout and history

The energy recovery plant ('the Site') is located at Scotia Road, Scotia Road Business Park, Tunstall, ST6 4HG (National Grid Reference: SJ 86336 50732). The application site is located within an urban area approximately 3.5 km to the northeast of the centre of the City of Stoke-On-Trent. The site is located within the administrative area of the Stoke-on-Trent City Council (SoTCC).

The site is roughly rectangular in shape and covers an area of approximately 1.9 hectares. The site currently comprises of an existing biomass waste to energy facility. The building is a normal portal framed industrial shed clad in profiled steel sheeting, with an associated yard. The site lies at the end of a cul-de-sac. The facility is within an industrial area, and surrounded by similar industrial buildings, located between the areas of Tunstall and Middleport. The nearest residential receptors are located off Hand Street approximately 100 m to the north of the site.

The site is located on the Secondary A Aquifer Pennine Coal Measures, with overlying Secondary Undifferentiated Glacial Till. The Scotia Brook is adjacent to the site.

The site has history of potential contamination – located on an historic landfill ('Around Scotia Brook'), within industrial area.

The site is not located within a Source Protection Zone (SPZ).

The site is not located within a Nitrate Vulnerable Zone (NVZ).

There are no active potable groundwater abstraction licenses within 2 km of the site.

#### 4.2.2 Proposed site design: potentially polluting substances and prevention measures

There will be no process emissions to groundwater, surface water or land from the installation. The surface water emissions from the site will be uncontaminated surface and roof drainage. All waste will be in leak proof containers and will be stored in secure areas with impermeable surfaces.

As there were concerns regarding the drainage proposals for the waste storage area, Improvement Condition 14 has been included in the permit which requires the Operator to submit a written report to the Environment Agency for approval which demonstrates that impermeable surfacing and a sealed drainage system is in place for areas of land where waste is to be stored. This should include storage of quarantined wastes. The report must demonstrate compliance with our guidance SGN 5.06.

As there will be underground storage of liquid wastes prior to offsite disposal Improvement Condition 15 has been included in the permit, it requires the

Operator to submit a written report to the Environment Agency for approval which details the findings of an assessment of the risk of release from storage vessels, particularly the subsurface storage of liquid effluent. The report should identify measures for minimising the risk of overflowing such as a high-level alarms and automatic cut-offs, and should explain the measures in place to detect leaks such as leak detection systems or regular integrity testing.

The possibility of any substances being discharge accidentally to land or waters will be mitigated by a number of protective measures as follows;

- Clinical waste is delivered either within double sealed bags, double sealed bags within lockable rigid leak proof bins or bins on pallets secured with shrink wrap. If waste is delivered to site in bags, the bags will be unloaded from the delivery vehicle directly into lockable rigid leak proof containers for storage and transport around the site.
- Depending on the waste type, waste is stored either within the main processing building or a refrigerated shipping container.
- The main processing building is a secure building with all storage taking place on sealed concrete with sealed drainage.
- The majority of raw materials for the incineration process are stored within the main processing building in the necessary storage vessels with appropriate bunding.
- The external gas oil tank is complete with the required secondary containment bunding as is the waste oil treatment process.
- Tanks are inspected visually on a daily basis by site staff to ensure continued integrity of tanks, and identify any necessary remedial action.
- Minor spills will be cleaned up immediately, using sand or proprietary absorbent.

We are satisfied that the measures described in the application are sufficient to prevent pollution of the ground and groundwater.

Under Article 22(2) of the IED the Applicant is required to provide a baseline report containing at least the information set out in paragraphs (a) and (b) of the Article before starting operation.

The Applicant has submitted a site condition report which includes a report on the baseline conditions as required by Article 22. We have reviewed that report and consider that in general it adequately describes the condition of the soil and groundwater prior to the start of operations.

The Operator will need to demonstrate at surrender that the site is returned to a satisfactory state and that any contaminants encountered are not the result of the permitted operation.

The baseline report is an important reference document in the assessment of contamination that might arise during the operational lifetime of the installation and at cessation of activities at the installation.

#### 4.2.3 Closure and decommissioning

Having considered the information submitted in the Application, we are satisfied that the appropriate measures will be in place for the closure and decommissioning of the Installation, as referred to in the review of best available techniques submitted as part of the Application. This section of the application explained that an Environmental Management System (EMS) that incorporates the requirements of the BREF document will be in place. These requirements include consideration of environmental impacts throughout the life of the installation, which includes construction, maintenance, operation and decommissioning. Pre-operational condition PO1 requires the Operator to have an EMS in place before the Installation is operational, and this will include a site closure plan.

At the definitive cessation of activities, the Operator has to satisfy us that the necessary measures have been taken so that the site ceases to pose a risk to soil or groundwater, taking into accounts both the baseline conditions and the site's current or approved future use. To do this, the Operator will apply to us for surrender of the permit, which we will not grant unless and until we are satisfied that these requirements have been met.

### 4.3 Operation of the Installation – general issues

#### 4.3.1 Administrative issues

The Applicant is the sole Operator of the Installation.

We are satisfied that the Applicant is the person who will have control over the operation of the Installation after the granting of the Permit; and that the Applicant will be able to operate the Installation so as to comply with the conditions included in the Permit.

#### 4.3.2 Management

The Applicant has stated in the Application that they will implement an EMS that incorporates the requirements of the BREF document and that this will be externally audited. A pre-operational condition (PO1) is included requiring the Operator to provide a summary of the EMS prior to commissioning of the plant and to make available for inspection all EMS documentation. The Environment Agency recognises that certification of the EMS cannot take place until the Installation is operational. An improvement condition (IC1) is

included requiring the Operator to report progress towards gaining accreditation of its EMS.

We are satisfied that appropriate management systems and management structures will be in place for this Installation, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

#### 4.3.3 Site security

Having considered the information submitted in the Application, we are satisfied that appropriate infrastructure and procedures will be in place to ensure that the site remains secure.

#### 4.3.4 Accident management

The Applicant has submitted an Accident Management Plan (AMP). Having considered the Plan other information submitted in the Application, we are satisfied that appropriate measures will be in place to ensure that accidents that may cause pollution are prevented but that, if they should occur, their consequences are minimised. An Accident Management Plan will form part of the Environmental Management System and must be in place prior to commissioning as required by a pre-operational condition (PO1).

The Applicant submitted a Fire Prevention Plan although this was not considered as necessary as the site will only receive clinical waste. The risk of fire in the combustion plant was also considered in the AMP.

#### 4.3.5 Off-site conditions

We do not consider that any off-site conditions are necessary.

#### 4.3.6 Operating techniques

We have specified that the Applicant must operate the Installation in accordance with the following documents contained in the Application:

Description	Parts	Date Received	Justification
Application EPR/CP3207PV/A001	<ul style="list-style-type: none"> <li>• Parts B2 and B3 of the Application Form</li> <li>• Supporting information document (reference SOL1910WE01 – Application support document).</li> </ul>	02/02/2020	Together these sections describe the key operating techniques and how the Installation will be operated to ensure that best available techniques are applied.
Additional Information	Supporting information document (reference SOL1910WE01, revised).	27/08/2020	
Response to Schedule 5 Notice dated 13/11/2020	Responses to questions 1, 2, 3, 6, 7, 8, 9 and 10.	10/12/2020	



Description	Parts	Date Received	Justification
Additional information	Clarification on energy recovery and auxiliary fuel. Revised site plan.	18/02/2021	

The details set out above describe the techniques that will be used for the operation of the Installation that have been assessed by the Environment Agency as BAT; they form part of the Permit through Permit condition 2.3.1 and Table S1.2 in the Permit Schedules.

We have also specified the following limits and controls on the use of raw materials and fuels:

<b>Raw Material or Fuel</b>	<b>Specifications</b>	<b>Justification</b>
Gas Oil	<0.1% sulphur content	As required by Sulphur Content of Liquid Fuels Regulations.
Natural gas	From national gas grid	To ensure gas quality

Article 45(1) of the IED requires that the Permit must include a list of all types of waste which may be treated using at least the types of waste set out in the European Waste List established by Decision 2005/532/EC, EC, if possible, and containing information on the quantity of each type of waste, where appropriate. The Application contains a list of those wastes coded by the European Waste Catalogue (EWC) number, which the Applicant will accept in the waste streams entering the plant and which the plant is capable of burning in an environmentally acceptable way. We have specified the permitted waste types, descriptions and where appropriate quantities which can be accepted at the installation in Table S2.2.

We are satisfied that the Applicant can accept the wastes contained in Table S2.2 of the Permit because:

- (i) The waste are specified within our guidance EPR 5.07 on Clinical Waste, as being 'wastes permitted for incineration;
- (ii) these wastes are likely to be within the design calorific value (CV) range for the plant;
- (iii) these wastes are unlikely to contain harmful components that cannot be safely processed at the Installation.

We have limited the capacity of the Installation to 16,000 tonnes per annum. This is based on the installation operating 8,000 hours per year at a nominal capacity of 2 tonnes per hour.

The Installation will be designed, constructed and operated using BAT for the incineration of the permitted wastes. We are satisfied that the operating and abatement techniques are BAT for incinerating these types of waste. Our assessment of BAT is set out later in this document.

The application includes a waste oil treatment process, to remove solids and moisture from waste oil prior to being used as an auxiliary fuel in the incinerator once it is operating at the necessary temperature. During the permit determination the applicant requested that we consider the specification of this oil following the issue of the permit. We have agreed to this request and included PO8 in the permit. PO8 requires that prior to commissioning of the waste oil treatment process the Operator shall send;

- A specification for the waste oil to be use in the incineration process;
- Justification that this specification of waste oil can be incinerated without an increase in emissions;

- Explanation as to how the incineration of waste oil will be controlled to ensure it is only fed to the auxiliary burners when the furnace is operating at the required temperature;
- The waste acceptance procedures for waste oils including the process and systems by which wastes oil unsuitable for incineration at the site will be controlled; and
- Details of the testing regime to ensure that the waste oils meet the required specification.

to the Environment Agency and obtain the Environment Agency's written approval for the use of this material. When / if approved this specification shall be added to the permit as Table S2.3.

#### 4.3.7 Energy efficiency

##### (i) Consideration of energy efficiency

We have considered the issue of energy efficiency in the following ways:

1. The use of energy within, and generated by, the Installation which are normal aspects of all EPR permit determinations. This issue is dealt with in this section.
2. The extent to which the Installation meets the requirements of Article 50(5) of the IED, which requires "*the heat generated during the incineration and co-incineration process is recovered as far as practicable through the generation of heat, steam or power*". This issue is covered in this section.
3. The combustion efficiency and energy utilisation of different design options for the Installation are relevant considerations in the determination of BAT for the Installation, including the Global Warming Potential of the different options. This aspect is covered in the BAT assessment in section 6 of this Decision Document.
4. This installation does not need to meet the requirements of Article 14(5) of the Energy Efficiency Directive as the total thermal input is below 20 MW.

##### (ii) Use of energy within the Installation

Having considered the information submitted in the Application, we are satisfied that appropriate measures will be in place to ensure that energy is used efficiently within the Installation.

The Application details a number of measures that will be implemented at the Installation in order to increase its energy efficiency:

- Minimisation of heat losses through casing insulation,
- Use of a heat recovery boiler;
- Optimisation of the boiler design; and
- Heat recovery to meet the sterilisation and bin washing requirements.

(iii) Generation of energy within the Installation - Compliance with Article 50(5) of the IED

Article 50(5) of the IED requires that *“the heat generated during the incineration and co-incineration process is recovered as far as practicable”*.

Our CHP Ready Guidance - February 2013 considers that BAT for energy efficiency for Energy from Waste (EfW) plant is the use of CHP in circumstances where there are technically and economically viable opportunities for the supply of heat from the outset.

The term CHP in this context represents a plant which also provides a supply of heat from the electrical power generation process to either a district heating network or to an industrial / commercial building or process. However, it is recognised that opportunities for the supply of heat do not always exist from the outset (i.e. when a plant is first consented, constructed and commissioned).

In cases where there are no immediate opportunities for the supply of heat from the outset, the Environment Agency considers that BAT is to build the plant to be CHP Ready (CHP-R) to a degree which is dictated by the likely future opportunities which are technically viable and which may, in time, also become economically viable.

The Installation will generate electricity only and has been specified to maximise electrical output with little or no use of waste heat. The information provided in the Application shows 526 kW of electricity produced for an annual burn of 16,000 tonnes, which represents 3.2 MW per 100,000 tonnes/yr of waste burned. The plant has been designed to be a small scale clinical waste disposal plant and has been configured to generate electricity, however this is not the main purpose of the plant. First and foremost, the purpose of the plant is for the disposal of hazardous waste. The power generation of the plant is primarily to cover the parasitic load of the plant.

The Applicant provided a calculation of the boiler efficiency and compared it to the BAT AEEL specified in BAT conclusions BAT 20.

The boiler efficiency was calculated as 64.6% The BAT AEEL for boiler efficiency is 60 – 80 %. The value calculated by the Applicant is within this range.

In accordance with BAT 2 table S3.4 of the Permit requires the boiler efficiency to be measured by carrying out a performance test at full load.

The SGN and Chapter IV of the IED both require that, as well as maximising the primary use of heat to generate electricity, waste heat should be recovered as far as practicable.

The location of the Installation largely determines the extent to which waste heat can be utilised, and this is a matter for the planning authority. The Applicant carried out a feasibility study and provided a CHP-R assessment as part of their application, which showed there was potential to export heat to nearby users, though there are no firm commitments at this stage. There is provision within the design of the screw expander steam turbine to extract low-grade steam for a district heating scheme. Establishing a district heating network to supply local users would involve significant technical, financial and planning challenges such that this is not seen as a practicable proposition at present. The Operator has committed to periodically reviewing the viability of the provision of heat from the plant.

We consider that, within the constraints of the location of the Installation explained above, the Installation will recover heat as far as practicable, and therefore that the requirements of Article 50(5) are met.

(iv) R1 Calculation and the DEFRA Good Quality CHP Scheme

The R1 calculation and / or gaining accreditation under the DEFRA Good Quality CHP Scheme does not form part of the matters relevant to our determination.

The Applicant has not presented an R1 calculation with this application, nor have we received a separate application for a determination on whether the installation is a recovery or disposal facility.

Note that the availability or non-availability of financial incentives for renewable energy such as the ROC and RHI schemes is not a consideration in determining this application.

(v) Choice of Steam Turbine

The Applicant explained that as the steam pressure produced by the boiler is only 8 bar, the only viable method of energy recovery is using a screw expander unit. They further explained that it was not possible to have a high pressure steam turbine on a small hazardous waste plant. This is consistent with other similar operational plants and we have accepted the Applicant's conclusions on this matter.

(vi) Choice of Cooling System

Air cooling is being utilised at this installation. This is required as urea injection must occur in the flue gas duct exiting the boiler at a temperature of between 850°C and 900°C and the furnace operates at 1,100°C. Without this cooling there is a danger that thermal NO<sub>x</sub> is created by urea injection i.e. that NO<sub>x</sub> emissions could actually increase.

(vii) Compliance with Article 14(5) of the Energy Efficiency Directive

As stated above, compliance with Article 14(5) of the Energy Efficiency Directive is not a relevant consideration because the installation's total net thermal input is 12 MW which is below the threshold specified in the directive.

(viii) Permit conditions concerning energy efficiency

Conditions 1.2.2 and 1.2.3 have also included in the Permit, which require the Operator to review the options available for heat recovery on an ongoing basis, and to provide and maintain the proposed steam/hot water pass-outs.

The Operator is required to report energy usage and energy generated under condition 4.2.2 and Schedule 4. The following parameters are required to be reported: total electrical energy generated; electrical energy exported; total energy usage and waste heat utilised by the installation. Together with the total waste burned per year, this will enable the Environment Agency to monitor energy recovery efficiency at the Installation and take action if at any stage the energy recovery efficiency is less than proposed.

There are no site-specific considerations that require the imposition of standards beyond indicative BAT, and so the Environment Agency accepts that the Applicant's proposals represent BAT for this Installation.

4.3.8 Efficient use of raw materials

Having considered the information submitted in the Application, we are satisfied that the appropriate measures will be in place to ensure the efficient use of raw materials and water.

The Operator is required to report with respect to raw material usage under condition 4.2.2 and Schedule 4, including consumption of sodium bicarbonate, activated carbon and urea used per tonne of waste burned. This will enable the Environment Agency to assess whether there have been any changes in the efficiency of the air pollution control plant, and the operation of the SNCR to abate NO<sub>x</sub>. These are the most significant raw materials that will be used at the Installation, other than the waste feed itself (addressed elsewhere). The efficiency of the use of auxiliary fuel will be tracked separately as part of the energy reporting requirement under condition 4.2.2. Optimising reagent dosage for air abatement systems and minimising the use of auxiliary fuels is further considered in the section on BAT.

4.3.9 Avoidance, recovery or disposal with minimal environmental impact of wastes produced by the activities

This requirement addresses wastes produced at the Installation and does not apply to the waste being treated there. The principal waste streams the Installation will produce are bottom ash, and air pollution control residues.

The first objective is to avoid producing waste at all. Waste production will be avoided by achieving a high degree of burnout of the ash in the furnace, which results in a material that is both reduced in volume and in chemical and biological reactivity. Condition 3.1.3 and associated Table S3.5 specify limits for total organic carbon (TOC) of <3% in bottom ash. Compliance with this limit will demonstrate that good combustion control and waste burnout is being achieved in the furnaces and waste generation is being avoided where practicable.

Incinerator bottom ash (IBA) will normally be classified as non-hazardous waste. However, IBA is classified on the European List of Wastes as a “mirror entry”, which means IBA is a hazardous waste if it possesses a hazardous property relating to the content of dangerous substances. Monitoring of incinerator ash will be carried out in accordance with the requirements of Article 53(3) of IED. Classification of IBA for its subsequent use or disposal is controlled by other legislation and so is not duplicated within the permit.

Air pollution control (APC) residues from flue gas treatment are hazardous waste and therefore must be sent for disposal to a landfill site permitted to accept hazardous waste, or to an appropriately permitted facility for hazardous waste treatment. The amount of APC residues is minimised through optimising the performance of the air emissions abatement plant.

In order to ensure that the IBA residues are adequately characterised, pre-operational condition PO2 requires the Operator to provide a written plan for approval detailing the ash sampling protocols. Table S3.5 requires the Operator to carry out an ongoing programme of monitoring.

The Application also proposes that, where possible, bottom ash will be transported to a suitable recycling facility, from where it could be re-used in the construction industry as an aggregate.

The Application states that upon commissioning, detailed sampling of all wastes produced by the plant will be carried out in order to establish the physical and chemical characteristics, prior to determining the routes for disposal or recycling of those residues. Once operational, recycling routes will be investigated for all waste streams. All possible recycling routes will be explored to avoid the use of disposal via landfill.

Having considered the information submitted in the Application, we are satisfied that the waste hierarchy referred to in Article 4 of the WFD will be applied to the generation of waste and that any waste generated will be treated in accordance with this Article.

We are satisfied that waste from the Installation that cannot be recovered will be disposed of using a method that minimises any impact on the environment. Standard condition 1.4.1 will ensure that this position is maintained.

## 5. Minimising the Installation's environmental impact

Regulated activities can present different types of risk to the environment, these include odour, noise and vibration; accidents, fugitive emissions to air and water; as well as point source releases to air, discharges to ground or groundwater, global warming potential and generation of waste and other environmental impacts. Consideration may also have to be given to the effect of emissions being subsequently deposited onto land (where there are ecological receptors). All these factors are discussed in this and other sections of this document.

For an installation of this kind, the principal emissions are those to air, although we also consider those to land and water.

The next sections of this document explain how we have approached the critical issue of assessing the likely impact of the emissions to air from the Installation on human health and the environment and what measures we are requiring to ensure a high level of protection.

### 5.1 Assessment Methodology

#### 5.1.1 Application of Environment Agency guidance 'risk assessments for your environmental permit'

A methodology for risk assessment of point source emissions to air, which we use to assess the risk of applications we receive for permits, is set out in our guidance 'Air emissions risk assessment for your environmental permit' and has the following steps:

- Describe emissions and receptors
- Calculate process contributions
- Screen out insignificant emissions that do not warrant further investigation
- Decide if detailed air modelling is needed
- Assess emissions against relevant standards
- Summarise the effects of emissions

The methodology uses a concept of "process contribution (PC)", which is the estimated concentration of emitted substances after dispersion into the receiving environmental media at the point where the magnitude of the concentration is greatest. The methodology provides a simple method of calculating PC primarily for screening purposes and for estimating process contributions where environmental consequences are relatively low. It is based on using dispersion factors. These factors assume worst case dispersion conditions with no allowance made for thermal or momentum plume rise and so the process contributions calculated are likely to be an overestimate of the actual maximum concentrations. More accurate calculation of process contributions can be achieved by mathematical dispersion models, which take into account relevant parameters of the release



and surrounding conditions, including local meteorology – these techniques are expensive but normally lead to a lower prediction of PC.

### 5.1.2 Use of Air Dispersion Modelling

For incineration applications, we normally require the Applicant to submit a full air dispersion model as part of their application. Air dispersion modelling enables the process contribution to be predicted at any environmental receptor that might be impacted by the plant.

Once short-term and long-term PCs have been calculated in this way, they are compared with Environmental Standards (ES). ES are described in our web guide 'Air emissions risk assessment for your environmental permit'.

Our web guide sets out the relevant ES as:

- Ambient Air Directive Limit Values
- Ambient Air Directive and 4th Daughter Directive Target Values
- UK Air Quality Strategy Objectives
- Environmental Assessment Levels

Where an Ambient Air Directive (AAD) Limit Value exists, the relevant standard is the AAD Limit Value. Where an AAD Limit Value does not exist, AAD target values, UK Air Quality Strategy (AQS) Objectives or Environmental Assessment Levels (EALs) are used. Our web guide sets out EALs which have been derived to provide a similar level of protection to Human Health and the Environment as the AAD limit values, AAD target and AQS objectives. In a very small number of cases, e.g. for emissions of lead, the AQS objective is more stringent than the AAD value. In such cases, we use the AQS objective for our assessment.

AAD target values, AQS objectives and EALs do not have the same legal status as AAD limit values, and there is no explicit requirement to impose stricter conditions than BAT in order to comply with them. However, they are a standard for harm and any significant contribution to a breach is likely to be unacceptable.

PCs are screened out as **Insignificant** if:

- the **long-term** process contribution is less than **1%** of the relevant ES; and
- the **short-term** process contribution is less than **10%** of the relevant ES.

The **long term** 1% process contribution insignificance threshold is based on the judgements that:

- It is unlikely that an emission at this level will make a significant contribution to air quality;
- The threshold provides a substantial safety margin to protect health and the environment.

The **short term** 10% process contribution insignificance threshold is based on the judgements that:

- spatial and temporal conditions mean that short term process contributions are transient and limited in comparison with long term process contributions;
- the threshold provides a substantial safety margin to protect health and the environment.

Where an emission is screened out in this way, we would normally consider that the Applicant's proposals for the prevention and control of the emission to be BAT. That is because if the impact of the emission is already insignificant, it follows that any further reduction in this emission will also be insignificant.

**However, where an emission cannot be screened out as insignificant, it does not mean it will necessarily be significant.**

For those pollutants which do not screen out as insignificant, we determine whether exceedences of the relevant ES are likely. This is done through detailed audit and review of the Applicant's air dispersion modelling taking background concentrations and modelling uncertainties into account. Where an exceedance of an AAD limit value is identified, we may require the Applicant to go beyond what would normally be considered BAT for the Installation or we may refuse the application if the applicant is unable to provide suitable proposals. Whether or not exceedences are considered likely, the application is subject to the requirement to operate in accordance with BAT.

This is not the end of the risk assessment, because we also take into account local factors (for example, particularly sensitive receptors nearby such as a SSSIs, SACs or SPAs). These additional factors may also lead us to include more stringent conditions than BAT.

If, as a result of reviewing of the risk assessment and taking account of any additional techniques that could be applied to limit emissions, we consider that emissions **would cause significant pollution**, we would refuse the Application.

## **5.2 Assessment of Impact on Air Quality**

The Applicant's assessment of the impact of air quality is set out in the Air Quality Assessment section of the Application. The assessment comprises:

- Dispersion modelling of emissions to air from the operation of the incinerator.
- A study of the impact of emissions on nearby sensitive habitat / conservation sites.

This section of the decision document deals primarily with the dispersion modelling of emissions to air from the incinerator chimney and its impact on local air quality. The impact on conservation sites is considered in section 5.4.

The Applicant has assessed the Installation's potential emissions to air against the relevant air quality standards, and the potential impact upon local conservation and habitat sites and human health. These assessments predict the potential effects on local air quality from the Installation's stack emissions using the Breeze AERMOD 7 (using US EPA version 19191) dispersion model, which is a commonly used computer model for regulatory dispersion modelling. The model used 5 years of meteorological data collected from the weather station at Manchester Airport between 2013 and 2017. This site is approximately 35 km north of the installation and was considered the most representative data currently available for the area.

The impact of the terrain surrounding the site upon plume dispersion was considered in the dispersion modelling.

The air impact assessments, and the dispersion modelling upon which they were based, employed the following assumptions.

- First, they assumed that the ELVs in the Permit would be the maximum permitted by Article 15(3), Article 46(2) and Annex VI of the IED. These substances are:
  - Oxides of nitrogen (NO<sub>x</sub>), expressed as NO<sub>2</sub>
  - Total dust
  - Carbon monoxide (CO)
  - Sulphur dioxide (SO<sub>2</sub>)
  - Hydrogen chloride (HCl)
  - Hydrogen fluoride (HF)
  - Metals (Cadmium, Thallium, Mercury, Antimony, Arsenic, Lead, Chromium, Cobalt, Copper, Manganese, Nickel and Vanadium)
  - Polychlorinated dibenzo-para-dioxins and polychlorinated dibenzo furans (referred to as dioxins and furans)
  - Gaseous and vaporous organic substances, expressed as Total Organic Carbon (TOC)
  - Ammonia (NH<sub>3</sub>)
- Second, they assumed that the Installation operates continuously at the relevant long-term or short-term ELVs, i.e. the maximum permitted emission rate (except for emissions of arsenic, chromium and nickel, which are considered in section 5.2.3 of this decision document).
- Third, the model also considered emissions of pollutants not covered by Annex VI of IED, specifically, polycyclic aromatic hydrocarbons (PAH) and Polychlorinated biphenyls (PCBs). Emission rates used in the modelling have been drawn from the DEFRA WR0608 report on emissions from waste management facilities (July 2011) and are considered further in section 5.2.5.

We are in agreement with this approach. The assumptions underpinning the model have been checked and are reasonably precautionary.

The Applicant has used background pollutant concentrations from a variety of data sources: local authority monitoring, Defra modelled background maps; rural heavy metals and polycyclic aromatics networks, acid gas and aerosol network and toxic organic micro pollutants network. The selected background

data indicate that there is likely to be headroom for all pollutants. We have selected appropriate background concentrations for our check modelling and sensitivity analysis, based on the data available.

As well as calculating the peak ground level concentration, the Applicant has modelled the concentration of key pollutants at a number of specified locations within the surrounding area.

The way in which the Applicant used dispersion models, its selection of input data, use of background data and the assumptions it made have been reviewed by the Environment Agency's modelling specialists to establish the robustness of the Applicant's air impact assessment. The output from the model has then been used to inform further assessment of health impacts and impact on habitats and conservation sites.

We have audited the applicant's air quality and human health impact assessments and conducted our own check modelling and sensitivity analysis. We have also considered the risks of some omissions from their assessment. As a result, although we do not necessarily agree with the applicant's absolute numerical predictions, we nevertheless agree with their conclusions.

The Applicant's modelling predictions are summarised in the following sections.

#### 5.2.1 Assessment of Air Dispersion Modelling Outputs

The Applicant's modelling predictions are summarised in the tables below.

The Applicant's modelling predicted peak ground level exposure to pollutants in ambient air and at discreet receptors. The tables below show the peak ground level concentrations, these levels will be higher than at the most impacted receptor.

Whilst we have used the Applicant's modelling predictions in the table below, we have made our own simple verification calculation of the percentage process contribution and predicted environmental concentration. These are the numbers shown in the tables below and so may be very slightly different to those shown in the Application. Any such minor discrepancies do not materially impact on our conclusions.

Pollutant	EQS / EAL		Back-ground	Process Contribution (PC)		Predicted Environmental Concentration (PEC)	
	$\mu\text{g}/\text{m}^3$			$\mu\text{g}/\text{m}^3$	$\mu\text{g}/\text{m}^3$	% of EAL	$\mu\text{g}/\text{m}^3$
NO <sub>2</sub>	40	1	27.3	0.4	1.00	27.7	69.3
	200	2	54.6	1.8	0.9	56.4	28.2
PM <sub>10</sub>	40	1	18.3	0.04	0.10	18.3	45.9
	50	3	36.6	0.1	0.2	36.7	73.4
PM <sub>2.5</sub>	20	1	11	0.04	0.2	11.04	55.2
SO <sub>2</sub>	266	4	18.8	2.7	1.0	21.5	8.1
	350	5	14	2	0.57	16	4.6
	125	6	8.3	1.1	0.9	9.4	7.5
HCl	750	7	0.21	0.4	0.053	0.6	0.08
HF	16	8	0.5	0.007	0.04	0.507	3.17
	160	7	1	0.07	0.04375	1.07	0.7
CO	10000	9	297	3.1	0.03	300	3
	30000	10	424	3.4	0.01	427	1.4
VOC	2.25	1	0.7	0.07	3.11	0.77	34.22
PAH	0.00025	1	0.00015	0.00000065	0.26	0.000061	60.3
NH <sub>3</sub>	180	1	2.7	0.07	0.04	2.77	1.54
	2500	10	5.4	0.7	0.03	6.1	0.2
PCBs	0.2	1	0.000106	2.6E-11	0.00	0.00011	0.05
	6	10	0.000212	2.5E-10	0.00	0.00021	0.00

TOC as 1,3 butadiene

PAH as benzo[a]pyrene

- 1 Annual Mean
- 2 99.79<sup>th</sup> %ile of 1-hour means
- 3 90.41<sup>st</sup> %ile of 24-hour means
- 4 99.9<sup>th</sup> %ile of 15-min means
- 5 99.73<sup>rd</sup> %ile of 1-hour means
- 6 99.18<sup>th</sup> %ile of 24-hour means
- 7 1-hour average
- 8 Monthly average
- 9 Maximum daily running 8-hour mean
- 10 1-hour maximum

Pollutant	EQS / EAL		Back-ground	Process Contribution		Predicted Environmental Concentration	
	ng/m <sup>3</sup>			ng/m <sup>3</sup>	ng/m <sup>3</sup>	% of EAL	ng/m <sup>3</sup>
Cd	5	1	0.14	0.14	2.8	0.28	5.6
Tl	1000	1	0	0.27	0.027	0.27	0.027
Hg	250	1	2	0.14	0.06	2.14	0.86
	7500	2	4	1.4	0.02	5.4	0.072
Sb	5000	1	0	2.2	0.04	2.2	0.04
	150000	2	0	20.5	0.01	20.5	0.014
Pb	250	1	20	2.2	0.88	22.2	8.88
Co	1000	1	0.13	2.7	0.3	2.83	0.283
Cu	10000	1	5.4	2.2	0.02	7.6	0.076
	200000	2	10.8	20.5	0.01	31.3	0.016
Mn	150	1	5.4	2.2	1.47	7.6	5.07
	1500000	2	10.8	20.5	0	31.3	0.006
V	5000	1	0.64	2.2	0.04	2.84	0.06
	1000	3	0.76	15.1	1.51	15.86	1.59
As	3	1	0.64	2.2	73.3	2.84	94.7
Cr (II)(III)	5000	1	3.2	2.2	0.04	5.4	0.108
	150000	2	6.4	20.5	0.01	26.9	0.0179
Cr (VI)	0.2	1	0.64	0.43	215	1.07	535
Ni	20	1	1.2	2.2	11	3.4	17

- 1 Annual Mean  
2 1-hr Maximum  
3 24-hr Maximum

(i) Screening out emissions which are insignificant

From the tables above the following emissions can be screened out as insignificant in that the process contribution is <1% of the long term ES and <10% of the short term ES. These are:

- PM<sub>10</sub>,
- PM<sub>2.5</sub>,
- SO<sub>2</sub>,
- HCl,
- HF,
- CO,
- PAHs,
- NH<sub>3</sub>,
- PCBs,
- Hg,
- Sb,

- Pb,
- Cu,
- V, and
- Cr (II)(III).

Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation subject to the detailed audit referred to below.

(ii) Emissions unlikely to give rise to significant pollution

Also from the tables above the following emissions (which were not screened out as insignificant) have been assessed as being unlikely to give rise to significant pollution in that the predicted environmental concentration is less than 100% (taking expected modelling uncertainties into account) of both the long term and short term ES.

- NO<sub>2</sub>,
- TOC,
- Cd,
- Mn, and
- Ni.

For these emissions, we have carefully scrutinised the Applicant's proposals to ensure that they are applying the Best Available Techniques to prevent and minimise emissions of these substances. This is reported in section 6 of this document.

(iii) Emissions requiring further assessment

Emissions of As and Cr (VI) required further assessment, these emissions are considered further in section 5.2.3 below.

5.2.2 Consideration of key pollutants

(i) Nitrogen dioxide (NO<sub>2</sub>)

The impact on air quality from NO<sub>2</sub> emissions has been assessed against the ES of 40 µg/m<sup>3</sup> as a long term annual average and a short term hourly average of 200 µg/m<sup>3</sup>. The model assumes a 70% NO<sub>x</sub> to NO<sub>2</sub> conversion for the long term and 35% for the short term assessment in line with Environment Agency guidance on the use of air dispersion modelling.

The above tables show that the peak long term PC 1% of the ES and therefore cannot be screened out as insignificant. Even so, from the table above, the emission is not expected to result in the ES being exceeded.

(ii) Particulate matter PM<sub>10</sub> and PM<sub>2.5</sub>

The impact on air quality from particulate emissions has been assessed against the ES for PM<sub>10</sub> (particles of 10 microns and smaller) and PM<sub>2.5</sub> (particles of 2.5 microns and smaller). For PM<sub>10</sub>, the ES are a long term annual average of 40 µg/m<sup>3</sup> and a short term daily average of 50 µg/m<sup>3</sup>. For PM<sub>2.5</sub> the ES of 25 µg/m<sup>3</sup> as a long-term annual average to be achieved by 2010 as a Target Value and by 2015 as a Limit Value has been used.

The Applicant's predicted impact of the Installation against these ESs is shown in the tables above. The assessment assumes that **all** particulate emissions are present as PM<sub>10</sub> for the PM<sub>10</sub> assessment and that **all** particulate emissions are present as PM<sub>2.5</sub> for the PM<sub>2.5</sub> assessment.

The above assessment is considered to represent a worst case assessment in that: -

- It assumes that the plant emits particulates continuously at the IED Annex VI limit for total dust, whereas actual emissions from similar plant are normally lower.
- It assumes all particulates emitted are below either 10 microns (PM<sub>10</sub>) or 2.5 microns (PM<sub>2.5</sub>), when some are expected to be larger.

We have reviewed the Applicant's particulate matter impact assessment and are satisfied in the robustness of the Applicant's conclusions.

The above assessment shows that the predicted process contribution for emissions of PM<sub>10</sub> is below 1% of the long term ES and below 10% of the short term ES and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of particulates to be BAT for the Installation.

The above assessment also shows that the predicted process contribution for emissions of PM<sub>2.5</sub> is also below 1% of the ES. Therefore we conclude that particulate emissions from the installation, including emissions of PM<sub>10</sub> or PM<sub>2.5</sub>, will not give rise to significant pollution.

There is currently no emission limit prescribed nor any continuous emissions monitor for particulate matter specifically in the PM<sub>10</sub> or PM<sub>2.5</sub> fraction. Whilst we are confident that current monitoring techniques will capture the fine particle fraction (PM<sub>2.5</sub>) for inclusion in the measurement of total particulate matter, an improvement condition (IC2) has been included that will require a full analysis of particle size distribution in the flue gas, and hence determine the ratio of fine to coarse particles. In the light of current knowledge and available data however the Environment Agency is satisfied that the health of the public would not be put at risk by such emissions, as explained in section 5.3.3.

(iii) Acid gases, SO<sub>2</sub>, HCl and HF

From the tables above, emissions of HCl and HF can be screened out as insignificant in that the process contribution is <10% of the short term ES. There is no long term ES for HCl. HF has 2 assessment criteria – a 1-hr ES



and a monthly EAL – the process contribution is <1% of the monthly EAL and so the emission screens out as insignificant if the monthly ES is interpreted as representing a long term ES.

There is no long term EAL for SO<sub>2</sub> for the protection of human health, Protection of ecological receptors from SO<sub>2</sub> for which there is a long term ES is considered in section 5.4.

Emissions of SO<sub>2</sub> can also be screened out as insignificant in that the short term process contribution is also <10% of each of the three short term ES values. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

(iv) Emissions to Air of CO, VOCs, PAHs, PCBs, Dioxins and NH<sub>3</sub>

The above tables show that for CO emissions, the peak long term PC is less than 1% of the ES and the peak short term PC is less than 10% of the ES and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of CO to be BAT for the Installation.

The above tables show that for VOC emissions, the peak long term PC is greater than 1% of the ES and therefore cannot be screened out as insignificant. Even so, from the table above, the emission is not expected to result in the ES being exceeded. The application showed that PC at the most effected receptor is 1% of the ES. The peak short term PC for VOC is also below the level that would screen out as insignificant (<10% of the ES).

The Applicant has used the ES for benzene for their assessment of the impact of VOC. The table above uses 1,3 butadiene which has the lowest ES of organic species likely to be present in VOC (other than PAH, PCBs, dioxins and furans). Whilst this table shows higher PCs the conclusion that emissions are not expected to result in the ES being exceeded remain the same.

The above tables show that for PAH and PCB emissions, the peak long term PC is less than 1% of the ES and the peak short term PC is less than 10% of the ES for PCBs and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

The Applicant has also used the ES for benzo[a]pyrene (BaP) for their assessment of the impact of PAH. We agree that the use of the BaP ES is sufficiently precautionary.

The Applicant is required to prevent, minimise and control PAH and VOC emissions using BAT, this is considered further in Section 6. We are satisfied that PAH and VOC emissions will not result in significant pollution.

There is no ES for dioxins and furans as the principal exposure route for these substances is by ingestion and the risk to human health is through the

accumulation of these substances in the body over an extended period of time. This issue is considered in more detail in section 5.3.

The ammonia emission is based on a release concentration of 10 mg/m<sup>3</sup>. We are satisfied that this level of emission is consistent with the operation of a well controlled SNCR NO<sub>x</sub> abatement system and that it meets the requirements of the BAT Conclusions.

The above tables show that for ammonia emissions, the peak long term PC is less than 1% of the ES and the peak short term PC is less than 10% of the ES and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

#### (v) Summary

For the above emissions to air, for those emissions that do not screen out, we have carefully scrutinised the Applicant's proposals to ensure that they are applying the BAT to prevent and minimise emissions of these substances. This is reported in section 6 of this document. Therefore we consider the Applicant's proposals for preventing and minimising emissions to be BAT for the Installation. Dioxins and furans are considered further in section 5.3.2.

#### 5.2.3 Assessment of Emission of Metals

The Applicant has assessed the impact of metal emissions to air, as previously described.

There are three sets of BAT AELs for metal emissions:

- An emission limit value of 0.02 mg/m<sup>3</sup> for mercury and its compounds (formerly WID group 1 metals).
- An aggregate emission limit value of 0.02 mg/m<sup>3</sup> for cadmium and thallium and their compounds (formerly WID group 2 metals).
- An aggregate emission limit of 0.3 mg/m<sup>3</sup> for antimony, arsenic, lead, chromium, cobalt, copper, manganese, nickel and vanadium and their compounds (formerly WID group 3 metals).

In addition the UK is a Party to the Heavy Metals Protocol within the framework of the UN-ECE Convention on long-range trans-boundary air pollution. Compliance with the IED Annex VI emission limits for metals along with the Application of BAT also ensures that these requirements are met.

In section 5.2.1 above, the following emissions of metals were screened out as insignificant:

- Hg,
- Sb,
- Pb,
- Cu,
- V, and
- Cr (II), (III).

Also in section 5.2.1, the following emissions of metals whilst not screened out as insignificant were assessed as being unlikely to give rise to significant pollution:

- Cd,
- Mn, and
- Ni.

This left emissions of As, and Cr (IV) requiring further assessment. For all other metals, the Applicant has concluded that exceedances of the EAL are not likely to occur.

Where the BREF sets an aggregate limit, the Applicant's assessment assumes that each metal is emitted individually at the relevant aggregate emission limit value. This is a something which can never actually occur in practice as it would inevitably result in a breach of the said limit, and so represents a very much worst case scenario.

For metals As and Cr (VI) the Applicant then considered representative emissions data from municipal waste incinerators using our guidance note - please refer to "Guidance to Applicants on Impact Assessment for Group 3 Metals Stack Releases – version 4" for more information. Measurement of Chromium (VI) at the levels anticipated at the stack emission points is expected to be difficult, with the likely levels being below the level of detection by the most advanced methods. Data for Cr (VI) was based on total Cr emissions measurements and the proportion of total Cr to Cr (VI) in APC residues.

Using this data the Applicants results showed that for Cr (VI) the process contribution would be 0.5% of the EAL and would be considered as insignificant. For As the process contribution would be 6% with the predicted environmental concentration at 27.3%, this has been assessed as being unlikely to give rise to significant pollution as it is less than 100% of the predicted environmental concentration.

We have conducted sensitivity analysis to the impacts of metals using monitored metals emissions from clinical waste incinerators. Although we do not necessarily agree with the applicant's absolute numerical prediction, we agree with their overall conclusions.

Based on the above, the following emissions of metals whilst not screened out as insignificant were assessed as being unlikely to give rise to significant pollution:

- As and Cr (VI)

Improvement condition 6 has been included in the permit, it requires the Operator shall carry out an assessment of the impact of emissions to air of As and Cr (VI). A report on the assessment shall be made to the Environment Agency.

Emissions monitoring data obtained during the first year of operation shall be used to compare the actual emissions with those assumed in the impact assessment submitted with the Application. An assessment shall be made of the impact of each metal against the relevant ES. In the event that the assessment shows that an environmental standard can be exceeded, the report shall include proposals for further investigative work.

The installation has been assessed as meeting BAT for control of metal emissions to air. See section 6 of this document.

#### 5.2.4 Consideration of Local Factors

##### Impact on Air Quality Management Areas (AQMAs)

Stoke-on-Trent City Council has declared the whole of its administrative area as an Air Quality Management Area (AQMA). Therefore, the proposed development site is located within an AQMA, due to elevated concentrations of NO<sub>2</sub>.

Due to the location of the development site within an AQMA designated for elevated concentrations of NO<sub>2</sub>, commitment has been made by the applicant to reduce emissions of the oxides of nitrogen (NO<sub>x</sub>) to 80 mg/Nm<sup>3</sup>, compared with the BREF limit of 120 mg/Nm<sup>3</sup>.

The predicted maximum ground level concentration is less than 70% of the EAL and therefore no significant pollution is expected.

### **5.3 Human health risk assessment**

#### 5.3.1 Our role in preventing harm to human health

The Environment Agency has a statutory role to protect the environment and human health from all processes and activities it regulates. We assessed the effects on human health for this application in the following ways:

##### **i) Applying Statutory Controls**

The plant will be regulated under EPR. These regulations include the requirements of relevant EU Directives, notably, the Industrial Emissions Directive (IED), the Waste Framework Directive (WFD), and Ambient Air Directive (AAD).

The main conditions in an EfW permit are based on the requirements of the IED. Specific conditions have been introduced to specifically ensure compliance with the requirements of Chapter IV. The aim of the IED is to prevent or, where that is not practicable, to reduce emissions to air, water and land and prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole. IED achieves this aim by setting operational conditions, technical requirements and emission limit values to meet the requirements set out in Articles 11 and 18 of the IED.

These requirements may in some circumstances dictate tighter emission limits and controls than those set out in the BAT conclusions or Chapter IV of IED on waste incineration and co-incineration plants. The assessment of BAT for this installation is detailed in section 6 of this document.

## ii) Environmental Impact Assessment

Industrial activities can give rise to odour, noise and vibration, accidents, fugitive emissions to air and water, releases to air (including the impact on Photochemical Ozone Creation Potential (POCP)), discharges to ground or groundwater, global warming potential and generation of waste. For an installation of this kind, the principal environmental effects are through emissions to air, although we also consider all of the other impacts listed. Section 5.1 and 5.2 above explain how we have approached the critical issue of assessing the likely impact of the emissions to air from the Installation on human health and the environment and any measures we are requiring to ensure a high level of protection.

## iii) Expert Scientific Opinion

We take account of the views of national and international expert bodies. The gathering of evidence is a continuing process. Although gathering evidence is not our role we keep the available evidence under review. The following is a summary of some of the publications which we have considered (in no particular order).

An independent review of evidence on the health effects of municipal waste incinerators was published by **DEFRA** in 2004. It concluded that there was no convincing link between the emissions from MSW incinerators and adverse effects on public health in terms of cancer, respiratory disease or birth defects. On air quality effects, the report concluded “Waste incinerators contribute to local air pollution. This contribution, however, is usually a small proportion of existing background levels which is not detectable through environmental monitoring (for example, by comparing upwind and downwind levels of airborne pollutants or substances deposited to land). In some cases, waste incinerator facilities may make a more detectable contribution to air pollution. Because current MSW incinerators are located predominantly in urban areas, effects on air quality are likely to be so small as to be undetectable in practice.”

**HPA** (now PHE) in 2009 stated that “The Health Protection Agency has reviewed research undertaken to examine the suggested links between emissions from municipal waste incinerators and effects on health. While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable”.

In 2012 the UK Small Area Health Statistics Unit (SAHSU) at Imperial College was commissioned by Public Health England (PHE) to carry out a study to extend the evidence base and to provide further information to the public

about any potential reproductive and infant health risks from municipal waste incineration (MWIs).

A number of papers have been published by SAHSU since 2012 which show no effect on birth outcomes. One paper in the study looked at exposure to emissions from MWIs in the UK and concluded that exposure was low. Subsequent papers found no increased risk of a range of birth outcomes (including stillbirth and infant mortality) in relation to exposure to PM10 emissions and proximity to MWIs, and no association with MWIs opening on changes in risks of infant mortality or sex ratio.

The final part of the study, published on 21/06/19, found no evidence of increased risk of congenital anomalies from exposure to MWI chimney emissions, but a small potential increase in risk of congenital anomalies for children born within ten kilometres of MWIs. The paper does not demonstrate a causal effect, and it acknowledges that the observed results may well be down to not fully adjusting the study for factors such as other sources of pollution around MWIs or deprivation.

PHE have stated that ‘While the conclusions of the study state that a causal effect cannot be excluded, the study does not demonstrate a causal association and makes clear that the results may well reflect incomplete control for confounding i.e. insufficiently accounting for other factors that can cause congenital anomalies, including other sources of local pollution. This possible explanation is supported by the fact no increased risk of congenital anomalies was observed as a result of exposure to emissions from an incinerator.’

Following this study, PHE have further stated that ‘PHE’s position remains that modern, well run and regulated municipal waste incinerators are not a significant risk to public health, and as such our advice to you [i.e. the Environment Agency] on incinerators is unchanged.’

The **Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (CoC)** issued a statement in 2000 which said that “any potential risk of cancer due to residency (for periods in excess of 10 years) near to municipal solid waste incinerators was exceedingly low and probably not measurable by the most modern epidemiological techniques.” In 2009, CoC considered six further relevant epidemiological papers that had been published since the 2000 statement, and concluded that “there is no need to change the advice given in the previous statement in 2000 but that the situation should be kept under review”.

**Republic of Ireland Health Research Board** report stated that “It is hard to separate the influences of other sources of pollutants, and other causes of cancer and, as a result, the evidence for a link between cancer and proximity to an incinerator is not conclusive”.

The **Food Safety Authority of Ireland (FSAI) (2003)** investigated possible implications on health associated with food contamination from waste

incineration and concluded: “In relation to the possible impact of introduction of waste incineration in Ireland, as part of a national waste management strategy, on this currently largely satisfactory situation, the FSAI considers that such incineration facilities, if properly managed, will not contribute to dioxin levels in the food supply to any significant extent. The risks to health and sustainable development presented by the continued dependency on landfill as a method of waste disposal far outweigh any possible effects on food safety and quality.”

**Health Protection Scotland (2009)** considered scientific studies on health effects associated with the incineration of waste particularly those published after the Defra review discussed earlier. The main conclusions of this report were: “(a) For waste incineration as a whole topic, the body of evidence for an association with (non-occupational) adverse health effects is both inconsistent and inconclusive. However, more recent work suggests, more strongly, that there may have been an association between emissions (particularly dioxins) in the past from industrial, clinical and municipal waste incinerators and some forms of cancer, before more stringent regulatory requirements were implemented. (b) For individual waste streams, the evidence for an association with (non-occupational) adverse health effects is inconclusive. (c) The magnitude of any past health effects on residential populations living near incinerators that did occur is likely to have been small. (d) Levels of airborne emissions from individual incinerators should be lower now than in the past, due to stricter legislative controls and improved technology. Hence, any risk to the health of a local population living near an incinerator, associated with its emissions, should also now be lower.”

The **US National Research Council Committee on Health Effects of Waste Incineration (NRC) (NRC 2000)** reviewed evidence as part of a wide ranging report. The Committee view of the published evidence was summarised in a key conclusion: “Few epidemiological studies have attempted to assess whether adverse health effects have actually occurred near individual incinerators, and most of them have been unable to detect any effects. The studies of which the committee is aware that did report finding health effects had shortcomings and failed to provide convincing evidence. That result is not surprising given the small populations typically available for study and the fact that such effects, if any, might occur only infrequently or take many years to appear. Also, factors such as emissions from other pollution sources and variations in human activity patterns often decrease the likelihood of determining a relationship between small contributions of pollutants from incinerators and observed health effects. Lack of evidence of such relationships might mean that adverse health effects did not occur, but it could mean that such relationships might not be detectable using available methods and sources.”

The **British Society for Ecological Medicine (BSEM) published a report in 2005** on the health effects associated with incineration and concluded that “Large studies have shown higher rates of adult and childhood cancer and also birth defects around municipal waste incinerators: the results are consistent with the associations being causal. A number of smaller

epidemiological studies support this interpretation and suggest that the range of illnesses produced by incinerators may be much wider. Incinerator emissions are a major source of fine particulates, of toxic metals and of more than 200 organic chemicals, including known carcinogens, mutagens, and hormone disrupters. Emissions also contain other unidentified compounds whose potential for harm is as yet unknown, as was once the case with dioxins. Abatement equipment in modern incinerators merely transfers the toxic load, notably that of dioxins and heavy metals, from airborne emissions to the fly ash. This fly ash is light, readily windborne and mostly of low particle size. It represents a considerable and poorly understood health hazard.”

The BSEM report was reviewed by the HPA and they concluded that “Having considered the BSEM report the HPA maintains its position that contemporary and effectively managed and regulated waste incineration processes contribute little to the concentrations of monitored pollutants in ambient air and that the emissions from such plants have little effect on health.” The BSEM report was also commented on by the consultants who produced the Defra 2004 report referred to above. They said that “It fails to consider the significance of incineration as a source of the substances of concern. It does not consider the possible significance of the dose of pollutants that could result from incinerators. It does not fairly consider the adverse effects that could be associated with alternatives to incineration. It relies on inaccurate and outdated material. In view of these shortcomings, the report’s conclusions with regard to the health effects of incineration are not reliable.”

A **Greenpeace** review on incineration and human health concluded that a broad range of health effects have been associated with living near to incinerators as well as with working at these installations. Such effects include cancer (among both children and adults), adverse impacts on the respiratory system, heart disease, immune system effects, increased allergies and congenital abnormalities. Some studies, particularly those on cancer, relate to old rather than modern incinerators. However, modern incinerators operating in the last few years have also been associated with adverse health effects.”

The Health Protection Scotland report referred to above says that “the authors of the Greenpeace review do not explain the basis for their conclusion that there is an association between incineration and adverse effects in terms of criteria used to assess the strength of evidence. The weighting factors used to derive the assessment are not detailed. The objectivity of the conclusion cannot therefore be easily tested.”

From this published body of scientific opinion, we take the view stated by the HPA that “While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable”. We therefore ensure that permits contain conditions which require the installation to be well-run and regulate the installation to ensure compliance with such permit conditions.

#### iv) **Health Risk Models**



Comparing the results of air dispersion modelling as part of the Environmental Impact assessment against European and national air quality standards effectively makes a health risk assessment for those pollutants for which a standard has been derived. These air quality standards have been developed primarily in order to protect human health via known intake mechanisms, such as inhalation and ingestion. Some pollutants, such as dioxins, furans and dioxin like PCBs, have human health impacts at lower ingestion levels than lend themselves to setting an air quality standard to control against. For these pollutants, a different human health risk model is required which better reflects the level of dioxin intake.

Models are available to predict the dioxin, furan and dioxin like PCBs intake for comparison with the Tolerable Daily Intake (TDI) recommended by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment, known as COT. These include the HHRAP model.

HHRAP has been developed by the US EPA to calculate the human body intake of a range of carcinogenic pollutants and to determine the mathematic quantitative risk in probabilistic terms. In the UK, in common with other European Countries, we consider a threshold dose below which the likelihood of an adverse effect is regarded as being very low or effectively zero.

The TDI is the amount of a substance that can be ingested daily over a lifetime without appreciable health risk. It is expressed in relation to bodyweight in order to allow for different body size, such as for children of different ages. In the UK, the COT has set a TDI for dioxins, furans and dioxin like PCB's of 2 picograms I-TEQ/Kg-body weight/day (N.B. a picogram is a millionth of a millionth (10<sup>-12</sup>) of a gram).

In addition to an assessment of risk from dioxins, furans and dioxin like PCB's, the HHRAP model enables a risk assessment from human intake of a range of heavy metals. In principle, the respective ES for these metals are protective of human health. It is not therefore necessary to model the human body intake.

COMEAP developed a methodology based on the results of time series epidemiological studies which allows calculation of the public health impact of exposure to the classical air pollutants (NO<sub>2</sub>, SO<sub>2</sub> and particulates) in terms of the numbers of "deaths brought forward" and the "number of hospital admissions for respiratory disease brought forward or additional". COMEAP has issued a statement expressing some reservations about the applicability of applying its methodology to small affected areas. Those concerns generally relate to the fact that the exposure-response coefficients used in the COMEAP report derive from studies of whole urban populations where the air pollution climate may differ from that around a new industrial installation. COMEAP identified a number of factors and assumptions that would contribute to the uncertainty of the estimates. These were summarised in the Defra review as below:

- Assumption that the spatial distribution of the air pollutants considered is the same in the area under study as in those areas, usually cities or large towns, in which the studies which generated the coefficients were undertaken.
- Assumption that the temporal pattern of pollutant concentrations in the area under study is similar to that in the areas in which the studies which generated the coefficients were undertaken (i.e. urban areas).
- It should be recognised that a difference in the pattern of socio-economic conditions between the areas to be studied and the reference areas could lead to inaccuracy in the predicted level of effects.
- In the same way, a difference in the pattern of personal exposures between the areas to be studied and the reference areas will affect the accuracy of the predictions of effects.

The use of the COMEAP methodology is not generally recommended for modelling the human health impacts of individual installations. However it may have limited applicability where emissions of NO<sub>x</sub>, SO<sub>2</sub> and particulates cannot be screened out as insignificant in the Environmental Impact assessment, there are high ambient background levels of these pollutants and we are advised that its use was appropriate by our public health consultees.

Our recommended approach is therefore the use of the methodology set out in our guidance for comparison for most pollutants (including metals) and dioxin intake model using the HHRAP model as described above for dioxins, furans and dioxin like PCBs. Where an alternative approach is adopted for dioxins, we check the predictions ourselves.

## v) Consultations

As part of our normal procedures for the determination of a permit application, we consult with Local Authorities, Local Authority Directors of Public Health, FSA and PHE. We also consult the local communities who may raise health related issues. All issues raised by these consultations are considered in determining the application as described in Annex 4 of this document.

### 5.3.2 Assessment of Intake of Dioxins, Furans and Dioxin like PCBs

For dioxins, furans and dioxin like PCBs, the principal exposure route is through ingestion, usually through the food chain, and the main risk to health is through accumulation in the body over a period of time.

The human health risk assessment calculates the dose of dioxins and furans that would be received by local receptors if their food and water were sourced from the locality where the deposition of dioxins, furans and dioxin like PCBs is predicted to be the highest. This is then assessed against the Tolerable Daily Intake (TDI) levels established by the COT of 2 picograms I-TEQ / Kg bodyweight/ day.

The results of the Applicant’s assessment of dioxin intake are detailed in the table below (worst – case results for each category are shown). The results showed that the predicted daily intake of dioxins, furans and dioxin like PCBs at all receptors, resulting from emissions from the proposed facility, were significantly below the recommended TDI levels.

Receptor	adult	child
Farmer North of facility	0.0014	0.002
Resident North-Allotment	0.0011	0.0032

Calculated maximum daily intake of dioxins by local receptors resulting from the operation of the proposed facility (I-TEQ/ kg-BW/day)

Based on a paper by the European Food Safety Authority (EFSA) the COT have recently revised their advice on dioxin/dioxin like PCBs. This has resulted in a change from a tolerable daily intake (TDI) of 2 pg I-TEQ/Kg-body weight to a tolerable **weekly** intake (TWI) of 2 pg I-TEQ/Kg-body weight. We have checked the Applicant’s assessment taking the revised tolerable intake into account and we are satisfied that the conclusions of the assessment are not affected and that impacts will not be significant.

Our HHRA screening check calculations of dioxins, furans and dioxin-like PCB intakes, indicate that the PC is likely to be less than 10% of the of the COT TDI of 2 pg WHO-TEQ/kg(BW)/day, and less than 10% of the more stringent TDI of 0.29 pg WHO-TEQ/kg(BW)/day. Our checks conservatively assumed 60 hours of unabated emission at 100 times the IED ELV.

The FSA has reported that dietary studies have shown that estimated total dietary intakes of dioxins and dioxin-like PCBs from all sources by all age groups fell by around 50% between 1997 and 2001, and are expected to continue to fall. A report in 2012 showed that Dioxin and PCB levels in food have fallen slightly since 2001. In 2001, the average daily intake by adults in the UK from diet was 0.9 pg WHO-TEQ/kg bodyweight. The additional daily intake predicted by the modelling as shown in the table above is substantially below this figure.

In 2010, FSA studied the levels of chlorinated, brominated and mixed (chlorinated-brominated) dioxins and dioxin-like PCBs in fish, shellfish, meat and eggs consumed in UK. It asked COT to consider the results and to advise on whether the measured levels of these PXDDs, PXDFs and PXBs indicated a health concern (‘X’ means a halogen). COT issued a statement in December 2010 and concluded that “The major contribution to the total dioxin toxic activity in the foods measured came from chlorinated compounds. Brominated compounds made a much smaller contribution, and mixed halogenated compounds contributed even less (1% or less of TDI). Measured levels of PXDDs, PXDFs and dioxin-like PXBs do not indicate a health concern”. COT recognised the lack of quantified TEFs for these compounds but said that “even if the TEFs for PXDDs, PXDFs and dioxin-like PXBs were up to four fold higher than assumed, their contribution to the total TEQ in the diet would still be small. Thus, further research on PXDDs, PXDFs and dioxin-like PXBs is not considered a priority.”

In the light of this statement, we assess the impact of chlorinated compounds as representing the impact of all chlorinated, brominated and mixed dioxins / furans and dioxin like PCBs.

### 5.3.3 Particulates smaller than 2.5 microns

The Operator will be required to monitor particulate emissions using the method set out in Table S3.1 of Schedule 3 of the Permit. This method requires that the filter efficiency must be at least 99.5% on a test aerosol with a mean particle diameter of 0.3  $\mu\text{m}$ , at the maximum flow rate anticipated. The filter efficiency for larger particles will be at least as high as this. This means that particulate monitoring data effectively captures everything above 0.3  $\mu\text{m}$  and much of what is smaller. It is not expected that particles smaller than 0.3  $\mu\text{m}$  will contribute significantly to the mass release rate / concentration of particulates because of their very small mass, even if present. This means that emissions monitoring data can be relied upon to measure the true mass emission rate of particulates.

Nano-particles are considered to refer to those particulates less than 0.1  $\mu\text{m}$  in diameter ( $\text{PM}_{0.1}$ ). Questions are often raised about the effect of nano-particles on human health, in particular on children's health, because of their high surface to volume ratio, making them more reactive, and their very small size, giving them the potential to penetrate cell walls of living organisms. The small size also means there will be a larger number of small particles for a given mass concentration. However the HPA statement (referenced below) says that due to the small effects of incinerators on local concentration of particles, it is highly unlikely that there will be detectable effects of any particular incinerator on local infant mortality.

The HPA (now PHE) addresses the issue of the health effects of particulates in their September 2009 statement 'The Impact on Health of Emissions to Air from Municipal Incinerators'. It refers to the coefficients linking  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  with effects on health derived by COMEAP and goes on to say that if these coefficients are applied to small increases in concentrations produced, locally, by incinerators; the estimated effects on health are likely to be small. PHE note that the coefficients that allow the use of number concentrations in impact calculations have not yet been defined because the national experts have not judged that the evidence is sufficient to do so. This is an area being kept under review by COMEAP.

In December 2010, COMEAP published a report on The Mortality Effects of Long-Term Exposure to Particulate Air Pollution in the United Kingdom. It says that "a policy which aims to reduce the annual average concentration of  $\text{PM}_{2.5}$  by 1  $\mu\text{g}/\text{m}^3$  would result in an increase in life expectancy of 20 days for people born in 2008." However, "The Committee stresses the need for careful interpretation of these metrics to avoid incorrect inferences being drawn – they are valid representations of population aggregate or average effects, but they can be misleading when interpreted as reflecting the experience of individuals."

PHE also point out that in 2007 incinerators contributed 0.02% to ambient ground level PM<sub>10</sub> levels compared with 18% for road traffic and 22% for industry in general. PHE noted that in a sample collected in a day at a typical urban area the proportion of PM<sub>0.1</sub> is around 5-10% of PM<sub>10</sub>. It goes on to say that PM<sub>10</sub> includes and exceeds PM<sub>2.5</sub> which in turn includes and exceeds PM<sub>0.1</sub>. The National Atmospheric Emissions Inventory (NAEI) figures show that in 2016 municipal waste incineration contributed 0.03% to ambient ground level PM<sub>10</sub> levels and 0.05% to ambient ground level PM<sub>2.5</sub> levels. The 2016 data also shows that road traffic contributed to 5.35% of PM<sub>10</sub> and 4.96% of PM<sub>2.5</sub> and that domestic wood burning contributed 22.4% to PM<sub>10</sub> and 34.3% of PM<sub>2.5</sub> levels.

This is consistent with the assessment of this application which shows emissions of PM<sub>10</sub> to air to be insignificant.

A 2016 a paper by Jones and Harrison concluded that 'ultrafine particles (<100 nm) in flue gases from incinerators are broadly similar to those in urban air and that after dispersion with ambient air ultrafine particle concentrations are typically indistinguishable from those that would occur in the absence of the incinerator.

We take the view, based on the foregoing evidence, that techniques which control the release of particulates to levels which will not cause harm to human health will also control the release of fine particulate matter to a level which will not cause harm to human health.

#### 5.3.4 Assessment of Health Effects from the Installation

We have assessed the health effects from the operation of this installation in relation to the above (sections 5.3.1 to 5.3.3). We have applied the relevant requirements of the national and European legislation in imposing the permit conditions. We are satisfied that compliance with these conditions will ensure protection of the environment and human health.

Taking into account all of the expert opinion available, we agree with the conclusion reached by PHE that "While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable."

In carrying out air dispersion modelling as part of the Environmental Impact assessment and comparing the predicted environmental concentrations with European and national air quality standards, the Applicant has effectively made a health risk assessment for many pollutants. These air quality standards have been developed primarily in order to protect human health.

The Applicant's assessment of the impact from PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, HCl, HF, CO, PAHs, NH<sub>3</sub>, PCBs, Hg, Sb, Pb, Cu, V, Cr (II)(III), and Cr (VI ), have all indicated that the Installation emissions screen out as insignificant; where the impact of emissions of NO<sub>2</sub>, TOC, Cd, Mn, As, and Ni have not been

screened out as insignificant, the assessment still shows that the predicted environmental concentrations are well within air quality standards or environmental action levels.

The Environment Agency has reviewed the methodology employed by the Applicant to carry out the health impact assessment.

Our HHRA screening check calculations of dioxins, furans and dioxin-like PCB intakes, indicate that the PC is likely to be less than 10% of the of the COT TDI of 2 pg WHO-TEQ/kg(BW)/day, and less than 10% of the more stringent TDI of 0.29 pgWHO-TEQ/kg(BW)/day. Our checks conservatively assumed 60 hours of unabated emission at 100 times the IED ELV.

Overall, taking into account the conservative nature of the impact assessment (i.e. that it is based upon an individual exposed for a life-time to the effects of the highest predicted relevant airborne concentrations and consuming mostly locally grown food), it was concluded that the operation of the proposed facility will not pose a significant carcinogenic or non-carcinogenic risk to human health.

Public Health England (PHE) was consulted on the Application and in their response did not raise any significant concerns regarding the risk to the health of humans from the installation. Details of the responses provided by Public Health England, to the consultation on this Application can be found in Annex 4.

The Environment Agency is therefore satisfied that the Applicant's conclusions presented above are soundly based and we conclude that the potential emissions of pollutants including dioxins, furans and metals from the proposed facility are unlikely to have an impact upon human health.

#### **5.4 Impact on Habitats sites, SSSIs, non-statutory conservation sites etc.**

##### **5.4.1 Sites Considered**

There are no Habitats (i.e. Special Areas of Conservation, Special Protection Areas and Ramsar) sites within 10 km of the proposed Installation.

There are no Sites of Special Scientific Interest within 2 km of the proposed Installation.

The following non-statutory local wildlife and conservation sites are located within 2 km of the Installation:

- Westport Lake (LNR/LWS)
- Bradwell Woods (Ancient and semi-natural woodland/LNR/LWS)
- Bradwell Pit (LWS)
- Goldendale Pools (LWS)

- Scotia Brook (LWS)

#### 5.4.2 Assessment of other conservation sites

Conservation sites are protected in law by legislation. The Habitats Directive provides the highest level of protection for SACs and SPAs, domestic legislation provides a lower but important level of protection for SSSIs. Finally the Environment Act provides more generalised protection for flora and fauna rather than for specifically named conservation designations. It is under the Environment Act that we assess other sites (such as local wildlife sites) which prevents us from permitting something that will result in significant pollution; and which offers levels of protection proportionate with other European and national legislation. However, it should not be assumed that because levels of protection are less stringent for these other sites that they are not of considerable importance. Local sites link and support EU and national nature conservation sites together and hence help to maintain the UK's biodiversity resilience.

For SACs SPAs, Ramsars and SSSIs we consider the contribution PC and the background levels in making an assessment of impact. In assessing these other sites under the Environment Act we look at the impact from the Installation alone in order to determine whether it would cause significant pollution. This is a proportionate approach, in line with the levels of protection offered by the conservation legislation to protect these other sites (which are generally more numerous than Natura 2000 or SSSIs) whilst ensuring that we do not restrict development.

Critical levels and loads are set to protect the most vulnerable habitat types. Thresholds change in accordance with the levels of protection afforded by the legislation. Therefore the thresholds for SAC SPA and SSSI features are more stringent than those for other nature conservation sites.

Therefore we would generally conclude that the Installation is not causing significant pollution at these other sites if the PC is less than the relevant critical level or critical load, provided that the Applicant is using BAT to control emissions.

With regard to ecological sites, our checks of the local nature sites (within 2 km) indicate that PCs at sensitive habitat receptors for critical levels and critical loads for nutrient nitrogen and acid deposition are likely to be insignificant.

### **5.5 Impact of abnormal operations on emissions to air**

Article 50(4)(c) of IED requires that waste incineration and co-incineration plants shall operate an automatic system to prevent waste feed whenever any of the continuous emission monitors show that an emission limit value (ELV) is exceeded due to disturbances or failures of the purification devices. Notwithstanding this, Article 46(6) allows for the continued incineration and co-incineration of waste under such conditions provided that this period does

not (in any circumstances) exceed 4 hours uninterrupted continuous operation or the cumulative period of operation does not exceed 60 hours in a calendar year. This is a recognition that the emissions during transient states (e.g. start-up and shut-down) are higher than during steady-state operation, and the overall environmental impact of continued operation with a limited exceedance of an ELV may be less than that of a partial shut-down and re-start.

The BAT conclusions specify that BAT-AELs apply during normal operating conditions. During periods of other than normal operating conditions (OTNOC) the BAT-AELs do not apply. BAT 18 describes OTNOC as including failure of equipment critical to protection of the environment. The intention appears to be that this would cover the same situation as Articles 46(6) and 47. So periods of OTNOC will be limited to these situations. This is achieved by including periods of OTNOC within the definition of abnormal operation. OTNOC scenarios will be approved by us through the OTNOC management plan that will form part of the EMS as required by pre-operational condition. No OTNOC scenarios will be approved which could lead to higher emissions than those listed under the worst-case scenario assumptions below.

For incineration plant, IED sets backstop limits for particulates, CO and TOC which must continue to be met at all times. The CO and TOC limits are the same as for normal operation, and are intended to ensure that good combustion conditions are maintained. The backstop limit for particulates is 150 mg/m<sup>3</sup> (as a half hourly average) which is five times the limit in normal operation.

Article 45(1)(f) requires that the permit shall specify the maximum permissible period of any technically unavoidable stoppages, disturbances, or failures of the purification devices or the measurement devices, during which the concentrations in the discharges into the air may exceed the prescribed emission limit values. In this case we have decided to set the time limit at 4 hours, which is the maximum period prescribed by Article 46(6) of the IED.

These abnormal operations are limited to no more than a period of 4 hours continuous operation and no more than 60 hour aggregated operation in any calendar year. This is less than 1% of total operating hours and so abnormal operating conditions are not expected to have any significant long term environmental impact unless the background conditions were already close to, or exceeding, an ES. For the most part therefore consideration of abnormal operations is limited to consideration of its impact on short term ESs.

In making an assessment of abnormal operations the following worst case scenario has been assumed:

- Dioxin emissions of 10 ng/m<sup>3</sup> (100 x normal)
- Mercury emissions are 100 times those of normal operation
- NO<sub>x</sub> emissions of 600 mg/m<sup>3</sup> (5 x normal)
- Particulate emissions of 150 mg/m<sup>3</sup> (5 x normal)



- Metal emissions other than mercury are 5 times those of normal operation
- SO<sub>2</sub> emissions of 272 mg/m<sup>3</sup> (9 x normal)
- HCl emissions of 1235 mg/m<sup>3</sup> (206 x normal)
- PCBs (100 x normal)

This is a worst case scenario in that these abnormal conditions include a number of different equipment failures not all of which will necessarily result in an adverse impact on the environment (e.g. a failure of a monitoring instrument does not necessarily mean that the incinerator or abatement plant is malfunctioning). This analysis assumes that any failure of any equipment results in all the negative impacts set out above occurring simultaneously.

The result on the Applicant's short-term environmental impact is summarised in the table below.

Pollutant	EQS / EAL		Back-ground	Process Contribution (PC)		Predicted Environmental Concentration (PEC)	
	µg/m <sup>3</sup>			µg/m <sup>3</sup>	µg/m <sup>3</sup>	% of EAL	µg/m <sup>3</sup>
NO <sub>2</sub>	200	2	54.6	14.3	7.2	68.9	34.5
PM <sub>10</sub>	50	3	36.6	1.5	3	38.1	76.2
SO <sub>2</sub>	266	4	18.8	21.7	8.2	40.5	15.2
	350	5	14	50.2	14.34	64.2	18.3
HCl	750	6	0.21	8.4	1.1	8.61	1.15
HF	160	6	1	0.6	0.3	1.6	1.0
Hg	7.5	1	0.004	0.14	1.86	0.144	1.92
Sb	150	1	0	0.125	0.08	0.125	0.08
Cu	200	1	0.018	0.125	0.06	0.143	0.07
Mn	1500	1	0.018	0.125	0.008	0.143	0.009
PCBs	6	1	0.212	0.0000025	0.0000416	0.212	0.009
Cr (II)(III)	150	1	0.0064	0.125	0.08	0.1314	0.089

- 1 1-hr Maximum
- 2 99.79<sup>th</sup> %ile of 1-hour means  
90.41<sup>st</sup> %ile of 24-hour means (Max 24hr figure used this will be conservative).
- 3
- 4 99.9<sup>th</sup> ile of 15-min means
- 5 99.73<sup>rd</sup> %ile of 1-hour means
- 6 1-hour average

9.5

From the table above the emissions of the following substances can still be considered insignificant, in that the PC is still <10% of the short-term ES.

- NO<sub>2</sub>
- PM<sub>10</sub>,
- HCl,
- Hg,
- Sb,
- Cu,
- Mn,
- PCBs, and
- Cr (II) (III).

Also from the table above emissions of the following emissions (which were not screened out as insignificant) have been assessed as being unlikely to give rise to significant pollution in that the predicted environmental concentration is less than 100% of short term ES.

- SO<sub>2</sub>,

We are therefore satisfied that it is not necessary to further constrain the conditions and duration of the periods of abnormal operation beyond those permitted under Chapter IV of the IED.

We have not assessed the impact of abnormal operations against long term ESs for the reasons set out above, other than for dioxins.

If dioxin emissions were at 10 ng/m<sup>3</sup> for the maximum period of abnormal operation (i.e. 100 times the IED ELV), this would result in an increase of approximately 63% in the TDI reported in section 5.3.3. In these circumstances the TDI would be 0.052 pg(I-TEQ/ kg-BW/day), which is 18% of the COT TDI. At this level, emissions of dioxins will still not pose a risk to human health.

Our HHRA screening check calculations of dioxins, furans and dioxin-like PCB intakes, indicate that the PC is likely to be less than 10% of the of the COT TDI of 2 pgWHO-TEQ/kg(BW)/day, and less than 10% of the more stringent TDI of 0.29 pgWHO-TEQ/kg(BW)/day.

## **6. Application of Best Available Techniques**

### **6.1 Scope of Consideration**

In this section, we explain how we have determined whether the Applicant's proposals are the Best Available Techniques for this Installation.

- The first issue we address is the fundamental choice of incineration technology. There are a number of alternatives, and the Applicant has explained why it has chosen one particular kind for this Installation.

- We then consider in particular control measures for the emissions which were not screened out as insignificant in the previous section on minimising the installation’s environmental impact. They are:
  - NO<sub>2</sub>,
  - TOC,
  - Cd,
  - Pb,
  - Mn,
  - As, and
  - Ni.
  
- We also have to consider the combustion efficiency and energy utilisation of different design options for the Installation, which are relevant considerations in the determination of BAT for the Installation, including the Global Warming Potential of the different options.
  
- Finally, the prevention and minimisation of Persistent Organic Pollutants (POPs) must be considered, as we explain below.

Chapter IV of the IED specifies a set of maximum emission limit values. Although these limits are designed to be stringent, and to provide a high level of environmental protection, they do not necessarily reflect what can be achieved by new plant. Article 14(3) of the IED says that BAT Conclusions shall be the reference for setting the permit conditions, so it may be possible and desirable to achieve emissions below the limits referenced in Chapter IV. The BAT conclusions were published on 12/11/2019.

Even if the Chapter IV limits are appropriate, operational controls complement the emission limits and should generally result in emissions below the maximum allowed; whilst the limits themselves provide headroom to allow for unavoidable process fluctuations. Actual emissions are therefore almost certain to be below emission limits in practice, because any Operator who sought to operate its installation continually at the maximum permitted level would almost inevitably breach those limits regularly, simply by virtue of normal fluctuations in plant performance, resulting in enforcement action (including potentially prosecution) being taken. Assessments based on, say, Chapter IV limits are therefore “worst-case” scenarios.

Should the Installation, once in operation, emit at rates significantly below the limits included in the Permit, we will consider tightening ELVs appropriately. We are, however, satisfied that emissions at the permitted limits would ensure a high level of protection for human health and the environment in any event.

#### 6.1.1 Consideration of Furnace Type

The prime function of the furnace is to achieve maximum combustion of the waste. Chapter IV of the IED requires that the plant (furnace in this context) should be designed to deliver its requirements. The main requirements of

Chapter IV in relation to the choice of a furnace are compliance with air emission limits for CO and TOC and achieving a low TOC/LOI level in the bottom ash.

The BREF states that hazardous and clinical waste is usually incinerated in rotary kilns but grate incinerators (including co-firing with other wastes) are sometimes applied to solid wastes, and fluidised bed incinerators to some pretreated materials. Static furnaces are also widely applied at on-site facilities in chemical plants.

The BREF describes other process such as gasification and pyrolysis. The BREF notes that some of the processes have encountered technical and economic problems when scaled up to commercial, industrial sizes. Some are used on a commercial basis in Japan and are being tested in demonstration plants in Europe but still only have a small share of overall capacity.

Section 4.3 of the BREF provides a comparison of combustion and thermal treatment technologies, used in Europe and factors affecting their applicability and operational suitability for various waste types. There is also some information on the comparative costs. The table below has been extracted from the BREF tables. This table is also in line with the Guidance Note “The Incineration of Waste (EPR 5.01)). However, it should not be taken as an exhaustive list nor that all technologies listed have found equal application across Europe.

Overall, any of the furnace technologies listed below would be considered as BAT provided the Applicant has justified it in terms of:

- nature/physical state of the waste and its variability
- proposed plant throughput which may affect the number of incineration lines
- preference and experience of chosen technology including plant availability
- nature and quantity/quality of residues produced.
- emissions to air – usually NO<sub>x</sub> as the furnace choice could have an effect on the amount of unabated NO<sub>x</sub> produced
- energy consumption – whole plant, waste preparation, effect on GWP
- Need, if any, for further processing of residues to comply with TOC
- Costs

**Summary comparison of thermal treatment technologies (reproduced from the Waste Incineration BREF)**

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Moving grate (air-cooled)	<ul style="list-style-type: none"> <li>• Low to medium heat values (LCV 5 – 16.5 GJ/t)</li> <li>• Municipal and other heterogeneous solid wastes</li> <li>• Can accept a proportion of sewage sludge and/or medical waste with municipal waste</li> </ul> <p>Applied at most modern MSW installations</p>	<ul style="list-style-type: none"> <li>• 1 to 50 t/h with most projects 5 to 30 t/h.</li> <li>• Most industrial applications not below 2.5 or 3 t/h.</li> </ul>	<ul style="list-style-type: none"> <li>• Widely proven at large scales.</li> <li>• Robust</li> <li>• Low maintenance cost</li> <li>• Long operational history</li> <li>• Can take heterogeneous wastes without special preparation</li> </ul>	<ul style="list-style-type: none"> <li>• Generally not suited to powders, liquids or materials that melt through the grate</li> </ul>	TOC 0.5% to 3%	High capacity reduces specific cost per tonne of waste
Moving grate (liquid-cooled)	<p>Same as air-cooled grates except:</p> <p>LCV 10 – 20 GJ/t</p>	Same as air-cooled grates	<p>As air-cooled grates but:</p> <ul style="list-style-type: none"> <li>• higher heat value waste is treatable</li> <li>• Better combustion control possible.</li> </ul>	<p>As air-cooled grates but:</p> <ul style="list-style-type: none"> <li>• risk of grate damage/leaks</li> <li>• higher complexity</li> </ul>	TOC 0.5% to 3%	Slightly higher capital cost than air-cooled
Rotary Kiln	<p>Can accept liquids and pastes as well as gases</p> <p>Solid feeds more limited than grate (due to refractory damage)</p> <p>often applied to hazardous Wastes</p>	<16 t/h	<ul style="list-style-type: none"> <li>• Very well proven</li> <li>• Broad range of wastes</li> <li>• Good burn out even of HW</li> </ul>	Throughputs lower than grates	TOC <3%	Higher specific cost due to reduced capacity

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Fluid bed - bubbling	<ul style="list-style-type: none"> <li>• Wide range of CV (5-25 MJ/kg)</li> <li>• Only finely divided consistent wastes.</li> <li>• Limited use for raw MSW</li> <li>• Often applied to sludges co fired with RDF, shredded MSW, sludges, poultry manure</li> </ul>	Up to 25 t/h	<ul style="list-style-type: none"> <li>• Good mixing</li> <li>• Fly ashes of good leaching quality</li> </ul>	<ul style="list-style-type: none"> <li>• Careful operation required to avoid clogging bed.</li> <li>• Higher fly ash quantities.</li> </ul>	TOC <1%	<p>FGT cost may be lower.</p> <p>Costs of waste preparation</p>
Fluid bed - circulating	<ul style="list-style-type: none"> <li>• Wide range of CV (6-25 MJ/kg)</li> <li>• Only finely divided consistent wastes.</li> <li>• Limited use for raw MSW</li> <li>• Often applied to sludges co-fired with RDF, coal, wood waste</li> </ul>	Up to 70 t/h	<ul style="list-style-type: none"> <li>• Good mixing</li> <li>• High steam parameters up to 500°C</li> <li>• Greater fuel flexibility than BFB</li> <li>• Fly ashes of good leaching quality</li> </ul>	<ul style="list-style-type: none"> <li>• Cyclone required to conserve bed material</li> <li>• Higher fly ash quantities</li> </ul>	TOC <1%	<p>FGT cost may be lower.</p> <p>Costs of waste preparation</p>
Stepped and Static hearths	<ul style="list-style-type: none"> <li>• Only higher CV waste (LHV&gt;20 GJ/t)</li> <li>• Mainly used for clinical waste</li> </ul>	NA	<ul style="list-style-type: none"> <li>• Can deal with liquids and powders</li> </ul>	<ul style="list-style-type: none"> <li>• Bed agitation may be lower</li> </ul>	Dependent on waste type	Higher specific cost due to reduced capacity
Spreader – stoker combustor	<ul style="list-style-type: none"> <li>• RDF and other particle feeds</li> <li>• Poultry manure</li> <li>• Wood wastes</li> </ul>	No information	<ul style="list-style-type: none"> <li>• Simple grate construction</li> <li>• Less sensitive to particle size than FB</li> </ul>	Only for well defined mono-streams	No information	No information

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Gasification - fixed bed	<ul style="list-style-type: none"> <li>• Mixed plastic wastes</li> <li>• Other similar consistent streams</li> <li>• Gasification less widely used/proven than incineration</li> </ul>	Up to 20 t/h	<ul style="list-style-type: none"> <li>• Low leaching residue</li> <li>• Good burnout if oxygen blown</li> <li>• Syngas available</li> <li>• Reduced oxidation of recyclable metals</li> </ul>	<ul style="list-style-type: none"> <li>• Limited waste feed</li> <li>• Not full combustion</li> <li>• High skill level</li> <li>• Tar in raw gas</li> <li>• Less widely proven</li> </ul>	<ul style="list-style-type: none"> <li>• Low leaching bottom ash</li> <li>• Good burnout with oxygen</li> </ul>	High operating/maintenance costs
Gasification – entrained flow	<ul style="list-style-type: none"> <li>• Mixed plastic wastes</li> <li>• Other similar consistent streams</li> <li>• Not suited to untreated MSW</li> <li>• Gasification less widely used/proven than incineration</li> </ul>	Up to 10 t/h	<ul style="list-style-type: none"> <li>• Low leaching slag</li> <li>• Reduced oxidation of recyclable metals</li> </ul>	<ul style="list-style-type: none"> <li>• Limited waste feed</li> <li>• Not full combustion</li> <li>• High skill level</li> <li>• Less widely proven</li> </ul>	low leaching slag	<ul style="list-style-type: none"> <li>• High operation/maintenance costs</li> <li>• High pre-treatment costs</li> </ul>
Gasification - fluidised bed	<ul style="list-style-type: none"> <li>• Mixed plastic wastes</li> <li>• Shredded MSW</li> <li>• Shredder residues</li> <li>• Sludges</li> <li>• Metal rich wastes</li> <li>• Other similar consistent streams</li> <li>• Gasification less widely used/proven than incineration</li> </ul>	5 – 20 t/h	<ul style="list-style-type: none"> <li>• Can use low reactor temperatures e.g. for Al recovery</li> <li>• Separation of main non combustibles</li> <li>• Can be combined with ash melting</li> <li>• Reduced oxidation of recyclable metals</li> </ul>	<ul style="list-style-type: none"> <li>• Limited waste size (&lt;30 cm)</li> <li>• Tar in raw gas</li> <li>• Higher UHV raw gas</li> <li>• Less widely proven</li> </ul>	If combined with ash melting chamber ash is vitrified	Lower than other gasifiers

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Pyrolysis	<ul style="list-style-type: none"> <li>• Pre-treated MSW</li> <li>• High metal inert streams</li> <li>• Shredder residues/plastics</li> <li>• Pyrolysis is less widely used/proven than incineration</li> </ul>	<p>~ 5 t/h (short drum) 5 – 10 t/h (medium drum)</p>	<ul style="list-style-type: none"> <li>• No oxidation of metals</li> <li>• No combustion energy for metals/inert</li> <li>• In reactor acid neutralisation possible</li> <li>• Syngas available</li> </ul>	<ul style="list-style-type: none"> <li>• Limited wastes</li> <li>• Process control and engineering critical</li> <li>• High skill level</li> <li>• Not widely proven</li> <li>• Need market for syngas</li> </ul>	<ul style="list-style-type: none"> <li>• Dependent on process temperature</li> <li>• Residue produced requires further processing and sometimes combustion</li> </ul>	High pre-treatment, operation and capital costs



The Applicant has carried out a review of the following candidate furnace types:

- Stepped Hearth / Moving Grate Furnace
- Rotary Kiln
- Fluidised Bed
- Pyrolysis / Gasification

The Applicant concluded that gasification and pyrolysis were not considered suitable technologies for heterogeneous clinical wastes. Fluidised bed technology was also discounted as unsuitable for heterogeneous clinical wastes, they also concluded that larger residue volume may be produced. Rotary kiln technology is generally used in larger installations with a throughput of 25,000 – 140,000 tonnes per year due to the scale of the plant and was rejected by the applicant on grounds of increased maintenance costs, giving no benefit over stepped hearth.

The Applicant explained that stepped hearth combustion had the following advantages:

- Capable of dealing with waste streams that are not necessarily homogeneous;
- High temperatures to achieve 1,100°C for 2 seconds retention time in combustion chamber;
- Allows continuous feed;
- Fully automated and thus ensuring safe operation even at extreme temperatures;
- An increase of mechanical turbulence to optimise destruction of wastes;
- Thermal oxidation of combustion gases within the secondary combustion chamber; and
- Proven, reliable technology with typically modular design allowing ease of installation and future maintenance.

The Applicant has proposed to use a furnace technology comprising hydraulically driven stepped hearths with a separate secondary combustion chamber, which is identified in the tables above as being considered BAT in the BREF or TGN for this type of waste feed.

The Applicant proposes to use natural gas as support fuel for start-up, shut down and for the auxiliary burners with waste oil which is processed on site also being used as an auxiliary fuel (only when the furnace is operating at the necessary temperature). The choice of natural gas as a support fuel is consistent with the requirements of chapter IV of the IED, and the use of recovered waste oil as a secondary fuel will reduce the use of primary fuels.

## Boiler Design

In accordance with BAT 30 of the BAT C and our Technical Guidance Note, EPR 5.01, the Applicant has confirmed that the boiler design will include the following features to minimise the potential for reformation of dioxins within the de-novo synthesis range:

- Flue gases rapidly cooled from 900°C to 220°C;
- Boiler passes are progressively decreased in volume so that the gas velocity increases through the boiler; and
- Design of boiler surfaces to prevent boundary layers of slow moving gas.

Any of the options listed in the BREF and summarised in the table above can be BAT. The Applicant has chosen a furnace technique that is listed in the BREF and we are satisfied that the Applicant has provided sufficient justification to show that their technique is BAT. This is not to say that the other techniques could not also be BAT, but that the Applicant has shown that their chosen technique is at least comparable with the other BAT options. We believe that, based on the information gathered by the BREF process, the chosen technology will achieve the requirements of Chapter IV of the IED for the air emission of TOC/CO and the TOC on bottom ash.

### 6.2 BAT and emissions control

The prime function of flue gas treatment is to reduce the concentration of pollutants in the exhaust gas as far as practicable. The techniques which are described as BAT individually are targeted to remove specific pollutants, but the BREF notes that there is benefit from considering the Flue Gas Cleaning System (FGC) system as a whole unit. Individual units often interact, providing a primary abatement for some pollutants and an additional effect on others.

The BREF lists the general factors requiring consideration when selecting flue-gas treatment (FGC) systems as:

- type of waste, its composition and variation
- type of combustion process, and its size
- flue-gas flow and temperature
- flue-gas content, including magnitude and rate of composition fluctuations
- target emission limit values
- restrictions on discharge of aqueous effluents
- plume visibility requirements
- land and space availability
- availability and cost of outlets for residues accumulated/recovered
- compatibility with any existing process components (existing plants)
- availability and cost of water and other reagents
- energy supply possibilities (e.g. supply of heat from condensing scrubbers)
- reduction of emissions by primary methods
- noise

- arrangement of different flue-gas cleaning devices if possible with decreasing flue-gas temperatures from boiler to stack

Taking these factors into account the Technical Guidance Note points to a range of technologies being BAT subject to circumstances of the Installation.

### 6.2.1 Particulate Matter

<b>Particulate matter</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Bag / Fabric filters (BF)</b>	Reliable abatement of particulate matter to below 5mg/m <sup>3</sup>	Max temp 250°C Higher energy use than ESP Sensitive to condensation and corrosion	Multiple compartments  Bag burst detectors	Most plants
<b>Wet scrubbing</b>	May reduce acid gases simultaneously.	Not normally BAT.  Liquid effluent produced	Require reheat to prevent visible plume and dew point problems.	Where scrubbing required for other pollutants
<b>Ceramic filters</b>	High temperature applications  Smaller plant.	May “blind” more than fabric filters		Small plant.  High temperature gas cleaning required.
<b>Electrostatic precipitators (ESP)</b>	Low pressure gradient. Use with BF may reduce the energy consumption of the induced draft fan.	Not normally BAT by itself Risk of dioxin formation if used in 200-400°C range		When used with other particulate abatement plant

The Applicant proposes to use ceramic filters for the abatement of particulate matter. Ceramic filters are considered as applicable for high temperature applications on smaller plant which is applicable to this installation. The Applicant has explained that they system that will be installed will provide reliable abatement of particulate matter to below 5 mg/m<sup>3</sup>. The Applicant proposes to use multiple compartment filters with automatic cleaning which is designed to provide uninterrupted filtration.

Emissions of particulate matter have been previously screened out as insignificant, and so the Environment Agency agrees that the Applicant’s proposed technique is BAT for the installation.

### 6.2.2 Oxides of Nitrogen

<b>Oxides of Nitrogen: Primary Measures</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Low NOx burners</b>	Reduces NOx at source		Start-up, supplementary firing.	Where auxiliary burners required.
<b>Starved air systems</b>	Reduce CO simultaneously.			Pyrolysis, Gasification systems.
<b>Optimise primary and secondary air injection</b>				All plant.
<b>Flue Gas Recirculation (FGR)</b>	Reduces the consumption of reagents used for secondary NOx control.  May increase overall energy recovery	Some applications experience corrosion problems.  Can result in elevated CO and other products of incomplete combustion		Justify if not used

<b>Oxides of Nitrogen: Secondary Measures (BAT is to apply Primary Measures first)</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Selective catalytic reduction (SCR)</b>	NOx emissions 40-150 mg/m <sup>3</sup>  Reduces CO, VOC, dioxins	Expensive.  Re-heat required – reduces plant efficiency		All plant
<b>SCR by catalytic filter bags</b>	50-120 mg/m <sup>3</sup>			Applicable to new and existing plants with or without existing SNCR.  Can be used with NH <sub>3</sub> as slip catalyst with SNCR

<b>Oxides of Nitrogen: Secondary Measures (BAT is to apply Primary Measures first)</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Selective non-catalytic reduction (SNCR)</b>	NO <sub>x</sub> emissions 80 -180 mg/m <sup>3</sup> Lower energy consumption than SCR Lower costs than SCR	Relies on an optimum temperature around 900°C, and sufficient retention time for reduction  May lead to Ammonia slip	Port injection locations	All plant unless lower NO <sub>x</sub> release required for local environmental protection.
<b>Reagent Type: Ammonia</b>	Likely to be BAT	More difficult to handle  Lower nitrous oxide formation  Narrower temperature window		All plant
<b>Reagent Type: Urea</b>	Likely to be BAT	Higher N <sub>2</sub> O emissions than ammonia, optimisation particularly important		All plant

The Applicant proposes to implement the following primary measures:

- Optimise primary and secondary air injection.
- Negative pressure – The system is held under light negative pressure allowing control of air input.
- Temperature control - Avoiding excessive or uneven temperatures.

The Applicant does not propose to incorporate flue gas recirculation in to the design of this installation. This technique reduces the consumption of reagents for secondary NO<sub>x</sub> control and can increase overall energy recovery, although in some applications there can be corrosion problems. The Applicant has explained that due to the size of the plant it is not economic to carry out flue gas recirculation.

The Applicant does not propose to use low NO<sub>x</sub> burners, which is considered BAT where auxiliary burners are required. They state that this is because the burners are duel fuelled and can operate on natural gas and waste oil and that duel fuel burners are not available with a low NO<sub>x</sub> function.

There are three recognised techniques for secondary measures to reduce NO<sub>x</sub>. These are Selective Catalytic Reduction (SCR), SCR by catalytic filter

bags and Selective Non-Catalytic Reduction (SNCR) with or without catalytic filter bags. For each technique, there is a choice of urea or ammonia reagent.

SCR can reduce NO<sub>x</sub> levels to below 50 mg/m<sup>3</sup> and can be applied to all plant, it is generally more expensive than SNCR and requires reheating of the waste gas stream which reduces energy efficiency, periodic replacement of the catalysts also produces a hazardous waste. The use of SCR by catalytic filter bags can reduce emissions to 50-120 mg/m<sup>3</sup> with low investment costs. SNCR can typically reduce NO<sub>x</sub> levels to between 80 and 180 mg/m<sup>3</sup>, it relies on an optimum temperature of around 900°C and sufficient retention time for reduction. SNCR is more likely to have higher levels of ammonia slip. The technique can be applied to all plant unless lower NO<sub>x</sub> releases are required for local environmental protection. Urea or ammonia can be used as the reagent with either technique, urea is somewhat easier to handle than ammonia and has a wider operating temperature window, but tends to result in higher emissions of N<sub>2</sub>O. Both reagents are BAT, and the use of one over the other is not normally significant in environmental terms.

The Applicant proposes to use SNCR with urea as the reagent.

Emissions of NO<sub>x</sub> give a peak long term PC which greater than 1% of the ES and therefore cannot be screened out as insignificant. Even so the emission is not expected to result in the ES being exceeded. The highest long term NO<sub>2</sub> concentration at a sensitive receptor shows a PC of 1%, which is right on the screening criteria as being insignificant. Therefore we agree that the Applicants proposed technique is BAT for the installation.

The amount of urea used for NO<sub>x</sub> abatement will need to be optimised to maximise NO<sub>x</sub> reduction and minimise NH<sub>3</sub> slip. Improvement condition IC5 requires the Operator to report to the Environment Agency on optimising the performance of the NO<sub>x</sub> abatement system. The BAT AEL for ammonia has been set and the Operator is also required to monitor and report on N<sub>2</sub>O emissions every year.

### 6.2.3 Acid Gases, SO<sub>x</sub>, HCl and HF

<b>Acid gases and halogens: Primary Measures</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Low sulphur fuel, (&lt; 0.1%S gasoil or natural gas)</b>	Reduces SO <sub>x</sub> at source		Start-up, supplementary firing.	Where auxiliary fuel required.
<b>Management of waste streams</b>	Disperses sources of acid gases (e.g. PVC) through feed.	Requires closer control of waste management		All plant with heterogeneous waste feed

**Acid gases and halogens: Secondary Measures (BAT is to apply Primary Measures first)**

Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
<b>Wet</b>	<p>High reaction rates</p> <p>Low solid residues production</p> <p>Reagent delivery may be optimised by concentration and flow rate</p>	<p>Large effluent disposal and water consumption if not fully treated for re-cycle</p> <p>Effluent treatment plant required</p> <p>May result in wet plume</p> <p>Energy required for effluent treatment and plume reheat</p>		<p>Used for wide range of waste types</p> <p>Can be used as polishing step after other techniques where emissions are high or variable</p>
<b>Dry</b>	<p>Low water use</p> <p>Higher reagent consumption to achieve emissions of other FGC techniques but may be reduced by recycling in plant</p> <p>Lower energy use</p> <p>Higher reliability</p> <p>Lowest visible plume potential</p>	<p>Higher solid residue production</p> <p>Reagent consumption controlled only by input rate</p>		All plant

<b>Acid gases and halogens: Secondary Measures (BAT is to apply Primary Measures first)</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Semi-dry (also described as semi-wet in the BREF)</b>	Medium reaction rates  Reagent delivery may be varied by concentration and input rate	Higher solid waste residues than wet but lower than dry system		All plant
<b>Direct injection into boiler</b>	Reduced acid loading to subsequent cleaning stages. Reduced peak emissions and reduced reagent usage			Generally applicable to grate and rotary kiln plants.
<b>Direction desulphurisation</b>	Reduced boiler corrosion	Does not improve overall performance. Can affect bottom ash quality. Corrosion problems in flue gas cleaning system.		Partial abatement upstream of other techniques in fluidised beds
<b>Reagent Type: Sodium Hydroxide</b>	Highest removal rates  Low solid waste production	Corrosive material  ETP sludge for disposal		HWIs



<b>Acid gases and halogens: Secondary Measures (BAT is to apply Primary Measures first)</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Reagent Type: Lime</b>	Very good removal rates  Low leaching solid residue  Temperature of reaction well suited to use with bag filters	Corrosive material  May give greater residue volume if no in-plant recycle	Wide range of uses	MWIs, CWIs
<b>Reagent Type: Sodium Bicarbonate</b>	Good removal rates  Easiest to handle  Dry recycle systems proven	Efficient temperature range may be at upper end for use with bag filters  Leachable solid residues  Bicarbonate more expensive	Not proven at large plant	CWIs

The Applicant proposes to implement the following primary measures:

- Control of waste input,
- Use of low sulphur fuels for start up and auxiliary burners – natural gas which will reduce SO<sub>x</sub> at source.

There are five recognised techniques for secondary measures to reduce acid gases, all of which can be BAT. These are wet, dry, semi-dry, boiler sorbent injection and direct desulphurisation. Wet scrubbing produces an effluent for treatment and disposal in compliance with Article 46(3) of IED. It will also require reheat of the exhaust to avoid a visible plume. Wet scrubbing is unlikely to be BAT except where there are high acid gas and metal components in the exhaust gas as may be the case for some hazardous waste incinerators. In this case, the Applicant does not propose using wet scrubbing, and the Environment Agency agrees that wet scrubbing is not appropriate in this case. Direct desulphurisation is only applicable for fluidised bed furnaces.

The Applicant has considered dry and semi-dry methods of secondary measures for acid gas abatement. Either of these methods can be BAT for this type of facility.

Both dry and semi-dry methods rely on the dosing of powdered materials into the exhaust gas stream. Semi-dry systems (i.e. hydrated reagent) offer reduced material consumption through faster reaction rates, but reagent recycling in dry systems can offset this.

In both dry and semi-dry systems, the injected powdered reagent reacts with the acid gases and is removed from the gas stream by the bag filter system. The powdered materials are either lime or sodium bicarbonate. Both are effective at reducing acid gases, and dosing rates can be controlled from continuously monitoring acid gas emissions. The decision on which reagent to use is normally economic. Lime produces a lower leaching solid residue in the APC residues than sodium bicarbonate and the reaction temperature is well suited to bag filters, it tends to be lower cost, but it is a corrosive material and can generate a greater volume of solid waste residues than sodium bicarbonate. Both reagents are BAT, and the use of one over the other is not significant in environmental terms in this case.

Direct boiler injection is applicable for all plants and can improve overall performance of the acid gas abatement system as well as reducing reagent usage. The Applicant has explained that for this installation the reagents will be added into a venturi chamber following the boiler, they explained that this will induce turbulence and aid mixing of the gas stream.

In this case, the Applicant proposes to utilise sodium bicarbonate because it is easier to handle and more efficient than lime. The Environment Agency is satisfied that this is BAT.

The amount of sodium bicarbonate used for acid gas abatement will need to be optimised. Improvement condition IC5 requires the Operator to report to the Environment Agency on optimising the performance of the acid gas abatement system.

#### 6.2.4 Carbon monoxide and volatile organic compounds (VOCs)

The prevention and minimisation of emissions of carbon monoxide and volatile organic compounds is through the optimisation of combustion controls, where all measures will increase the oxidation of these species.

<b>Carbon monoxide and volatile organic compounds (VOCs)</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Optimise combustion control</b>	All measures will increase oxidation of these species.		Covered in section on furnace selection	All plants

## 6.2.5 Dioxins and furans (and Other POPs)

<b>Dioxins and furans</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Optimise combustion control</b>	All measures will increase oxidation of these species.		Covered in section on furnace selection	All plants
<b>Avoid <i>de novo</i> synthesis</b>			Covered in boiler design	All plant
<b>Effective Particulate matter removal</b>			Covered in section on particulate matter	All plant
<b>Activated Carbon injection</b>	Can be combined with acid gas absorber or fed separately. Metallic mercury is also absorbed.	Combined feed rate usually controlled by acid gas content.		All plant.  Separate feed normally BAT unless feed is constant and acid gas control also controls dioxin release.
<b>Catalytic filter bags</b>	High destruction efficiency	Does not remove mercury. Higher cost than non-catalytic filter bags		

The prevention and minimisation of emissions of dioxins and furans is achieved through:

- optimisation of combustion control including the maintenance of permit conditions on combustion temperature and residence time, which has been considered in 6.1.1 above;
- avoidance of de novo synthesis, which has been covered in the consideration of boiler design;
- the effective removal of particulate matter, which has been considered in 6.2.1 above;
- injection of activated carbon. This can be combined with the acid gas reagent or dosed separately. Where the feed is combined, the combined feed rate will be controlled by the acid gas concentration in the exhaust. Therefore, separate feed of activated carbon would normally be considered BAT unless the feed was relatively constant. Effective control of acid gas emissions also assists in the control of dioxin releases.

In this case the Applicant proposes separate feed and we are satisfied their proposals are BAT.

### 6.2.6 Metals

<b>Metals</b>				
<b>Technique</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Optimisation</b>	<b>Defined as BAT in BREF or TGN for:</b>
<b>Effective Particulate matter removal</b>			Covered in section on particulate matter	All plant
<b>Activated Carbon injection for mercury recovery</b>	Can be combined with acid gas absorber or fed separately.  Can be impregnated with bromine or sulphur to enhance reactivity, for use during peak emissions.	Combined feed rate usually controlled by acid gas content.		All plant.  Separate feed normally BAT unless feed is constant and acid gas control also controls dioxin release.
<b>Fixed or moving bed adsorption</b>	Mainly for mercury and other metals, as well as organic compounds			Limited applicability due to pressure drop
<b>Boiler bromine injection</b>	Injection during mercury peaks. Oxidation of mercury leading to improved removal in downstream removal method.	Consumption of aqueous bromine. Can lead to formation of polybrominated dioxins. Can damage bag filter. Effects can be limited use is restricted to dealing with peak emissions		Not suitable for pyrolysis or gasification. Can deal with mercury peaks.

The prevention and minimisation of metal emissions is achieved through the effective removal of particulate matter, and this has been considered in 6.2.1 above.

Unlike other metals however, mercury if present will be in the vapour phase. BAT for mercury removal is one or a combination of the techniques listed above. The Applicant has proposed dosing of activated carbon into the exhaust gas stream. This can be combined with the acid gas reagent or dosed separately. Where the feed is combined, the combined feed rate will be controlled by the acid gas concentration in the exhaust. Therefore, separate feed of activated carbon would normally be considered BAT unless the feed was relatively constant.

In this case the Applicant proposes separate feed and we are satisfied their proposals are BAT.

### 6.3 BAT and global warming potential

This section summarises the assessment of greenhouse gas impacts which has been made in the determination of this Permit. Emissions of carbon dioxide (CO<sub>2</sub>) and other greenhouse gases differ from those of other pollutants in that, except at gross levels, they have no localised environmental impact. Their impact is at a global level and in terms of climate change. Nonetheless, CO<sub>2</sub> is clearly a pollutant for IED purposes.

The principal greenhouse gas emitted is CO<sub>2</sub>, but the plant also emits small amounts of N<sub>2</sub>O arising from the operation of secondary NO<sub>x</sub> abatement. N<sub>2</sub>O has a global warming potential 310 times that of CO<sub>2</sub>. The Applicant will therefore be required to optimise the performance of the secondary NO<sub>x</sub> abatement system to ensure its GWP impact is minimised.

The major source of greenhouse gas emissions from the installation is however CO<sub>2</sub> from the combustion of waste. There will also be CO<sub>2</sub> emissions from the burning of support fuels at start up, shut down and should it be necessary to maintain combustion temperatures. BAT for greenhouse gas emissions is to maximise energy recovery and efficiency.

The electricity that is generated by the Installation will displace emissions of CO<sub>2</sub> elsewhere in the UK, as virgin fossil fuels will not be burnt to create the same electricity.

The Installation is not subject to the Greenhouse Gas Emissions Trading Scheme Regulations 2012 therefore it is a requirement of IED to investigate how emissions of greenhouse gases emitted from the installation might be prevented or minimised.

Factors influencing GWP and CO<sub>2</sub> emissions from the Installation are:

On the debit side

- CO<sub>2</sub> emissions from the burning of the waste;
- CO<sub>2</sub> emissions from burning auxiliary or supplementary fuels;
- CO<sub>2</sub> emissions associated with electrical energy used;
- N<sub>2</sub>O from the de-NO<sub>x</sub> process.

On the credit side

- CO<sub>2</sub> saved from the export of electricity to the public supply by displacement of burning of virgin fuels;

The GWP of the plant will be dominated by the emissions of carbon dioxide that are released as a result of waste combustion. This will be constant for all options considered in the BAT assessment. Any differences in the GWP of the options in the BAT appraisal will therefore arise from small differences in energy recovery and in the amount of N<sub>2</sub>O emitted.

The Applicant considered energy efficiency and BAT for the de-NO<sub>x</sub> process in its BAT assessment. This is set out in sections 4.3.7, 6.1.1 and 6.2.2 of this decision document.

Note: avoidance of methane which would be formed if the waste was landfilled has not been included in this assessment. If it were included due to its avoidance it would be included on the credit side. Ammonia has no direct GWP effect.

Taking all these factors into account, the Operator's assessment shows their preferred option is best in terms of GWP.

The Environment Agency agrees with this assessment and that the chosen option is BAT for the installation.

#### 6.4 BAT and POPs

International action on Persistent Organic pollutants (POPs) is required under the UN's Stockholm Convention, which entered into force in 2004. The EU implemented the Convention through the POPs Regulation (2019/1021), which is directly applicable in UK law. The Environment Agency is required by national POPs Regulations (SI 2007 No 3106) to give effect to Article 6(3) of the EC POPs Regulation when determining applications for Environmental Permits.

However, it needs to be borne in mind that this application is for a particular type of installation, namely a waste incinerator. The Stockholm Convention distinguishes between intentionally-produced and unintentionally-produced POPs. Intentionally-produced POPs are those used deliberately (mainly in the past) in agriculture (primarily as pesticides) and industry. Those intentionally-produced POPs are not relevant where waste incineration is concerned, as in fact high-temperature incineration is one of the prescribed methods for destroying POPs.

The unintentionally-produced POPs addressed by the Convention are:

- dioxins and furans;
- HCB (hexachlorobenzene)
- PCBs (polychlorobiphenyls) and
- PeCB (pentachlorobenzene)

The UK's national implementation plan for the Stockholm Convention, published in 2007, makes explicit that the relevant controls for unintentionally-produced POPs, such as might be produced by waste incineration, are delivered through the requirements of IED. That would include an examination of BAT, including potential alternative techniques, with a view to preventing or minimising harmful emissions. These have been applied as explained in this document, which explicitly addresses alternative techniques and BAT for the minimisation of emissions of dioxins.

Our legal obligation, under regulation 4(b) of the POPs Regulations, is, when considering an application for an environmental permit, to comply with article 6(3) of the POPs Regulation:

“Member States shall, when considering proposals to construct new facilities or to significantly modify existing facilities using processes that release chemicals listed in Annex III, give priority consideration to alternative processes, techniques or practices that have similar usefulness but which avoid the formation and release of substances listed in Annex III, without prejudice to Directive 2010/75/EU of the European Parliament and of the Council”

The 1998 Protocol to the Convention recommended that unintentionally produced should be controlled by imposing emission limits (e.g. 0.1 ng/m<sup>3</sup> for MWIs) and using BAT for incineration. UN Economic Commission for Europe (Executive Body for the Convention) (ECE-EB) produced BAT guidance for the parties to the Convention in 2009. This document considers various control techniques and concludes that primary measures involving management of feed material by reducing halogenated substances are not technically effective. This is not surprising because halogenated wastes still need to be disposed of and because POPs can be generated from relatively low concentrations of halogens. In summary, the successful control techniques for waste incinerators listed in the ECE-EB BAT are:

- maintaining furnace temperature of 850°C and a combustion gas residence time of at least 2 seconds
- rapid cooling of flue gases to avoid the *de novo* reformation temperature range of 250-450°C
- use of bag filters and the injection of activated carbon or coke to adsorb residual POPs components.

Using the methods listed above, the UN-ECE BAT document concludes that incinerators can achieve an emission concentration of 0.1 ng TEQ/m<sup>3</sup>.

We believe that the Permit ensures that the formation and release of POPs will be prevented or minimised. As we explain above, high-temperature incineration is one of the prescribed methods for destroying POPs. Permit conditions are based on the use of BAT and Chapter IV of IED and incorporate all the above requirements of the UN-ECE BAT guidance and deliver the requirements of the Stockholm Convention in relation to unintentionally produced POPs.

The release of **dioxins and furans** to air is required by the IED to be assessed against the I-TEQ (International Toxic Equivalence) limit of 0.1 ng/m<sup>3</sup>. Further development of the understanding of the harm caused by dioxins has resulted in the World Health Organisation (WHO) producing updated factors to calculate the WHO-TEQ value. Certain **PCBs** have structures which make them behave like dioxins (dioxin-like PCBs), and these also have toxic equivalence factors defined by WHO to make them capable of being considered together with dioxins. The UK's independent health advisory committee, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) has adopted WHO-TEQ values for both dioxins and dioxin-like PCBs in their review of Tolerable Daily Intake (TDI) criteria. The Permit requires that, in addition to the requirements of the IED, the WHO-TEQ values for both dioxins and dioxin-like PCBs should be monitored for reporting purposes, to enable evaluation of exposure to dioxins and dioxin-like PCBs to be made using the revised TDI recommended by COT. The release of dioxin-like PCBs and PAHs is expected to be low where measures have been taken to control dioxin releases. The Permit also requires monitoring of a range of PAHs and dioxin-like PCBs at the same frequency as dioxins are monitored. We have included a requirement to monitor and report against these WHO-TEQ values for dioxins and dioxin-like PCBs and the range of PAHs as listed in the Permit. We are confident that the measures taken to control the release of dioxins will also control the releases of dioxin-like PCBs and PAHs. Section 5.2.1 of this document details the assessment of emissions to air, which includes dioxins and concludes that there will be no adverse effect on human health from either normal or abnormal operation.

**Hexachlorobenzene (HCB)** is released into the atmosphere as an accidental product from the combustion of coal, waste incineration and certain metal processes. It has also been used as a fungicide, especially for seed treatment although this use has been banned in the UK since 1975. Natural fires and volcanoes may serve as natural sources. Releases of (HCB) are addressed by the European Environment Agency (EEA), which advises that:

*"due to comparatively low levels in emissions from most (combustion) processes special measures for HCB control are usually not proposed. HCB emissions can be controlled generally like other chlorinated organic compounds in emissions, for instance dioxins/furans and PCBs: regulation of time of combustion, combustion temperature, temperature in cleaning devices, sorbents application for waste gases cleaning etc."* [reference [http://www.eea.europa.eu/publications/EMEPCORINAIR4/sources\\_of\\_HCB.pdf](http://www.eea.europa.eu/publications/EMEPCORINAIR4/sources_of_HCB.pdf)]

Pentachlorobenzene (PeCB) is another of the POPs list to be considered under incineration. PeCB has been used as a fungicide or flame retardant, there is no data available however on production, recent or past, outside the UN-ECE region. PeCBs can be emitted from the same sources as for PCDD/F: waste incineration, thermal metallurgic processes and combustion plants providing energy. As discussed above, the control techniques



described in the UN-ECE BAT guidance and included in the permit, are effective in controlling the emissions of all relevant POPs including PeCB.

We have assessed the control techniques proposed for dioxins by the Applicant and have concluded that they are appropriate for dioxin control. We are confident that these controls are in line with the UN-ECE BAT guidance and will minimise the release of HCB, PCB and PeCB.

We are therefore satisfied that the substantive requirements of the Convention and the POPs Regulation have been addressed and complied with.

## 6.5 Other Emissions to the Environment

### 6.5.1 Emissions to water

There are no direct emissions to surface water from the installation.

Further details are required on the drainage system to be implemented for the waste storage area for this reason IC14 has been added to the permit. This requires the Operator to demonstrate that impermeable surfacing and a sealed drainage system is in place for areas of land where waste is to be stored. This should include storage of quarantined wastes.

### 6.5.2 Emissions to sewer

There will be effluent produced from the incineration system, namely blowdown from the boiler, effluent from the ash quench tanks and run off from the bin wash area. This will be collected within an underground holding tank and periodically removed offsite via tanker for disposal.

There are no direct emissions to sewer from this installation.

### 6.5.3 Fugitive emissions

The IED specifies that plants must be able to demonstrate that the plant is designed in such a way as to prevent the unauthorised and accidental release of polluting substances into soil, surface water and groundwater. In addition storage requirements for waste and for contaminated water of Article 46(5) must be arranged.

The Applicant describes the measure which should prevent fugitive emissions such as:

- Clinical waste stored in sealed containers,
- Careful management and handling of ash,
- Bulk Storage of raw materials within the main processing building,
- The site is equipped with a dedicated sealed loading system which is designed to minimise dust and odour and prevent any uncontrolled releases to the environment.

- Air from the loading hopper is extracted and fed into the combustion air system to mitigate against any fugitive emissions from the loading system and,
- The retention of fire water within the drainage system.

Based upon the information in the application we are satisfied that appropriate measures will be in place to prevent and /or minimise fugitive emissions.

#### 6.5.4 Odour

The Applicant proposes to minimise odour releases by utilising the following controls:

- All waste will arrive on site within sealed, lidded bins.
- Smaller bins will be delivered on pallets.
- Palletted bins will be transferred into a 770l sealed, lidded bins for loading into the combustion system.
- All wastes will be stored indoors, until it is required by the incinerator.
- The site will operate so that under normal operations there is only one day's inventory held on site at any one time.
- All wastes will be inspected on arrival to ensure that they do not have malodourous properties.
- Anatomical waste to be stored in a refrigerated unit and processed as a priority.
- The site is equipped with a dedicated sealed loading system which is designed to minimise dust and odour and prevent any uncontrolled releases to the environment.
- Air from the loading hopper is extracted and fed into the combustion air system to mitigate against any fugitive emissions from the loading system.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour.

#### 6.5.5 Noise and vibration

A Noise Impact Assessment was submitted with the application showing the likely noise emissions arising from the installation and the control measures proposed to reduce the associated impact.

The nearest sensitive receptors are located approximately 60 m north of the site boundary. There are further residential dwellings 150 m to the south of the site.

A Noise Mitigation Plan was included within the Noise Impact Assessment. This detailed measures to be undertaken so that the Installation will not cause an adverse noise impact. These mitigation measures were included in the calculations and acoustic modelling used to produce the impact assessment.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise noise and vibration and to prevent pollution from noise and vibration outside the site.

The application contained a noise impact assessment which identified local noise-sensitive receptors, potential sources of noise at the proposed plant and noise attenuation measures. Measurements were taken of the prevailing ambient noise levels to produce a baseline noise survey and an assessment was carried out in accordance with BS 4142:2014 to compare the predicted plant rating noise levels with the established background levels.

The assessment concluded that the total, aggregate environmental noise level from this installation should result in a 'low impact' at the worst affected noise sensitive receptor. Rating levels exceed the existing Background Sound Level by +1dB during the daytime and by +3bD during night-time. The applicant explained that this was considered below the threshold for an 'adverse' noise impact.

The predicted Specific Level from the Installation at the nearest noise sensitive receptor is 39dB  $L_{Aeq, 1hour}$  during the daytime and 33dB  $L_{Aeq, 15mins}$  during the night time. The Applicant concluded that taking the predicted absolute noise levels and the context in which sound occurs into consideration, it is anticipated that the resultant noise impact from the Installation on the nearby noise sensitive receptors will be 'low'.

The Applicant confirmed that following complete implementation of the Noise Management Plan (NMP) they would undertake acoustic compliance and validation testing. IC11 requires a report to be submitted detailing the findings of this assessment.

## 6.6 Setting ELVs and other Permit conditions

### 6.6.1 Translating BAT into Permit conditions

Article 14(3) of IED states that BAT conclusions shall be the reference for permit conditions. Article 15(3) further requires that under normal operating conditions; emissions do not exceed the emission levels associated with the best available techniques as laid down in the decisions on BAT conclusions.

BAT conclusions for waste incineration or co-incineration were published on 03/12/2020.

The use of BAT AELs and IED Chapter IV emission limits for air dispersion modelling sets the worst case scenario. If this shows emissions are insignificant then we have accepted that the Applicant's proposals are BAT, and that there is no justification to reduce ELVs below the BAT AELs and Chapter IV limits.

Below we consider whether, for those emission not screened out as insignificant, different conditions are required as a result of consideration of local or other factors, so that no significant pollution is caused (Article 11(c)) or to comply with environmental quality standards (Article 18).

(i) Local factors

We have considered the impact on local receptors and habitats conservation sites for those emissions not screened out as insignificant and do not consider it necessary to impose further conditions, or set more stringent emission limits than those specified by the BAT AELs.

(ii) National and European ESs

There are no additional National or Europeans EQSs that indicate that the BAT AELs are insufficient to protect the local environment.

(iii) Global Warming

CO<sub>2</sub> is an inevitable product of the combustion of waste. The amount of CO<sub>2</sub> emitted will be essentially determined by the quantity and characteristics of waste being incinerated, which are already subject to conditions in the Permit. It is therefore inappropriate to set an emission limit value for CO<sub>2</sub>, which could do no more than recognise what is going to be emitted. The gas is not therefore targeted as a key pollutant under Annex II of IED, which lists the main polluting substances that are to be considered when setting emission limit values (ELVs) in Permits.

We have therefore considered setting equivalent parameters or technical measures for CO<sub>2</sub>. However, provided energy is recovered efficiently (see section 4.3.7 above), there are no additional equivalent technical measures (beyond those relating to the quantity and characteristics of the waste) that can be imposed that do not run counter to the primary purpose of the plant, which is the destruction of waste. Controls in the form of restrictions on the volume and type of waste that can be accepted at the Installation and permit conditions relating to energy efficiency effectively apply equivalent technical measures to limit CO<sub>2</sub> emissions.

(iv) Commissioning

Pre-operational condition PO3 requires the Operator prior to the commencement of commissioning, to submit to the Environment Agency, and obtain the Environment Agency's written approval to it, a written commissioning plan, including timelines for completion, for approval by the Environment Agency. The commissioning plan shall include the expected emissions to the environment during the different stages of commissioning, the expected durations of commissioning activities and the actions to be taken to protect the environment and report to the Environment Agency in the event that actual emissions exceed expected emissions. Commissioning shall be carried out in accordance with the commissioning plan as approved.

## 6.7 Monitoring

### 6.7.1 Monitoring during normal operations

We have decided that monitoring should be carried out for the parameters listed in Schedule 3 using the methods and to the frequencies specified in those tables. These monitoring requirements have been imposed in order to demonstrate compliance with emission limit values and to enable correction of measured concentration of substances to the appropriate reference conditions; to gather information about the performance of the SNCR system; to establish data on the release of dioxin-like PCBs and PAHs from the incineration process and to deliver the requirements of Chapter IV of IED for monitoring of residues and temperature in the combustion chamber.

For emissions to air, the methods for continuous and periodic monitoring are in accordance with the Environment Agency's Guidance M2 for monitoring of stack emissions to air.

Based on the information in the Application and the requirements set in the conditions of the permit we are satisfied that the Operator's techniques, personnel and equipment will have either MCERTS certification or MCERTS accreditation as appropriate.

### 6.7.2 Monitoring under abnormal operations arising from the failure of the installed CEMs

The applicant is not proposing to provide back-up CEMS or surrogate measures. In the event that the installed CEMS for TOC, CO and TPM fail this will necessitate immediate plant shutdown, rather than abnormal operation in accordance with condition 2.3.13.

### 6.7.3 Continuous emissions monitoring for dioxins and heavy metals

The BAT conclusions specify either manual extractive monitoring or long-term monitoring for dioxins. For mercury either continuous, periodic or long-term monitoring is specified, manual extractive monitoring is specified for other metals.

For dioxins long-term monitoring does not apply if emissions are sufficiently stable, and for mercury either long-term or periodic monitoring can be used instead of continuous if the mercury content of the waste is low and stable.

Based on the waste types and control measures proposed in the Application we expect that emissions of dioxins will be sufficiently stable and that the mercury content of the waste will be low and stable. We have therefore set periodic monitoring in the Permit for both these parameters. However the Permit requires the operator to validate these assumptions through Improvement conditions IC8 and IC9 and we can subsequently require long-term monitoring for dioxins and continuous monitoring for mercury if required.

## 6.8 Reporting

We have specified the reporting requirements in Schedule 5 of the Permit either to meet the reporting requirements set out in the IED, or to ensure data is reported to enable timely review by the Environment Agency to ensure compliance with permit conditions and to monitor the efficiency of material use and energy recovery at the installation.

## 7 Other legal requirements

In this section we explain how we have addressed other relevant legal requirements, to the extent that we have not addressed them elsewhere in this document.

### 7.1 The EPR 2016 and related Directives

The EPR delivers the requirements of a number of European and national laws.

#### 7.1.1 Schedules 1 and 7 to the EPR 2016 – IED Directive

We address the requirements of the IED in the body of this document above and the specific requirements of Chapter IV in Annex 1 of this document.

There is one requirement not addressed above, which is that contained in Article 5(3) IED. Article 5(3) requires that “In the case of a new installation or a substantial change where Article 4 of Directive 85/337/EC (now Directive 2011/92/EU) (the EIA Directive) applies, any relevant information obtained or conclusion arrived at pursuant to articles 5, 6 and 7 of that Directive shall be examined and used for the purposes of granting the permit.”

- Article 5 of EIA Directive relates to the obligation on developers to supply the information set out in Annex IV of the Directive when making an application for development consent.
- Article 6(1) requires Member States to ensure that the authorities likely to be concerned by a development by reason of their specific environmental responsibilities are consulted on the Environmental Statement and the request for development consent.
- Article 6(2)-6(6) makes provision for public consultation on applications for development consent.
- Article 7 relates to projects with transboundary effects and consequential obligations to consult with affected Member States.

The grant or refusal of development consent is a matter for the relevant local planning authority. The Environment Agency’s obligation is therefore to examine and use any relevant information obtained or conclusion arrived at by the local planning authorities pursuant to those EIA Directive articles.

A planning application has been submitted to the council to address the proposals detailed within this application document. The planning application addresses the change to a small-scale waste to energy project, utilising the existing buildings, but with a new set of internal plant and a change of feedstock.

The Environment Agency has carried out its own consultation on the Environmental Permitting Application. The results of our consultation are described elsewhere in this decision document.

### 7.1.2 Schedule 9 to the EPR 2016 – Waste Framework Directive

As the Installation involves the treatment of waste, it is carrying out a *waste operation* for the purposes of the EPR 2016, and the requirements of Schedule 9 therefore apply. This means that we must exercise our functions so as to ensure implementation of certain articles of the WFD.

We must exercise our relevant functions for the purposes of ensuring that the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste and that any waste generated is treated in accordance with Article 4 of the Waste Framework Directive. (See also section 4.3.9).

The conditions of the permit ensure that waste generation from the facility is minimised. Where the production of waste cannot be prevented it will be recovered wherever possible or otherwise disposed of in a manner that minimises its impact on the environment. This is in accordance with Article 4.

We must also exercise our relevant functions for the purposes of implementing Article 13 of the Waste Framework Directive; ensuring that the requirements in the second paragraph of Article 23(1) of the Waste Framework Directive are met; and ensuring compliance with Articles 18(2)(b), 18(2)(c), 23(3), 23(4) and 35(1) of the Waste Framework Directive.

Article 13 relates to the protection of human health and the environment. These objectives are addressed elsewhere in this document.

Article 23(1) requires the permit to specify:

- the types and quantities of waste that may be treated;
- for each type of operation permitted, the technical and any other requirements relevant to the site concerned;
- the safety and precautionary measures to be taken;
- the method to be used for each type of operation;
- such monitoring and control operations as may be necessary;
- such closure and after-care provisions as may be necessary.

These are all covered by permit conditions.

The permit allows the mixing of hazardous waste in the furnace. We are satisfied that the provisions of Article 13 are still complied with and the adverse impact of the waste management on human health and the environment is not increased; and the mixing operation conforms to best available techniques.

We consider that the intended method of waste treatment is acceptable from the point of view of environmental protection so Article 23(3) does not apply.



Energy efficiency is dealt with elsewhere in this document but we consider the conditions of the permit ensure that the recovery of energy take place with a high level of energy efficiency in accordance with Article 23(4).

Article 35(1) relates to record keeping and its requirements are delivered through permit conditions.

### 7.1.3 Schedule 22 to the EPR 2016 – Water Framework and Groundwater Directives

To the extent that it might lead to a discharge of pollutants to groundwater (a “groundwater activity” under the EPR 2016), the Permit is subject to the requirements of Schedule 22, which delivers the requirements of EU Directives relating to pollution of groundwater. The Permit will require the taking of all necessary measures to prevent the input of any hazardous substances to groundwater, and to limit the input of non-hazardous pollutants into groundwater so as to ensure such pollutants do not cause pollution, and satisfies the requirements of Schedule 22.

No releases to groundwater from the Installation are permitted. The Permit also requires material storage areas to be designed and maintained to a high standard to prevent accidental releases.

### 7.1.4 Directive 2003/35/EC – The Public Participation Directive

Regulation 60 of the EPR 2016 requires the Environment Agency to prepare and publish a statement of its policies for complying with its public participation duties. We have published our public participation statement.

This Application has been consulted upon in line with this statement. This satisfies the requirements of the Public Participation Directive.

## 7.2 National primary legislation

### 7.2.1 **Environment Act 1995**

#### (i) Section 4 (Pursuit of Sustainable Development)

We are required to contribute towards achieving sustainable development, as considered appropriate by Ministers and set out in guidance issued to us. The Secretary of State for Environment, Food and Rural Affairs has issued *The Environment Agency’s Objectives and Contribution to Sustainable Development: Statutory Guidance (December 2002)*. This document:

*“provides guidance to the Agency on such matters as the formulation of approaches that the Agency should take to its work, decisions about priorities for the Agency and the allocation of resources. It is not directly applicable to individual regulatory decisions of the Agency”.*

In respect of regulation of industrial pollution through the EPR, the Guidance refers in particular to the objective of setting permit conditions “*in a consistent and proportionate fashion based on Best Available Techniques and taking into account all relevant matters...*”. The Environment Agency considers that it has pursued the objectives set out in the Government’s guidance, where relevant, and that there are no additional conditions that should be included in this Permit to take account of the Section 4 duty.

For waste the guidance refers to ensuring waste is recovered or disposed of in ways which protect the environment and human health. The Environment Agency considers that it has pursued the objectives set out in the Government’s guidance, where relevant, and that there are no additional conditions that should be included in this Permit to take account of the Section 4 duty.

(ii) Section 5 (Preventing or Minimising Effects of Pollution of the Environment)

We are satisfied that our pollution control powers have been exercised for the purpose of preventing or minimising, remedying or mitigating the effects of pollution.

(iii) Section 6(1) (Conservation Duties with Regard to Water)

We have a duty to the extent we consider it desirable generally to promote the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and the land associated with such waters, and the conservation of flora and fauna which are dependent on an aquatic environment.

We consider that no additional or different conditions are appropriate for this Permit.

(iv) Section 6(6) (Fisheries)

We have a duty to maintain, improve and develop fisheries of salmon, trout, eels, lampreys, smelt and freshwater fish.

We consider that no additional or different conditions are appropriate for this Permit.

(v) Section 7 (Pursuit of Conservation Objectives)

This places a duty on us, when considering any proposal relating to our functions, to have regard amongst other things to any effect which the proposals would have on sites of archaeological, architectural, or historic interest; the economic and social well-being of local communities in rural areas; and to take into account any effect which the proposals would have on the beauty or amenity of any rural area.

We considered whether we should impose any additional or different requirements in terms of our duty to have regard to the various conservation objectives set out in Section 7, but concluded that we should not.

We have considered the impact of the installation on local wildlife sites within 2 km which are not designated as either European Sites or SSSIs. We are satisfied that no additional conditions are required.

(vi) Section 39 (Costs and Benefits)

We have a duty to take into account the likely costs and benefits of our decisions on the applications ('costs' being defined as including costs to the environment as well as any person). This duty, however, does not affect our obligation to discharge any duties imposed upon us in other legislative provisions.

In so far as relevant we consider that the costs that the permit may impose on the applicant are reasonable and proportionate in terms of the benefits it provides.

(vii) Section 81 (National Air Quality Strategy)

We have had regard to the National Air Quality Strategy and consider that our decision complies with the Strategy, and that no additional or different conditions are appropriate for this Permit.

We have also had regard to the clean air strategy 2019 and consider that our decision complies with the Strategy, and that no additional or different conditions are appropriate for this Permit.

(viii) National Emissions Ceiling Regulations 2018

We have had regard to the National Air Pollution Control Programme and consider that our decision complies with the Strategy, and that no additional or different conditions are appropriate for this Permit.

**7.2.2 Section 108 Deregulation Act 2015 – 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.

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.

### **7.2.3 Human Rights Act 1998**

We have considered potential interference with rights addressed by the European Convention on Human Rights in reaching our decision and consider that our decision is compatible with our duties under the Human Rights Act 1998. In particular, we have considered the right to life (Article 2), the right to a fair trial (Article 6), the right to respect for private and family life (Article 8) and the right to protection of property (Article 1, First Protocol). We do not believe that Convention rights are engaged in relation to this determination.

### **7.2.4 Countryside and Rights of Way Act 2000 (CROW 2000)**

Section 85 of this Act imposes a duty on Environment Agency to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (AONB). There is no AONB which could be affected by the Installation.

### **7.2.5 Wildlife and Countryside Act 1981**

Under section 28G of the Wildlife and Countryside Act 1981 the Environment Agency has a duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest. Under section 28I the Environment Agency has a duty to consult Natural England in relation to any permit that is likely to damage SSSIs.

We assessed the Application and concluded that the Installation will not damage the special features of any SSSI as there are no sites within 2km of the Installation.

### **7.2.6 Natural Environment and Rural Communities Act 2006**

Section 40 of this Act requires us to have regard, so far as is consistent with the proper exercise of our functions, to the purpose of conserving biodiversity.

We have done so and consider that no different or additional conditions in the Permit are required.

### **7.2.7 Countryside Act 1968**

Section 11 imposes a duty on the Environment Agency to exercise its functions relating to any land, having regard to the desirability of conserving the natural beauty and amenity of the countryside including wildlife. We have done so and consider that no different or additional conditions in the Permit are required.

### **7.2.8 National Parks and Access to the Countryside Act 1949**

Section 11A and section 5(1) imposes a duty on the Environment Agency when exercising its functions in relation to land in a National Park, to have regard to the purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas, and of promoting opportunities for the understanding and enjoyment of National Parks by the public.

There is no National Park which could be affected by the Installation.

## **7.3 National secondary legislation**

### **7.3.1 Conservation of Habitats and Species Regulations 2017**

We have assessed the Application in accordance with guidance agreed jointly with Natural England and concluded that there will be no likely significant effect on any European Site. There are no European Sites within 10 km of this Installation.

The habitat assessment is summarised in greater detail in section 5.4 of this document.

### **7.3.2 Water Environment (Water Framework Directive) Regulations 2017 2003**

Consideration has been given to whether any additional requirements should be imposed in terms of the Environment Agency's duty under regulation 3 to secure compliance with the requirements of the Water Framework Directive, Groundwater directive and the EQS Directive through (inter alia) environmental permits, and its obligation in regulation 33 to have regard to the river basin management plan (RBMP) approved under regulation 31 and any supplementary plans prepared under regulation 32. However, it is felt that existing conditions are sufficient in this regard and no other appropriate requirements have been identified.

### **7.3.3 The Persistent Organic Pollutants Regulations 2007**

We have explained our approach to these Regulations, which give effect to the Stockholm Convention on POPs and the EU's POPs Regulation, above.

## 7.4 Other relevant legal requirements

### 7.4.1 Duty to Involve

S23 of the Local Democracy, Economic Development and Construction Act 2009 require us where we consider it appropriate to take such steps as we consider appropriate to secure the involvement of interested persons in the exercise of our functions by providing them with information, consulting them or involving them in any other way. S24 requires us to have regard to any Secretary of State guidance as to how we should do that.

The way in which the Environment Agency has consulted with the public and other interested parties is set out in section 2.2 of this document. The way in which we have taken account of the representations we have received is set out in Annex 4. Our public consultation duties are also set out in the EP Regulations, and our statutory Public Participation Statement, which implement the requirements of the Public Participation Directive. In addition to meeting our consultation responsibilities, we have also taken account of our guidance in Environment Agency Guidance Note RGS6 and the Environment Agency's Building Trust with Communities toolkit.

**ANNEX 1A: APPLICATION OF CHAPTER IV OF THE INDUSTRIAL EMISSIONS DIRECTIVE**

<b>IED Article</b>	<b>Requirement</b>	<b>Delivered by</b>
45(1)(a)	The permit shall include a list of all types of waste which may be treated using at least the types of waste set out in the European Waste List established by Decision 2000/532/EC, if possible, and containing information on the quantity of each type of waste, where appropriate.	Condition 2.3.4(a) and Table S2.2 in Schedule 2 of the Permit.
45(1)(b)	The permit shall include the total waste incinerating or co-incinerating capacity of the plant.	Condition 2.3.4(a) and Table S2.2 in Schedule 2 of the Permit.
45(1)(c)	The permit shall include the limit values for emissions into air and water.	Conditions 3.1.1 and 3.1.2 and Tables S3.1, S3.1(a) and S3.1(b) in Schedule 3 of the Permit.
45(1)(d)	The permit shall include the requirements for pH, temperature and flow of waste water discharges.	Not applicable
45(1)(e)	The permit shall include the sampling and measurement procedures and frequencies to be used to comply with the conditions set for emissions monitoring.	Conditions 3.6.1 to 3.6.4 and Tables S3.1, S3.1(a), S3.1(b), S3.3 and S3.4 in Schedule 3 of the Permit.
45(1)(f)	The permit shall include the maximum permissible period of unavoidable stoppages, disturbances or failures of the purification devices or the measurement devices, during which the emissions into the air and the discharges of waste water may exceed the prescribed emission limit values.	Conditions 2.3.14 and 2.3.15.
45(2)(a)	The permit shall include a list of the quantities of the different categories of hazardous waste which may be treated.	Condition 2.3.4, Table S 2.2 and Pre-operational measure 8.
45(2)(b)	The permit shall include the minimum and maximum mass flows of those hazardous waste, their lowest and maximum calorific values and the maximum contents of	Condition 2.3.7, Table S 2.2 and Pre-operational measure 8.

IED Article	Requirement	Delivered by
	polychlorinated biphenyls, pentachlorophenol, chlorine, fluorine, sulphur, heavy metals and other polluting substances.	
46(1)	Waste gases shall be discharged in a controlled way by means of a stack the height of which is calculated in such a way as to safeguard human health and the environment.	Condition 2.3.1(a) and Table S1.2 of Schedule 1 of the Permit.
46(2)	Emission into air shall not exceed the emission limit values set out in part 3 of Annex VI.	Conditions 3.1.1 and 3.1.2 and Tables S3.1, S3.1a and S3.1(b).
46(3)	Relates to conditions for water discharges from the cleaning of exhaust gases.	There are no such discharges as condition 3.1.1 prohibits this.
46(4)	Relates to conditions for water discharges from the cleaning of exhaust gases.	There are no such discharges as condition 3.1.1 prohibits this.
46(5)	Prevention of unauthorised and accidental release of any polluting substances into soil, surface water or groundwater. Adequate storage capacity for contaminated rainwater run-off from the site or for contaminated water from spillage or fire-fighting.	The application explains the measures to be in place for achieving the directive requirements. The permit requires that these measures are used. Various permit conditions address this and when taken as a whole they ensure compliance with this requirement.
46(6)	Limits the maximum period of operation when an ELV is exceeded to 4 hours uninterrupted duration in any one instance, and with a maximum cumulative limit of 60 hours per year. Limits on dust (150 mg/m <sup>3</sup> ), CO and TOC not to be exceeded during this period.	Conditions 2.3.14 and 2.3.15



<b>IED Article</b>	<b>Requirement</b>	<b>Delivered by</b>
47	In the event of breakdown, reduce or close down operations as soon as practicable. Limits on dust (150 mg/m <sup>3</sup> ), CO and TOC not to be exceeded during this period.	Condition 2.3.13
48(1)	Monitoring of emissions is carried out in accordance with Parts 6 and 7 of Annex VI.	Conditions 3.6.1 to 3.6.4, 3.2.1, 3.2.2, tables S3.1 and S3.1(a). Reference conditions are defined in Schedule 6 of the Permit.
48(2)	Installation and functioning of the automated measurement systems shall be subject to control and to annual surveillance tests as set out in point 1 of Part 6 of Annex VI.	Conditions 3.6.1, 3.6.3, table S3.1 and S3.1(a) and S3.4
48(3)	The competent authority shall determine the location of sampling or measurement points to be used for monitoring of emissions.	Conditions 3.6.1. Pre-operational condition PO6
48(4)	All monitoring results shall be recorded, processed and presented in such a way as to enable the competent authority to verify compliance with the operating conditions and emission limit values which are included in the permit.	Conditions 4.1.1 and 4.1.2, and Tables S4.1 and S4.4
49	The emission limit values for air and water shall be regarded as being complied with if the conditions described in Part 8 of Annex VI are fulfilled.	conditions 3.1.1, 3.1.2, 3.2.1, 3.2.2 and tables S3.1, S3.1(a) and S3.1(b)
50(1)	Slag and bottom ash to have Total Organic Carbon (TOC) <3% or loss on ignition (LOI) <5%.	Conditions 3.6.1 and Table S3.5
50(2)	Flue gas to be raised to a temperature of 1,100°C for two seconds, as measured at representative point of the combustion chamber.	Condition 2.3.10, Pre-operational condition PO7 and Improvement condition IC4 and Table S3.4
50(3)	At least one auxiliary burner which must not be fed with fuels which can cause higher emissions than those resulting from the burning of gas oil liquefied gas or natural gas.	Condition 2.3.11

<b>IED Article</b>	<b>Requirement</b>	<b>Delivered by</b>
50(4)(a)	Automatic shut-down to prevent waste feed if at start up until the specified temperature has been reached.	Condition 2.3.10
50(4)(b)	Automatic shut-down to prevent waste feed if the combustion temperature is not maintained.	Condition 2.3.10
50(4)(c)	Automatic shut to prevent waste feed if the CEMs show that ELVs are exceeded due to disturbances or failure of waste cleaning devices.	Condition 2.3.10 and 2.3.14
50(5)	Any heat generated from the process shall be recovered as far as practicable.	(a) The plant will generate electricity (b) Operator to review the available heat recovery options every 4 years (Conditions 1.2.1 to 1.2.3)
50(6)	Relates to the feeding of infectious clinical waste into the furnace.	Condition 2.3.1 and Table S1.2
50(7)	Management of the Installation to be in the hands of a natural person who is competent to manage it.	Conditions 1.1.1 to 1.1.3 and 2.3.1 of the Permit.
51(1)	Different conditions than those laid down in Article 50(1), (2) and (3) and, as regards the temperature Article 50(4) may be authorised, provided the other requirements of this chapter are met.	No such conditions have been allowed
51(2)	Changes in operating conditions do not cause more residues or residues with a higher content of organic polluting substances compared to those residues which could be expected under the conditions laid down in Articles 50(1), (2) and (3).	No such conditions Have been allowed
51(3)	Changes in operating conditions shall include emission limit values for CO and TOC set out in Part 3 of Annex VI.	No such conditions Have been allowed
52(1)	Take all necessary precautions concerning delivery and reception of Wastes, to prevent or minimise pollution.	Conditions 2.3.1, 2.3.3, 3.3, 3.4, 3.5 and 3.7
52(2)	Determine the mass of each category of wastes, if possible according to the EWC, prior to accepting the waste.	Condition 2.3.4(a) and Table S2.2 in Schedule 3 of the Permit.

<b>IED Article</b>	<b>Requirement</b>	<b>Delivered by</b>
52(3)	Prior to accepting hazardous waste, the operator shall collect available information about the waste for the purpose of compliance with the permit requirements specified in Article 45(2).	Conditions 2.3.7 and 2.3.8
52(4)	Prior to accepting hazardous waste, the operator shall carry out the procedures set out in Article 52(4).	Pre-operational conditions PO5 and PO8
53(1)	Residues to be minimised in their amount and harmfulness, and recycled where appropriate.	Conditions 1.4.1, 1.4.2 and 3.6.1 with Table S3.5
53(2)	Prevent dispersal of dry residues and dust during transport and storage.	Conditions 1.4.1 2.3.1, 2.3.2 and 3.3.1.
53(3)	Test residues for their physical and chemical characteristics and polluting potential including heavy metal content (soluble fraction).	Condition 3.6.1 and Table S3.5 and pre-operational condition PO2.
55(1)	Application, decision and permit to be publicly available.	All documents are accessible from the Environment Agency Public Register.

## ANNEX 1B: COMPLIANCE WITH BAT CONCLUSIONS

BAT conclusion	Criteria	Delivered by
1	Implement environmental management system	Condition 1.1.1 and Pre-operational condition PO1
2	Determine gross boiler efficiency	Section 4.3.7 of this decision document.  Permit table S3.8
3	Monitor key process parameters	Condition 3.5.1 and table S3.4
4	Monitoring emissions to air	Condition 3.5.1 and table S3.1
5	Monitoring emissions to air during OTNOC	Condition 3.5.1 and table S3.1(a)
6	Monitoring emissions to water from flue gas treatment and/or bottom ash treatment	There are no such emissions from the installation
7	Monitor unburnt substances in slags and bottom ashes	Conditions 3.1.5 and 3.5.1, and table S3.5
8	Analysis of hazardous waste	Condition 3.6.1 and table S3.5.
9	Waste stream management techniques	The Application explains the measures that will be used. Permit condition 2.3.1, table S1.2 and pre-operational condition PO5.
10	Quality management system for bottom ash treatment plant	Not applicable.
11	Monitor waste deliveries as part of waste acceptance procedures	The Application explains the measures that will be used. Permit condition 2.3.1, table S1.2 and pre-operational condition PO5.
12	Reception, handling and storage of waste	Measures are described in the Application. Permit conditions 2.3.1, table S1.2.
13	Storage and handling of clinical waste	The Application explains the measures that will be used. Permit condition 2.3.1, table S1.2 and pre-operational condition PO5.
14	Improve overall performance of plant including BAT-AELs for TOC or LOI	Techniques described in the Application. Permit conditions 2.3.1, and 3.6.1 and tables S1.2, S3.5.

<b>BAT conclusion</b>	<b>Criteria</b>	<b>Delivered by</b>
15	Procedures to adjust plant settings to control performance	Measures described in the Application condition 2.3.1 and table S1.2
16	Procedures to minimise start-up and shut down	Measures described in the Application
17	Appropriate design, operation and maintenance of FGC system	FGC measures described in Application. Operation and maintenance procedures will form part of the EMS
18	OTNOC management plan	Pre-operational condition PO1
19	Use of heat recovery boiler	Described in the Application. Permit condition 2.3.1, table S1.2
20	Measures to increase energy efficiency and BAT AEEL	Measures described in the Application. Permit condition 2.3.1, table S1.2 Section 4.3.7 of this decision document.
21	Measures to prevent or reduce diffuse emissions including odour	Measures described in the Application. Permit conditions 2.3.1, table S1.2, 3.3.1, 3.3.2, and 3.4.1. Sections 4.2.2, 6.5.3 and 6.5.4 of this decision document.
22	Handling of gaseous and liquid wastes	Not applicable
23	Management system to prevent or reduce dust emissions from treatment of slags and ashes	Not applicable
24	Techniques to prevent or reduce diffuse emissions to air from treatment of slags and ashes	Not applicable
25	Minimisation of dust and metal emissions and compliance with BAT AEL	Section 5.2 of this decision document. Permit conditions 2.3.1, table S1.2, 3.4.1, 3.3.1, 3.3.2. 3.1.1 and 3.1.2 and table S3.1
26	Techniques and BAT AEL for dust emissions from enclosed slags and ashes treatment	Not applicable

<b>BAT conclusion</b>	<b>Criteria</b>	<b>Delivered by</b>
27	Techniques to reduce emissions of HCl, HF and SO <sub>2</sub>	Measures described in the Application. Permit condition 2.3.1 and table S1.2. Section 5.2 of this decision document.
28	Techniques to reduce peak emissions of HCl, HF and SO <sub>2</sub> , optimise reagent use and BAT AELs	Measures described in the Application. Permit conditions 2.3.1, table S1.2, 3.1.1 and 3.1.2 and table S3.1
29	Techniques to reduce emissions of NO <sub>2</sub> , N <sub>2</sub> O, CO and NH <sub>3</sub> and BAT AELs	Measures described in the Application. Section 5.2 of this decision document. Permit conditions 2.3.1, table S1.2, 3.1.1 and 3.1.2 and table S3.1
30	Reduce emissions or organic compounds including dioxins/furans and PCBs. BAT AELs	Measures described in the Application. Section 5.2 of this decision document. Permit conditions 2.3.1, table S1.2, 3.1.1 and 3.1.2 and table S3.1
31	Reduce emissions of mercury. BAT AEL	Measures described in the Application. Section 5.2 of this decision document. Permit conditions 2.3.1, table S1.22.3.1, table S1.2, 3.1.1 and 3.1.2 and table S3.1
32	Segregate waste water streams to prevent contamination	Measures described in the Application. Sections 4.2.2, 6.5.1 and 6.5.3 of this decision document. Permit conditions 2.3.1, 3.1.1, and 3.1.2 and tables S1.2 and S3.2
33	Techniques to reduce water usage and prevent or reduce waste water	Measures described in the Application. Sections 4.2.2 and 4.3.8 of this decision document Permit conditions 1.3.1, 2.3.1, table S1.2
34	Reduce emissions to water from FGC and/or from treatment or storage of bottom ashes. BAT AELs	Not applicable
35	Handle and treat bottom ashes separately from FGC residues	Permit condition 2.3.17

<b>BAT conclusion</b>	<b>Criteria</b>	<b>Delivered by</b>
36	Techniques for treatment of slags and bottom ashes	No treatment carried out on site
37	Techniques to prevent or reduce noise emissions.	Measures are described in the Application. Section 6.5.5 of this decision document. Permit conditions 2.3.1, table S1.2, 3.5.1, 3.5.2

## ANNEX 2: Pre-Operational Conditions

Based on the information on the Application, we consider that we do need to impose pre-operational conditions. These conditions are set out below and referred to, where applicable, in the text of the decision document. We are using these conditions to require the Operator to confirm that the details and measures proposed in the Application have been adopted or implemented prior to the operation of the Installation.

<b>Table S1.4A Pre-operational measures</b>	
<b>Reference</b>	<b>Pre-operational measures</b>
<b>PO1</b>	<p>Prior to the commencement of commissioning, the Operator shall send:</p> <ul style="list-style-type: none"> <li>• A summary of the site Environment Management System (EMS);and</li> <li>• A copy of the full other than normal operating conditions (OTNOC) management plan which shall be prepared in accordance with BAT 18 of the BAT conclusions and include a list of potential OTNOC situations that are considered to be abnormal operation under the definition in Schedule 6 of this permit,</li> </ul> <p>to the Environment Agency and obtain the Environment Agency's written approval to the EMS summary and the full OTNOC management plan.</p> <p>The Operator shall make available for inspection all documents and procedures which form part of the EMS. The EMS shall be developed in line with the requirements set out in Environment Agency web guide on developing a management system for environmental permits (found on <a href="http://www.gov.uk">www.gov.uk</a>) and BAT 1 of the incineration BAT conclusions. The EMS shall include the approved OTNOC management plan.</p> <p>The documents and procedures set out in the EMS shall form the written management system referenced in condition 1.1.1 (a) of the permit.</p>
<b>PO2</b>	<p>Prior to the commencement of commissioning, the Operator shall submit to the Environment Agency, and obtain the Environment Agency's written approval to it, a protocol for the sampling and testing of incinerator bottom ash for the purposes of assessing its hazard status. Sampling and testing shall be carried out in accordance with the protocol as approved.</p>
<b>PO3</b>	<p>Prior to the commencement of commissioning, the Operator shall submit to the Environment Agency, and obtain the Environment Agency's written approval to it, a written commissioning plan, including timelines for completion, for approval by the Environment Agency. The commissioning plan shall include the expected emissions to the environment during the different stages of commissioning, the expected durations of commissioning activities and the actions to be taken to protect the environment and report to the Environment Agency in the event that actual emissions exceed expected emissions. Commissioning shall be carried out in accordance with the commissioning plan as approved.</p>
<b>PO4</b>	<p>No later than one month after the final design of the furnace and combustion chamber, the operator shall submit a written report to the Environment Agency, and obtain the Environment Agency's written approval to it, of the details of the computational fluid dynamic (CFD) modelling. The report shall</p>



<b>Table S1.4A Pre-operational measures</b>	
<b>Reference</b>	<b>Pre-operational measures</b>
	explain how the furnace has been designed to comply with the residence time and temperature requirements as defined by Chapter IV and Annex VI of the IED whilst operating under normal load and the most unfavourable operating conditions (including minimum turn down and overload conditions), and that the design includes sufficient monitoring ports to support subsequent validation of these requirements during commissioning.
<b>PO5</b>	<p>Prior to the commencement of commissioning, the Operator shall submit a written report to the Agency, and obtain the Environment Agency's written approval to it, detailing the waste acceptance procedure to be used at the site. The waste acceptance procedure shall include the process and systems by which wastes unsuitable for incineration at the site will be controlled.</p> <p>The procedure shall be implemented in accordance with the written approval from the Agency.</p>
<b>PO6</b>	<p>Prior to the commencement of commissioning, the Operator shall submit a written report to the Environment Agency, and obtain the Environment Agency's written approval to it, specifying arrangements for continuous and periodic monitoring of emissions to air to comply with Environment Agency guidance notes M1, M2 and M20. The report shall include the following:</p> <ul style="list-style-type: none"> <li>• Plant and equipment details, including accreditation to MCERTS</li> <li>• Methods and standards for sampling and analysis</li> <li>• Details of monitoring locations, access and working platforms</li> </ul>
<b>PO7</b>	<p>Prior to the commencement of commissioning (or other date agreed in writing with the Environment Agency) the Operator shall submit, for approval by the Environment Agency, a methodology (having regard to Technical Report P4-100/TR Part 2 Validation of Combustion Conditions) to verify the residence time, minimum temperature and oxygen content of the gases in the furnace whilst operating under normal load, minimum turn down and overload conditions.</p>
<b>PO8</b>	<p>Prior to commissioning of the waste oil treatment process the Operator shall send;</p> <ul style="list-style-type: none"> <li>• A specification for the waste oil to be use in the incineration process;</li> <li>• Justification that this specification of waste oil can be incinerated without increase in emissions;</li> <li>• Explanation as to how the incineration of waste oil will be controlled to ensure it is only fed to the auxiliary burners when the furnace is operating at the required temperature;</li> <li>• The waste acceptance procedures for waste oils including the process and systems by which wastes oil unsuitable for incineration at the site will be controlled; and</li> <li>• Details of the testing regime to ensure that the waste oils meet the required specification.</li> </ul> <p>to the Environment Agency and obtain the Environment Agency's written approval for the use of this material.</p>

### ANNEX 3: Improvement Conditions

Based in the information in the Application we consider that we need to set improvement conditions. These conditions are set out below - justifications for these is provided at the relevant section of the decision document. We are using these conditions to require the Operator to provide the Environment Agency with details that need to be established or confirmed during and/or after commissioning.

<b>Table S1.3 Improvement programme requirements</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
<b>IC1</b>	The Operator shall submit a written report to the Environment Agency on the implementation of its Environmental Management System (EMS) and the progress made in the certification of the system by an external body or if appropriate submit a schedule by which the EMS will be certified.	Within 12 months of the completion of commissioning.
<b>IC2</b>	The Operator shall submit a written proposal to the Environment Agency to carry out tests to determine the size distribution of the particulate matter in the exhaust gas emissions to air from emission point A1, identifying the fractions within the PM <sub>10</sub> and PM <sub>2.5</sub> ranges. On receipt of written approval from the Environment Agency to the proposal and the timetable, the Operator shall carry out the tests and submit to the Environment Agency a report on the results.	Within 6 months of the completion of commissioning.
<b>IC3</b>	The Operator shall submit a written report to the Environment Agency on the commissioning of the installation. The report shall summarise the environmental performance of the plant as installed against the design parameters set out in the Application. The report shall also include a review of the performance of the facility against the conditions of this permit and details of procedures developed during commissioning for achieving and demonstrating compliance with permit conditions and confirm that the Environmental Management System (EMS) has been updated accordingly.	Within 4 months of the completion of commissioning.
<b>IC4</b>	The operator shall notify the Environment Agency of the proposed date(s) that validation testing is planned for.	Notification at least 3 weeks prior to validation testing
	During commissioning the operator shall carry out validation testing to validate the residence time, minimum temperature and oxygen content of the gases in the furnace whilst operating under normal load and most unfavourable operating conditions. The validation shall be to the methodology as approved through pre-operational condition PO7.	Validation tests completed before the end of commissioning
<b>IC5</b>	The Operator shall submit a written report to the Environment Agency describing the performance and optimisation of: <ul style="list-style-type: none"> <li>• The Selective Non Catalytic Reduction (SNCR) system and combustion settings to minimise oxides of nitrogen (NO<sub>x</sub>).The report shall include an assessment of the level of NO<sub>x</sub>, N<sub>2</sub>O and NH<sub>3</sub> emissions that can be achieved under optimum operating conditions.</li> <li>• The sodium bicarbonate injection system for minimisation of acid gas emissions</li> <li>• The carbon injection system for minimisation of dioxin and heavy metal emissions.</li> </ul>	Within 4 months of the completion of commissioning.

<b>Table S1.3 Improvement programme requirements</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
<b>IC6</b>	<p>The Operator shall carry out an assessment of the impact of emissions to air of the following component metals subject to emission limit values: As, and Cr (VI). A report on the assessment shall be made to the Environment Agency.</p> <p>Emissions monitoring data obtained during the first year of operation shall be used to compare the actual emissions with those assumed in the impact assessment submitted with the Application. An assessment shall be made of the impact of each metal against the relevant ES. In the event that the assessment shows that an environmental standard can be exceeded, the report shall include proposals for further investigative work.</p>	15 months from the completion of commissioning.
<b>IC7</b>	<p>The Operator shall submit a written summary report to the Environment Agency to confirm that the performance of Continuous Emission Monitors for parameters as specified in Table S3.1 and Table S3.1 (a) complies with the requirements of BS EN 14181, specifically the requirements of QAL1, QAL2 and QAL3. The report shall include the results of calibration and verification testing,</p>	<p>Initial calibration report to be submitted to the Agency within 3 months of completion of commissioning.</p> <p>Full summary evidence compliance report to be submitted within 18 months of completion of commissioning.</p>
<b>IC8</b>	<p>The operator shall carry out a programme of dioxin and dioxin like PCB monitoring over a period and frequency agreed with the Environment Agency. The operator shall submit a report to the Environment Agency with an analysis of whether dioxin emissions can be considered to be stable.</p>	Within 3 months of completion of commissioning or as agreed in writing with the Environment Agency
<b>IC9</b>	<p>The operator shall carry out a programme of mercury monitoring over a period and frequency agreed with the Environment Agency. The operator shall submit a report to the Environment Agency with an analysis of whether the waste feed to the plant can be proven to have a low and stable mercury content.</p>	Within 3 months of completion of commissioning or as agreed in writing with the Environment Agency
<b>IC10</b>	<p>The Operator shall submit a report to the Environment Agency for approval on start-up and shut-down conditions over the first 12 months of operation. The report shall identify any amendments to the start-up and shut-down definitions that were described in the application.</p>	Within 15 months of completion of commissioning or as agreed in writing with the Environment Agency
<b>IC11</b>	<p>The Operator shall undertake a noise assessment during normal operations in accordance with the procedures given in BS4142:2014 (Rating industrial noise affecting mixed residential and industrial areas) - in order to validate the assessment provided</p>	Within 3 months of completion of commissioning.

<b>Table S1.3 Improvement programme requirements</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
	<p>within the application. The assessment shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• A review of the noise sources from the facility. Where any noise source(s) are identified as exhibiting tonal contributions, they shall be quantified by means of frequency analysis.</li> <li>• A review of noise levels from static plant.</li> <li>• Considerations of on-site vehicle movements.</li> </ul> <p>A report shall be provided to the Environment Agency detailing the findings of the assessment.</p> <p>In the event that the report shows that noise could have a significant impact, the report shall include proposals for the further attenuation and/or management of noise and shall include a timescale, to be agreed with the Environment Agency, for the implementation of the proposed measures.</p>	
<b>IC12</b>	<p>The Operator shall submit a report to the Environment Agency for approval which reviews the appropriateness of maintaining the temperature in the combustion chamber at a minimum of 1,100°C at all times. The report shall include a BAT assessment justifying the combustion temperature proposed which shall include (but not necessarily be limited to) consideration of the minimum temperature required for each waste type, energy efficiency, global warming potential and plant reliability.</p>	Within 3 months of completion of commissioning.
<b>IC 13</b>	<p>The Operator shall carry out monitoring to demonstrate that the mechanism of cleaning and disinfection of surfaces and containers physically removes contamination, is capable of achieving disinfection across the broad spectrum of micro-organisms with the parameters used (time, concentration, temperature, quantity etc.) and either does not produce emissions of pathogenic bioaerosols or chemical agents OR that such emissions are contained. This is as required in appropriate measures 25, 28 and 32 of the Waste storage, segregation and handling appropriate measures section of our Healthcare waste: appropriate measures for permitted facilities guidance.</p> <p>A report shall be provided to the Environment Agency detailing the findings of the assessment.</p>	Within 6 months of completion of commissioning.
<b>IC14</b>	<p>The Operator shall submit a written report to the Environment Agency for approval which demonstrates that impermeable surfacing and a sealed drainage system is in place for areas of land where waste is to be stored. This should include storage of quarantined wastes. The report must demonstrate compliance with our guidance SGN 5.06.</p>	Within 3 months of completion of commissioning.
<b>IC 15</b>	<p>The Operator shall submit a written report to the Environment Agency for approval which details the findings of an assessment of the risk of release from storage vessels, particularly the subsurface storage of liquid effluent.</p> <p>The report should identify measures for minimising the risk of overflowing such as high-level alarms and automatic cut-offs, and should explain the measures in place to detect leaks such as a leak detection systems or regular integrity testing.</p> <p>A timescale for implementation of any improvements identified should be agreed with the Environment Agency.</p>	Within 3 months of completion of commissioning.

## **ANNEX 4: Consultation Responses**

### **A) Advertising and Consultation on the Application**

The Application has been advertised and consulted upon in accordance with the Environment Agency's Public Participation Statement. The way in which this has been carried out along with the results of our consultation and how we have taken consultation responses into account in reaching our draft decision is summarised in this Annex. Copies of all consultation responses have been placed on the Environment Agency public register.

The Application was advertised on the Environment Agency website from 8<sup>th</sup> January 2020 to 5<sup>th</sup> February 2020.

The following statutory and non-statutory bodies were consulted: -

- Foods Standards Agency,
- Local Authority Planning,
- Local Authority – Environmental Health,
- National Grid,
- Health and Safety Executive,
- Director of Public Health,
- Public Health England.

The Application was further advertised on the Environment Agency website from with the information concerning the change to the operator's legal entity from 6<sup>th</sup> May to 4<sup>th</sup> June 2021 and the above listed consultees reconsulted with the additional details.

### **1) Consultation Responses from Statutory and Non-Statutory Bodies**

Response Received from: Public Health England	
Brief summary of issues raised:	Summary of action taken / how this has been covered
Whilst the applicant's submissions and assessments indicate that the proposed installation is unlikely to lead to significant impacts on public health, PHE notes that reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards has potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants and address inequalities (in exposure) and encourage their consideration during site design, operational management, and regulation.	No action required

Response Received from: National Grid	
Brief summary of issues raised:	Summary of action taken / how this has been covered
Identified gas lines in the vicinity of the site.	Details forwarded to the applicant for their information. No additional concerns for the permit.

2) **Consultation Responses from Members of the Public and Community Organisations**

Response Received from: member of the public	
Brief summary of issues raised:	Summary of action taken / how this has been covered
Could not see full details of the application.	This was raised following the second consultation regarding the change to the applicant's legal entity, which place only the additional details on the consultation page. The original permit application was re-added to the page for clarity.