

Permitting Decisions- Variation

We have decided to grant the variation for Colthrop Waste Transfer Facility operated by Wastecare Limited.

The variation number is ERP/JB3204MH/V002.

The variation authorises a change from an inert waste physical treatment facility to a hazardous and non-hazardous, household, commercial and industrial transfer facility with treatment. The site will act as a regional collection and waste transfer station for the east of England for Wastecare Limited. A large number of wastes of small volume wastes will be handled at the facility. The site will carry out off-loading, repackaging, bulking and despatch of hazardous and non-hazardous packaged wastes streams.

The variation authorises an installation and waste operations. The scheduled activities permitted for the installation are S5.3 A(1)(a)(iv) the repackaging of hazardous waste for recovery and S5.6A(1) (a) Temporary storage of hazardous waste in a facility with a total capacity exceeding 50 tonnes. The waste operations include the storage and treatment of non-hazardous waste.

The maximum waste annual through put will be 20,000 tonnes.

The transfer facility will accept packaged wastes but some unpackaged wastes will arrive as whole single units such as tyres and items of waste electrical and electronic equipment (WEEE) e.g. large household appliances strapped to pallets.

Treatment of hazardous waste will consist of repackaging of mixed batteries to allow sorting into the same battery type within a dedicated area, and moving waste containers e.g. drums, paint tins etc. from one pallet or bulk container into another.

Polystyrene will be compacted in a small briquetter. Plastic bags and cardboard will be baled.

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

Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision-making process to show how the main relevant factors have been taken into account. We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

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

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

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

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

Key issues of the decision

Decision considerations

Confidential information

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

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

Identifying confidential information

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

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

Consultation

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

The 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 (14/07/2021):

Health and Safety Executive

Local Authority - Environmental Health

Director of Public Health and Public Health England

Local Fire and Rescue Service (consulted on 7 December 2021 and 19 January 2022)

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

The regulated facility

We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN2 'Defining the scope of the installation', and Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

The extent of the facilities are defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

The site

The site was previously an inert physical treatment facility, the operator has provided a new plan showing the revised layout of the site, there are no changes to site boundary. We consider the plan satisfactory it shows the extent of the facility.

The plan is included in the permit.

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

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

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified. There

are no discharges to land or water and no emissions to air from this application. Nearly all waste is received and stored in containers and activities will take place within a covered warehouse.

We have not consulted Natural England or any other relevant Statutory Nature Conservation Body.

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 qualitative risk assessment includes odours, noise, fugitive emissions including leakage from underground waste water storage tank and accidents/incidents. The site has an additional flood management plan. The overall risk from the potential hazardous are considered unlikely to be significant due to the risk management measures.

The operator's risk assessment is satisfactory.

Operating techniques

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

General operating techniques

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

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

The Operator confirmed in their application they intended to comply with SGN 5.06 and provided a summary assessment in the application 'Assessment of best available techniques (BAT) dated July 2020. We requested further information on 15/11/2021 for the applicant to provide clarification on what technical standards they proposed to adopt. They confirmed by email dated 13/12/2021 that they would adopt:-

Chemical waste: appropriate measures for permitted facilities

Healthcare waste: appropriate measures for permitted facilities

Non-hazardous and inert waste: appropriate measures for permitted facilities.

In addition within the application supporting information 'Management System', document reference WC/THMMS-001 dated 13/12/31 V3 the applicant has confirmed that the storage areas are within the covered warehouse each area is clearly signed showing the hazard type and the segregation will comply with HSG71 – Chemical warehousing The storage of packaged dangerous substances, to prevent incompatible wastes coming into contact with each other.

Odour management

We have reviewed the odour risk assessment and operating techniques and concluded that an odour management plan is not required. This is because the waste types accepted are generally unlikely to be odorous and the waste accepted will also be packaged and contained.

Fire prevention plan

We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.

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.

Dust management

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

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

All waste will arrive on site in sealed containers unless it is an individual article or item – e.g Tyres, WEEE. The dust management plan lists the potentially dusty wastes which will be accepted on site and has confirmed that they will be accepted in sealed containers. Once the waste is accepted it will be stored temporarily in the sealed container within a dedicated area until it is despatched for treatment, recovery or disposal.

We have approved the dust and emission management plan as we consider it as 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.

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

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permits.

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

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

Details of storage and treatment of waste types is provided in the Management system document reference WC/THMMS-001 dated 11/02/22. The document contains a plan to show the storage locations of wastes and the maximum storage quantities. It also provides storage details and treatment processes for particular groups of waste.

The Operator has confirmed compliance with:

- Chemical waste: appropriate measures for permitted facilities
- Healthcare waste: appropriate measures for permitted facilities
- Non-hazardous and inert waste: appropriate measures for permitted facilities.

The operator has also confirmed compliance with HSG71 – Chemical warehousing.

Emission limits

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

Management system

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points. The Operator has confirmed the site will be certified to ISO 14001:2015.

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

Technical competence

Technical competence is required for activities permitted.

The operator is a member of the CIWM/WAMITAB scheme

We are satisfied that the operator is technically competent.

Growth duty

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution.

This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation Responses

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

Responses from organisations listed in the consultation section

Response received from: Public Protection Partnership Bracknell Forest West Berkshire Wokingham.

Brief summary of issues raised:

- They did not find any details on noise issues from the site and how they would be controlled.

Summary of actions taken: Provided further details and directed to the appropriate section of the risk assessment document. The document was reviewed by PPP who had no further comments.

Response received from: Public Health England

Brief summary of issues raised:

Recommended that the Environment Agency take account of the following concerns

- Consistency across the documents
 - The Environment Agency describe the application as a variation whilst the BAT assessment documents to support the application describe the application as a bespoke installation.
 - Regarding dust and air emissions the non-technical summary and management system documents advise no air emissions and no dust generated from activities whereas the dust management plan identifies fugitive emissions
 - The management system document advises that the drainage system on the site is sealed and all surface water passes into a 10,000 litre underground storage tank. Section 2.3 of the Environmental site assessment report indicates surface water drains in the north west section of the site flow towards and discharge to a culvert in the north of the site.
- Receptors

- Better more accurate characterisation of sensitive receptors is required
 - o Residential receptors 230m to the southeast and footpath and canal users have not been acknowledge in the ERA and fire prevention plan.
 - o Groundwater abstraction points within 2 km of the site have not been acknowledges
- Accidents and Incidents

The ERA does not consider risks from accidental fires, flooding and leakage of underground storage tank. In view of nearby receptors further assessment and any details regarding mitigation measures should be provided to ensure public health impacts are minimised.
- Odour

In view of nearby receptors it is recommended that further details are provided regarding the potential sources of odour and any modelling, monitoring and mitigation provided
- Noise

It is recommended that the proposal is reviewed by Environmental health officers at West Berkshire Council.

Summary of actions taken: The applicant provided amended documents to ensure consistency Thatcham Management System WC-THMMS-001 Feb 2022, Fire Prevention Plan 11/02/22 and Environmental Risk Assessment THM v3. Dust and emissions to air are unlikely to be a significant risk due to the mitigation measures on sites which include: all waste arriving in sealed containers (unless they are items such as WEEE, good housekeeping cleaning and sweeping the site daily.

Waste will only be stored and treated on impermeable surfaces with sealed drainage. Clean surface water from the other areas of site will drain to the surface water discharge point in the northwest of the site.

In our assessment we have considered all the potential receptors including the nearest residential receptors in the south east. As there are no emissions to surface/groundwater and land (with the exception of clean surface water) there are unlikely to be any impacts to groundwater.

Accidents and incidents have been considered in the risk assessments, the site has a fire prevention plan which has been reviewed, approved and incorporated into the permit as an operating technique. The site has a flood management plan which has also been reviewed and also incorporated into the permit. As all the waste (except items of WEEE) will be received and stored in sealed containers odour are likely to be insignificant. The only treatment being repackaging of mixed batteries to allow sorting into the same battery type and the moving waste containers e.g. drums, paint tins from one pallet or bulk container into another. There will also be some baling of plastic/card and briquetting of polystyrene these are unlikely to produce any odour.

Noise is also considered in the risk assessment. The proposal has been reviewed by Environmental Health – Bracknell Forest.

Response received from: Royal Berkshire Fire and Rescue Service

Brief summary of issues raised:

- The lack of an automatic fire suppression system is considered a weakness in the overarching fire strategy
- The issue of running hoses across railway lines eliminate the nearest fire hydrant as a source of water for firefighting purposes. Alternative means for supplying water will need to be secured. Whilst the Avon and Kennett Canal appears to be at the rear of the site, there does not appear to be a suitable route to access the canal without walking through the sites. In addition the fire and rescue service powers do not extend to affording protection to a business whilst using the assets of a third party (obtaining water from the canal). There are no plans for access to the canal side or reference to any agreements in the Fire Prevention Plan provided by the applicant. The provision of water for firefighting purposes is usually provided by the premise owner where a fire hydrant is not available.

Summary of actions taken: the lack of an automatic fire suppression system has been considered. The purpose of a suppression system is to prevent small fires becoming large fires and allow the Fire and Rescue service to carry out the firefighting duties in a relatively safe environment. The site has an early detection system and only stores small quantities of waste, waste is stored in a fairly simple building with easy access for firefighting therefore we consider it adequate. Measures in place to prevent fire spreading include the management of stockpiles sizes and adequate separation distances between waste stockpiles and between storage area and the site buildings. In addition rows used for waste storage will be constructed with a 1 m spaces. Wastes will also be separated by hazard type and stored within a dedicated bay constructed from concrete blocks which are A1 fire rated. The blocks have a fire rating of 240 minutes. The site also have fire fighting equipment, e.g. fire extinguishers and are proposing to use fire extinguisher balls in areas where combustible wastes are stored. These balls can be attached to the walls and will activate when naked flame or with heat of 70°C is reached.

The applicant will provide water for firefighting purposes to comply with the minimum amount of water required to extinguish 24 m³ of waste and supply water for 3 hours which is 29 m³.