

Permitting Decisions- Variation

We have decided to grant the variation for Lakeside Clinical Waste Incinerator operated by Grundon Waste Management Limited.

The variation number is EPR/BT2866IG/V004.

The variation is for:

- a new Listed Activity (activity ref. A2) to allow the receipt of hazardous waste for repackaging / bulking prior to transfer off site for onward disposal or recovery.
- the storage of hazardous waste pending repackaging/bulking and transfer off site for onward disposal or recovery (activity ref. A3).
- the receipt and storage of non-hazardous waste for repackaging / bulking prior to transfer off site for onward disposal or recovery.

There is no requirement to increase the permit boundary to accommodate the new activities; nor are there any proposed changes to the wastes that will be accepted at 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 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.

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:

- Food Standards Agency
- Local Authority – Environmental Health
- Health & Safety Executive
- 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', Appendix 2 of RGN2 'Defining the scope of the installation'.

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.

This permit applies to only one part of the installation – The Lakeside Clinical Waste Incinerator (CWI) and associated waste transfer operations is under the control of Grundon Waste Management Limited. The CWI EP allows the incineration of clinical and hazardous wastes and covers the entire plant from the receipt of waste to the disposal of residues resulting from the incineration process. The variation also allows for the storage, repackaging and transfer of hazardous and non hazardous waste at the facility.

The names and permit numbers of the operators of other parts of the installation are detailed in the permit's introductory note.

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.

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 plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.

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.

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 ESA/EU skills scheme.

We are satisfied that the operator is technically competent.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

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 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 the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from UKHSA.

Brief summary of issues raised:

The consultee made a number of recommendations:

- It was noted that an Accident Management Plan (AMP) had not been submitted and it was recommended a completed AMP be submitted for review;
- That the operator should provide its complaints procedure to satisfy the EA that it is suitable for preventing off-site impacts; and
- That the operator provides details on how they will deal with waste bales damaged by pests (i.e., rodents).

Summary of actions taken:

The Accident Management Plan forms part of the Environmental Management System (EMS) for the site. A summary of the EMS was submitted in support of the application. In addition to this condition 1.2 of the environmental permit requires the Operator to have an AMP in place and review it every 4 years. The variation does not seek to change the waste types accepted, it is to allow for the repackaging and transfer of the waste in addition to incineration. Therefore, the activities have not significantly changed and it is considered that the AMP remains valid. Additionally, the EMS summary includes details of the complaints procedure which are considered satisfactory. No further action needed.

Regarding pests, the site will not accept waste in bales. Waste is accepted in 770 litre wheeled bins but the site also accepts 360 litre and 1100 litre wheeled bins and palletised packages of smaller containers (usually 60 litre sharps bins or 200 litre cardboard 'kegs'). All waste is stored within the building. There are no proposed changes to the type of waste as a result of the variation. It is not considered that the variation will increase the risk from pests. No further action needed.