

Permitting Decisions- Variation

We have decided to grant the variation for Oakleaf Farm operated by Drumcastle Limited.

The variation number is EPR/GP3333DU/V003.

The variation is for the inclusion of external storage of recovered recyclables and SRF bales, this external storage is comprised of 2 areas with a total area of 530m³. The bales will be stored 4 bales high, making the overall volume 2,120m³. They will not exceed 4m in height and will be stored for a maximum of 2 months. This variation does not change the overall process of the site.

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

- 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

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

Odour Management Plan

The operator has submitted an odour management plan (OMP) as part of the application (Oakleaf Odour Management plan V04) this outlines the possible sources of odour, the prevention and mitigation controls in place to prevent odours from the site as well as the monitoring in place to limit the impact on sensitive receptors. The operator highlights all receptors within the vicinity of the site, consideration was given to these receptors when analysing the odour management plan and the new storage areas of baled waste is located away from the closest receptors.

All processes taking place on site occur within the Materials Recovery Facility (MRF) building however the doors present an opportunity for fugitive odour emissions. Air curtains are to be installed on the vehicle access doors 2-5 (as shown on the drawing 16060-035 in the OMP), these allow a controlled stream of air across the door opening which creates a barrier against odours from within the facility. They allow staff and vehicles to move freely from within the building whilst maintaining a seal. Doors 1 and 6 (as shown in drawing 16060-035) remain closed at all times.

The instillation of air curtains has been risk assessed to ensure that they do not cause point source emissions of odour from the roof vents located on the MRF building.

It has been identified that the instillation of the air curtains may cause point source emissions of odour from the roof vents located on the MRF building. This has been taken into account and thus an improvement program (IP3 and IP4) has been included in the permit to conduct modelling of odour emissions from the site. If this modelling shows a large impact of odour beyond the site boundary, then the operator shall review the odour management plan and recommendations should be made regarding the installation of abatement plant.

We have reviewed the revised OMP for compliance in respect of our guidance H4 Odour Management, How to comply with your environmental permit. The OMP is referenced within Table S1.2 of the permit as it forms part of the Operating Techniques.

We consider that the conditions in the permit are sufficient to ensure that the risk of odour pollution beyond the site boundary is low, including the implementation of the improvement condition (IP3 and IP4). In the event that odour emissions cause pollution beyond the site boundary, the permit conditions require the Operator to comply with the measures specified in the site's operating techniques and odour management plan.

Fire Prevention Plan

The operator has submitted a fire prevention plan (FPP) as part of the application (Oakleaf Fire Prevention Plan V03) this outlines the fire prevention measures used on site, measures in place to ensure a fire can be extinguished quickly and efficiently and the spread of the fire is minimised. The operator highlights all receptors within the vicinity of the site, consideration was given to these receptors when analysing the FPP as well as special considerations given to Heathrow Airport.

Heathrow Airport is located 1km northeast of the site, with the prevailing wind direction being from the west/southwest, in the event of a fire, the airport operations could be at risk. This was taken into account when assessing the FPP and are satisfied with the operator's active firefighting arrangements and equipment on site. The amount of water stored on site and the access for the fire brigade meets the required standards for active firefighting set out in our guidance (Fire prevention plans: environmental permits). As does all the fire prevention techniques employed by the site.

We have reviewed the revised FPP for compliance in respect of our guidance Fire prevention plans: environmental permits. The FPP is referenced within Table S1.2 of the permit as it forms part of the Operating Techniques.

We consider that the conditions in the permit are sufficient to ensure that the risk of fire is low. In the event that a fire should occur all active firefighting techniques will be employed and the access for the fire brigade will remain available to allow the fire to be extinguished within the 4-hour timeframe, the site layout ensures the containment of all firewater thus preventing pollution outside of the site boundary. The clean-up of the site after the event of the fire will be completed before the site becomes operational again and prevent any pollution from firewater.

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.

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', guidance on waste recovery plans and permits.

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.

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.

These include Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar and Sites of Special Scientific Interest (SSSI):

Windsor Forest & Great Park (SAC)
South West London Waterbodies (SPA)(Ramsar)
Staines Moor (SSSI)
Wraysbury Reservoir (SSSI)

In addition to the above there are 7 Local Wildlife Sites in the area.

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. As this variation will not cause any new emissions to air or water.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

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.

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'.

The instillation of air curtains on access doors to the MRF building poses a risk to create point source odour emissions from the roof vents of the building, this has been addressed in the Key Issues section of this document.

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

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 site is situated 1km, southwest, from Heathrow airport thus the potential impact that a fire would have is significant, all details can be found in the key issues section.

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.

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.

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 the instillation of air curtains on the SRF building does not cause fugitive odour emissions from the existing roof vents. Thorough odour monitoring and modelling is to be conducted on site following the instillation of the air curtains to ascertain if excessive odour is being emitted from the vents. In the case that excess odour is detected the site is obligated to install abatement technology and/or techniques to mitigate this. During discussion with regulation officers and the site it was brought to our attention that similar work has been done at a sister site located in Ireland, thus satisfying our concerns of the operator being able to complete and meet this improvement program.

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.

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

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.