Permitting Decisions - Bespoke Permit

We have decided to grant the permit for Temporary Bulky Waste Recycling Facility operated by LondonEnergy Ltd (LEL).

The permit number is EPR/YP3500LS.

The application is for a Temporary Bulky Waste Recycling Facility (TWBRF) / Fuel Preparation Plant (FPP) at the Edmonton Ecopark, Advent Way, London. This application will replace the operations carried out at the current Bulky Waste Recycling Facility (BWRF) / Fuel Preparation Plant under permit EPR/YP3197NR. The site will be referred to throughout the permit document as the Temporary Bulky Waste Facility (TWBRF).

The existing / previous infrastructure at the Ecopark, consisting of an Energy from Waste (EfW) plant, in-vessel composting (IVC) plant, incinerator bottom ash plant (known as the Blue Phoenix (BP) site) and the Bulky Waste Recycling Facility / Fuel Preparation Plant is currently being redeveloped to include a new Energy Recovery Facility (ERF) and Resource Recovery Facility (RRF). When operational, the activities of the ERF and RRF will be covered by a separate environmental permit (EPR/UP3232AC). All other existing waste operations at the Ecopark will cease when the ERF and RRF are fully operational.

To enable this redevelopment, LEL have applied for a new permit consisting of a Section 5.4 (Disposal, recovery or a mix of disposal and recovery of non-hazardous waste) Part A (1)(a)(ii) activity (shredding, manual sorting or manual separation of non-hazardous, non-metallic waste for size reduction and to aide waste handling prior to off-site disposal through incineration) with two additional waste activities consisting of a household, commercial and industrial waste transfer station and the mechanical treatment of non-hazardous ashes.

This new permit is planned to be operational for a period of approximately 12-18 months whilst the redevelopment of the wider site is completed. Once the redevelopment is complete, this permit, the TWBRF, will be surrendered and a new application will be made to move the TWBRF's activities to the RRF.

Similar to the BWRF, the TWBRF will store, bulk and transfer to licensed onward facilities non-hazardous and hazardous waste (hazardous waste storage limited to 50 tonnes on site at any one time), sort non-hazardous waste and shred non-hazardous bulky waste, which will be sent to the adjacent Energy from Waste plant.

The maximum annual waste throughput for the TWBRF will be 220,000 tonnes with operation ongoing 24 hours a day, seven days a week.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision-making process. It:

- summarises the decision making process in the decision considerations section to show how the main relevant factors have been taken into account
- highlights key issues in the determination
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

Fire Prevention Plan

Alternative measures

The operator has submitted a Fire Prevention Plan (FPP), which proposes alternative measures to those laid out in our guidance in relation to the availability of water in the event of a fire.

As stated in our FPP guidance, if an operator does not take any other preventative actions (such as creating a fire break) for a 300 cubic metre pile of combustible material they must have a water supply of at least 2,000 litres per minute (LPM) for a minimum of 3 hours. For a 750m^3 pile the water supply requirements would be 5000LPM for 3 hours. The operator has the proposed a water supply of 4000LPM for 2 hours (from the water tank), so 2667LPM for 3 hours. This volume of water is determined to be appropriate given the mitigation measures present on site:

- The waste bays will be monitored to UKAS accredited thermal imaging system linked to automatic water monitors.
- The control room is staffed 24/7.
- Waste is stored for a maximum of 3 days reducing opportunity for self-heating to occur.
- On detection of a hot spot or initiated fire, the water monitors can apply large volumes of water targeted directly at the hotspot. The local water application rate is higher than from a deluge or sprinkler system giving rapid extinguishing and cooling.
- The short storage time, rapid turnover of waste and continuous monitoring reduces the likelihood of a heating event going undetected.
- The firefighting strategy of installing automatic water monitors and operating with reduced size waste piles reduces the risk of fire spreading

within the waste pile or a fire growing sufficiently large that extinguishment within 4 hours is not possible.

Pre-operational condition

Within the FPP the operator is required to meet the requirements of the following condition prior to receiving waste materials at the site:

The Operator shall submit evidence to show that the design, installation and maintenance of the in-building detection and suppression systems will be covered by an appropriate UKAS accredited third party certification scheme or a demonstrable alternative third party accreditation or standard.

The operator shall submit a written commissioning plan for the detection and suppression systems that includes, but is not limited to, the design layout, performance and operating procedure of the system.

The Operator shall gain written confirmation from the Environment Agency that the proposed systems and commissioning plan are acceptable prior to receiving waste materials at the site to which this permit refers.

This condition has been inserted into the permit as a result of the detection and suppression systems to be put in place at the site still being finalised at the point of permit issue.

Site Condition

The TWBRF site has previously been occupied by two environmental permits; an in-vessel composting (IVC) plant, also operated by LondonEnergy Ltd (EPR/QP3997NL) and an incinerator bottom ash plant known as the Edmonton IBA Facility, operated by Ballast Phoenix Limited (EPR/ZP3332WW).

The Environment Agency granted the surrender of the Ballast Phoenix permit on 01/09/2021 following suitable land remediation being carried out at the site.

Due to an historical anomaly, the attenuation tanks utilised by the IVC plant are also utilised by the existing Bulky Waste Recycling Facility (BWRF) (EPR/YP3197NR), however, whilst the attenuation tanks have been recorded on the IVC permit, they have not been recorded on the BWRF permit.

The BWRF will need to remain operational for a period of time whilst its operations transfer to this permit (the TWBRF) and it is necessary for the attenuation tanks to be recorded on a live environmental permit whilst they are still receiving surface water. The attenuation tanks will be included as part of the TWBRF permit. Therefore, the IVC permit (EPR/QP3997NL) cannot be surrendered prior to the TWBRF permit being issued meaning that there will be

two live permits sharing parts of the same footprint (the IVC permit and the TBWRF permit) for a period of time.

The BWRF operations will be gradually moved to the TBWRF once the TBWRF is issued. Once all operations have been moved to the TWBRF, the drainage connecting the BWRF to the attenuation tanks will be capped-off with the attenuation tanks decommissioned and the BWRF permit surrendered. The TBWRF will have its own, new attenuation tanks. The decommissioned tanks will remain included as part TWBRF until the surrender of the TWBRF permit in the future.

We have accepted this arrangement for the following reasons:

1. All of the involved permits (the IVC, BWRF and TWBRF) are granted to LondonEnergy Ltd meaning that there is no potential issue in terms of liability in case there was an environmental incident.

2. The IVC site was cleared, with the land remediation required by the Environment Agency to surrender the IVC permit submitted as part of the TWBRF application. This land remediation report will form both the basis of the surrender of the IVC permit, and if required, will form part of the site condition report for the TWBRF permit. Without the historical complication of the BWRF permit draining to the attenuation tanks, the only outstanding information required to determine the surrender of the permit would be evidence of the decommissioning of the attenuation tanks.

3. This approach will ultimately regularise the historical anomaly of the attenuation tanks being utilised by the BWRF.

Decision considerations

Confidential information

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

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

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

Consultation

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

The comments and our responses are summarised in the consultation responses section.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Health and Safety Executive
- Department for Public Health (Enfield)
- Public Health England
- Local Planning Authority (Enfield)
- Environmental Health Department (Enfield)

The comments and our responses are summarised in the consultation responses section.

Operator

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

The regulated facility

We considered the extent and nature of the facility at the site in accordance with RGN2 ‘Understanding the meaning of regulated facility’ and Appendix 2 of RGN2 ‘Defining the scope of the installation’.

The site

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

These show the extent of the site of the facility.

A site plan is included in the permit.

Site condition report

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance

on site condition reports and baseline reporting under the Industrial Emissions Directive.

See Key Issues section for further discussion on site condition.

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

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

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

We consider that the application will not affect any site of nature conservation.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

Environmental risk

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

The operator’s risk assessment is satisfactory.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The facility meets the requirements of the ‘BAT Conclusions for Waste Treatment (August 2018)’ document. The operator has confirmed their adherence to all relevant BAT Conclusions in their application documentation.

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

Odour management

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

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

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit’.

Fire Prevention Plan

The plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.

We have set pre-operational conditions to allow the operator time in which to implement their fire prevention plan before commencing the activities authorised.

See Key Issues for further discussion.

We have approved the fire prevention plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

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

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. We are satisfied that the operator can accept these wastes for the following reasons:

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

Pre-operational conditions

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

This relates to the Fire Prevention Plan and is explained in the key issues section.

Emission Limits

We have decided that emission limits are not required in the permit.

Management System

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

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

A full review of the management system is undertaken during compliance checks.

Technical Competence

Technical competence is required for activities permitted.

The operator's Health Safety and Environment Manager is a member of the appropriate WAMITAB scheme.

We are satisfied that the operator is technically competent.

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.

Consultation Responses

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section:

Response received from UK Health Security Agency (formally Public Health England).

Brief summary of issues raised:

Stated that the main emissions of potential concern are noise, odour and emissions to air. UK Health Security Agency noted that the site will have controls in place to lower the residual risk.

Summary of actions taken:

The site has put in place a site-specific Odour Management Plan, which we have approved and has formed part of the site's operating techniques. In terms of noise and dust emissions, the location and general site infrastructure in place, including the presence of a dedicated waste building where all waste treatment activities will be carried out, limits the potential for impacts of noise and dust from significantly affecting local receptors. The operator is bound by conditions 3.2, 3.3 and 3.4 within the permit which prevent the operator from causing emissions at levels likely to cause pollution outside the site in relation to dust, odour and noise respectively.