

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Heysham Hazardous Waste Transfer Station operated by GED Environmental Services Ltd.

The permit number is EPR/QP3631QX/A001.

The application is for a waste transfer station accepting hazardous and non-hazardous waste for storage and repackaging. The majority of waste accepted on site will be oil which will be bulked and stored within above ground tanks. Small amounts of non-oil waste arising from garage service collections will also be accepted and stored in IBCs or drums.

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

- 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 5.6 Part A1(a) Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes.

There is also a waste activity for the storage and repackaging of non-hazardous waste. This covers the collection of small quantities of garage wastes such as oil filters, oily rags, batteries, gas bottles and packaging waste. All such wastes will be stored in containers, battery boxes or cages.

The site will store up to 42 tonnes of containerised waste, the majority being waste oil. There are nine above ground storage tanks with a total capacity of 547m³. The maximum annual throughput of waste will be 35,200 tonnes per annum.

All drums and IBCs are lidded and sealed. These are stored in a kerbed external yard, the entrance bound by “sleeping policeman”. Drainage is to surface water sewer via interceptor.

All waste storage tanks vent to atmosphere via carbon filter. The tanks are located within a concrete bund with the capacity to hold 110% of the capacity of the largest tank. The bund is fitted with a blind sump collection point. All filling/discharge points are also located within the bund. The tanks are fitted with level gauges and alarms. Tanks, bunds and infrastructure will be covered by an inspection and maintenance programme.

Empty drums are stored under cover adjacent to the workshop.

The site is surface with impermeable concrete hardstanding with sealed drainage system.

Each yard area has dedicated drainage discharging via interceptor to surface or foul sewer. Surface water run-off from the external yard and reception area drains via interceptor to surface water at S1. Surface waters from other operational areas and waters from the vehicle washdown area is directed via fall into the drainage system where is discharged via interceptor to foul sewer under trade effluent consent (S2). Drainage from the car park is discharged to surface water (S3).

The operator provided 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.

Wastes are not mixed on site and there is no designated "treatment". The only processing is the bulking of the same waste type before transfer off site for disposal or recovery elsewhere. The operator identified the BAT conclusions relevant to the site and confirmed compliance with these.

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
- 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.

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

Identifying confidential information

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

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

Consultation

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

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Local authority – Environmental Health
- 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', Appendix 1 of RGN 2 'Interpretation of Schedule 1'

The site

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

These show the extent of the site of the facility including the discharge points.

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 not identify any historic contamination or provide baseline soil contamination data. The site however shows historic industrial use dating back to the 1990s with recent operation as an oil storage depot.

The risk of incomplete reporting falls on the operator and they may be responsible for any remedial works at site surrender.

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

Additional requirements demonstrating that the site surfacing, drainage and containment infrastructure 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.

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 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 site activities however do not include mixing of wastes, the same EWCs may be bulked together but there will be no reaction created. BAT-AELs are therefore not required.

The applicant has not provided any data or undertaken any monitoring of storage tank emissions. We have therefore included improvement conditions requiring the operator to carry out monitoring at the site to review the emissions and abatement performance.

Similarly, the site drainage and containment infrastructure appears to have been in place for several years with drainage via points S1 and S3 to surface water sewer. We have therefore included a pre-operational condition requiring the operator carry out a review of the infrastructure and containment.

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

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

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.

We have excluded 19 12 11* as this waste is not related to the activities on site.

Pre-operational conditions

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

- The site drainage and containment infrastructure is constructed to an appropriate standard.

Improvement programme

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

We have included an improvement programme to ensure that:

- a commissioning report is produced and is agreed with the Environment Agency (IC1); and
- a review of monitoring of emissions and the performance of the abatement plant is carried out (IC2).

Emission Limits

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

BAT-AELs are not required for storage tanks. Carbon filtration is fitted to the tank vents and we have included IC2 to ensure regular monitoring is undertaken to ensure the abatement is working correctly.

Monitoring

We have decided that monitoring shall 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 emissions to air.

We have also specified process monitoring as follows:

Process monitoring (table S3.3).

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

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.

Two company directors have provided evidence of WAMITAB registration for HROC4a hazardous waste transfer dated July 2021. They have 12 months from permit issue to complete all modules.

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 UK Health Security Agency.

Brief summary of issues raised: Main concerns are emissions of fugitive releases of VOCs including benzene from the bulking and storage activities. In addition, there is the potential for leaks and spills to groundwater and surface water from bulk transfer and storage activities.

No significant concerns provided appropriate measures to prevent or control pollution are undertaken.

Summary of actions taken:

See operating techniques section above. We require the operator to assess and review containment and drainage infrastructure along with emissions monitoring to ensure contaminants are not leaving the site.