

Permitting Decisions- Variation

We have decided to grant the variation for Avonmouth Aggregate Production Facility operated by O.C.O Technology Limited.

The variation number is EPR/HP3638WW/V005.

The variation is for the addition of a third treatment line at the site comprising a new Section 5.3 Part A(1)(a)(vi) activity. The storage limits for hazardous waste, binders, fillers and carbon dioxide will also increase. The overall throughput has increased to 90,000 tonnes per annum. A partial low risk surrender is also included, as well as an increase in the permitted area.

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 and the variation notice.

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
- Health and Safety Executive
- Director of Public Health and United Kingdom Health Security Agency (UKHSA)

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

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 Chemical waste: appropriate measures for permitted facilities.

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

The site

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

These show the extent of the site of the facility.

The plan is included in the permit.

The installation boundary has been updated to reflect the additional land added as part of this variation, and to remove land surrendered as a low risk surrender as part of this variation.

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.

An updated site condition report was provided as part of this variation. The amended site boundary as a result of this variation is included within the site condition report and presented in Schedule 7 of the permit.

A low risk surrender has been agreed as part of this variation. The areas of the permit being surrendered have either never been used or been used only for material storage (sand and final product) rather than waste. Area agreed that a low risk surrender is suitable. GWCL also confirmed no concerns or objections.

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

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 permit and are listed below:

- Condition 3.5.1 is varied to include reference to point source emissions.
- Condition 4.2.2 is varied to remove reference to activity reference numbers.
- Table S3.3, as referenced by conditions 3.1.1, 3.5.1 and 3.5.4 is amended to include surface water run-off as a source.
- Table S4.4, as referenced by conditions 4.2.2 and 4.2.3 is amended to include updated reporting forms
- Schedule 6, as referenced by condition 4.4.1 is amended to update industrial emissions directive, recovery and waste framework directive interpretations

Emission limits

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

Monitoring

Monitoring has not changed as a result of this variation.

Reporting

Reporting has not changed as a result of this variation

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.

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, 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 Local Authority – Environmental Health.

Brief summary of issues raised: No objection or comment.

Summary of actions taken: N/A

Response received from United Kingdom Health Security Agency.

Brief summary of issues raised: No significant concerns.

Summary of actions taken: N/A