

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Gravesend Waste Transfer Station operated by Enva England Specialist Waste Limited.

The permit number is EPR/WP3806MR.

The site will operate as a waste transfer station accepting hazardous and non-hazardous waste for storage and repackaging. Hazardous oil-based waste will also be bulked, mixed and blended. Volume reduction of oil contaminated drums will also take place on site. The majority of waste accepted on site is oil, but a small volume of non-oil waste is also accepted.

The site will operate under four listed activities listed under schedule 1 of EPR for:

- Section 5.3 Part A1(a)(iii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day by blending or mixing;
- Section 5.3 Part A1(a)(iv) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day by repackaging prior to recovery or disposal;
- Section 5.3 A(1)(a)(ii) Volume reduction of oil contaminated solids for recovery; and
- Section 5.6 Part A1(a) Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes.

There are also two waste activities for the storage and repackaging of non-hazardous waste. This covers waste collection of residual waste from garage clearances and similar where the primary purpose is to collect waste oils.

The total waste storage capacity of the site will be 680 tonnes with 580 tonnes of this total capacity being for hazardous waste and 100 tonnes for non-hazardous waste. The maximum annual throughput of waste will be 25,000 tonnes.

The site will accept bulk loads of waste oil and containerised waste. The waste will be sampled as part of the waste acceptance procedure in instances where the chemical composition or variability of the waste is unclear from the information supplied by the customer.

All of the waste oil storage tanks will vent to atmosphere via a carbon filter. Waste oil will be stored in bunded containers. Each bund will have the capacity to

hold 110% of the capacity of the tank stored within the bund. The bunds will be fitted with a blind sump collection point. All waste oil storage tanks will be monitored by level controls and will be fitted with automatic shut-off valves to prevent overflowing when transferring between tanks. Tanks, pipework and associated equipment will be covered by an inspection and maintenance procedure.

Any waste oils determined through pre-acceptance and any subsequent testing to contain PCBs will be collected in sealed containers, stored within a bunded area, and transferred onwards (in those same containers) to a suitably licensed facility. No blending or mixing of PCB containing waste will be carried out.

All waste is bulked up until adequate volumes to remove to a suitably licenced facility.

The surfacing of the proposed permitted area is an impermeable concrete pad with surface water runoff discharging to foul sewer via an interceptor.

There are no discharges to surface water. Effluent produced from washing of oil-contaminated containers will be contained and tankered off-site for further processing for the recovery of residual oil.

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.

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 application was publicised on the GOV.UK website.

We consulted the following organisations:

- Food Standards Agency
- Dartford Borough Council – Environmental Health
- Health and Safety Executive
- Kent Fire and Rescue Service
- UK Health Security Agency
- Director of Public Health

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

The site

The operator has provided a plan which we consider to be satisfactory.

This shows the extent of the site of the facility.

The 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 not satisfactory.

The SCR does provide limited baseline data for some contaminants. However, the risk of incomplete reporting falls on the operator and it may be there are additional remedial works required at site surrender, or variation if baseline data is shown to be different in future assessment, given site findings from limited trial holes and taking account of past history.

Historic contamination is present, noted as widespread across the site, but the baseline data is from a limited number of small bore trial holes with positions not specifically linked to proposed facilities.

Due to the complex history of the site and proposed use involving hazardous materials it is recommended that the site undertake routine monitoring of groundwater, during the lifetime of the site.

Improvement condition IC1 requires the Operator to submit the written protocol referenced in condition 3.1.2 for the monitoring of soil and groundwater for approval by the Environment Agency based on the output of PO1 and the baseline data collection. The protocol shall demonstrate how the Operator will meet the requirements of Articles 14(1)(b), 14(1)(c), 14(1)(e) and 16(1) of the IED.

The decision was taken in accordance with our guidance on site condition reports.

Additional requirements for an updated drainage plan and demonstration that the surfacing and drainage is of an adequate standard are also required in order that we consider the information relating to Site Condition and BAT are adequate.

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

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

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

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

We have not consulted Natural England.

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.

Operating techniques

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

The application includes a best available techniques (BAT) assessment which considered the following guidance:

- The BAT Conclusions for waste treatment, August 2018 under Directive 2010/75/EU.
- Environment Agency guidance 'Chemical waste: appropriate measures for permitted facilities', November 2020.
- The classification and assessment of waste, October 2021 (WM3 Guidance).

The application identifies BAT Conclusions relevant to the site and confirmed compliance with these. In addition, we identified that BAT Conclusion 8 and a BAT-associated Emission Level (BAT-AEL) for Total Volatile Organic Compounds (TVOC) from storage was also applicable. The applicant supplied additional information in relation to the BAT Conclusions as set out below. The information is based on monitoring carried out at another site with a similar set up and equipment.

BAT-AELS are specified for TVOCs from oil storage tanks unless the emission load is below 2 kg/h at the emission point provided that no CMR (carcinogenic, mutagenic, and toxic to reproduction) substances are identified as relevant in the waste gas stream, based on the inventory of wastewater and waste gas streams. The operator must also monitor "the waste input in terms of content of chlorinated compounds (e.g. chlorinated solvents or PCBs)." (BAT 42).

The applicant confirmed that they have carried out testing of storage tank emissions on another similar site and provided the emissions testing report. The monitoring indicated that the emission rates from the tanks are below the 2 kg/hr

threshold. We agree that the BAT-AELs may not be applicable based on the evidence provided but we have specified 6 monthly monitoring of TVOCs within the permit as set out in BAT Conclusion 8. However, the evidence provided was based on the emissions monitoring carried out at another similar site, so we have set both a pre-operational condition for monitoring at commissioning and improvement conditions requiring the operator to carry out a monitoring campaign on this site over a period of a year to review the emissions and abatement performance.

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

Noise

There is very limited processing of waste on the site and therefore noise is not anticipated to be a key issue at this site. The following measures should address any potential for noise generation and ensure minimal impact outside of the boundary:

- Vehicle movements will be minimised by ensuring that the double handling of materials is avoided where possible.
- Drop heights will be minimised at all times.
- Broadband reversing alarms will be fitted to vehicles and mobile plant used to move waste on the Site.
- Site speed restrictions of 10 mph will be enforced by the use of signs.
- Equipment e.g. pumps will be designed and constructed to minimise noise generation.

Condition 3.4 in the permit allows a noise management plan to be requested in the future if required.

Fire Prevention Plan

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

The Fire Prevention Plan should be reviewed on a frequent basis and if anything on site changes.

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

Dust management

The main proportion of the wastes accepted onto the site will be liquid wastes with limited potential for generating dust. The following measures should address any potential for dust generation and ensure minimal impact outside of the boundary:

- In the event, solid dusty wastes are accepted onto the site, the waste will be stored and handled in a building.
- In the event of dust emissions from the proposed waste operations, water will be sprayed to minimise emissions.
- Vehicles entering and exiting the site are sheeted/enclosed in order to reduce the likelihood of dust emissions.
- Waste acceptance procedures are also in place to ensure that excessively dusty loads are not accepted on Site.

Condition 3.2 in the permit allows a dust management plan to be requested in the future if required.

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.

Emission Limits

We have decided that an emission limit is required in the permit. See 'Operating techniques' section for further information.

Pre-operational conditions

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

- That the site surfacing and drainage is completed to an appropriate standard; and
- That a drainage plan to an adequate standard is provided.

Improvement programme

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

We have included an improvement programme to ensure that:

- A protocol for monitoring of the site condition is established (IC1);
- a commissioning report is produced and is agreed with the Environment Agency (IC2); and
- a review of monitoring of emissions and the performance of the abatement plant is carried out (IC3 and IC4).
- A review of the discharge of the emissions to sewer is carried out (IC5).

Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. See 'operating techniques section' for details of monitoring for emissions to air.

We have also specified process monitoring as follows:

Process monitoring (table S3.3):

- Back pressure of carbon filters
- Moisture of the carbon filters
- Efficiency assessment of the carbon filters
- Gas flow rate of the carbon filters

These monitoring requirements have been included in order to ensure that the abatement (carbon filters) are operating correctly, when they are becoming exhausted and ensuring that the monitoring is in line with our guidance.

We made these decisions in accordance with the chemical waste treatment appropriate measures (<https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>) and waste treatment BAT conclusions (WT BATc).

We made these decisions in accordance with the BAT Conclusions for Waste Treatment.

Reporting

We have added reporting in the permit for the following parameters:

Emissions to air:

- TVOC

Process monitoring:

- Back pressure of carbon filters
- Moisture of the carbon filters
- Efficiency assessment of the carbon filters
- Gas flow rate of the carbon filters

We made these decisions in accordance with the chemical waste treatment appropriate measures (<https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>) and waste treatment BAT conclusions (WT BATc).

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.

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.

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

Technical Competence

Technical competence is required for activities permitted.

The operator has provided evidence to demonstrate that they have the appropriate WAMITAB certificate in place for the operations on site.

Previous performance

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.

Financial competence

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

Growth duty

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

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 Dartford Borough Council – Environmental Health.

Brief summary of issues raised: Main concerns are dust and noise though there are no close residents. There are historic complaints in the area and further waste sites may exacerbate the situation.

Recommendation of dust suppression and wheel washing and restrictions on operational hours to reduce the potential for noise impacts.

Summary of actions taken:

See key issues sections on noise and dust. We consider due to the liquid nature of the majority of wastes to be accepted and the limited amount of processing of waste that dust and noise are unlikely to be an issue from this site. There are conditions in the permit which will allow us to request an updated dust or noise management plan at a future date if required.