

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Avonmouth Hazardous Waste Transfer Station operated by Veolia ES (UK) Limited.

The permit number is EPR/MP3804MU.

The application is for a waste transfer station which will accept hazardous and non-hazardous waste for storage and repackaging. The site will occupy unused space within Veolia's existing waste management facility. The scheduled activities for the installation are S5.3 A(1)(a)(iv) and S5.6 A(1)(a). Waste operations include repackaging and storage of non-hazardous waste.

The maximum waste annual throughput will be 25,000 tonnes.

There are no point source emissions to air from this facility.
Clean/uncontaminated surface water will be discharged into the surface water drainage system.

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.

Key issues of the decision

The key issues identified during this determination and how we have addressed them are as follows:

Appropriate Measures Assessment

The operator provided an appropriate measures assessment in their application summary. The facility will be operated in line with the following:

- Chemical waste: appropriate measures for permitted facilities- all parts of the appropriate measures shall apply aside from those parts which are not applicable and where alternative measures have been agreed. The waste treatment measures are not applicable. The following alternative measures have been agreed:
 - Waste storage, segregation and handling appropriate measures, measures 9 and 24.

Measure 9 requires wastes (such as rags and filter materials contaminated with metal swarf, low boiling point oils or low flash point solvents) to be stored in sealed metal containers under cover if they have the potential for self-heating or self-reactivity. The operator has confirmed that material packaging will be assessed based on pre-acceptance information. However, the blanket approach of using metal containers is not compatible with existing disposal options. Spontaneously combustible wastes will be stored in a sealed metal wastesafe container when stored on site. Other wastes such as low flash point solvents and contaminated solids (e.g. rags contaminated with swarf) will be technically assessed and stored in the appropriate approved containers which may include sealed plastic clip top drums, composite IBCs, etc. This approach is considered sufficient, the operator is carrying out a risk assessment and will deem if the waste is at risk of self-combustion.

Measure 24 requires bags and boxes of wastes to be stacked no more than 1m high on a pallet and pallets to be stacked no more than 2 high. The operator has confirmed that the pallets will be no more than 2 high but alternative measures have been proposed for stacked bags and boxes. Securing measures such as shrink-wrap and banding can be used to secure bags and boxes of waste. A dynamic risk assessment will be used by chemists and operatives on site to determine if securing measures are required. The alternative measures are considered acceptable.

- Non-hazardous and inert waste: appropriate measures for permitted facilities- all parts of the appropriate measures shall apply other than those which are not applicable. The waste treatment appropriate measures are not applicable.
- Healthcare waste: appropriate measures for permitted facilities- all parts of the appropriate measures shall apply other than those which are not applicable. The waste treatment appropriate measures are not applicable. The healthcare waste operation is subject to a pre-operational condition, see PO3 below.

Pre-operational Conditions

There are 3 pre-operational conditions in the permit;

PO1 requires the operator to provide a written report to the Environment Agency on the implementation of the Environmental Management System (EMS).

PO2 requires the operator to provide evidence that the fire detection and suppression systems outlined in the approved fire prevention plan are UKAS accredited and to submit a commissioning plan to the Environment Agency, in writing, for approval.

PO3 is a pre-operational measure for future development and requires the operator to submit a written procedure, to the Environment Agency for approval, for the healthcare waste acceptance operation and demonstrate the measures taken to comply with the requirements of the waste storage, segregation and handling appropriate measures. In particular measure 9 which requires all pharmaceutical, chemical and palletised wastes to be stored and handled within a secure building.

The site will not receive anatomical waste.

Emissions to water

The site will be permitted to discharge clean, uncontaminated surface water only. The operator will be required to carry out daily monitoring to ensure there is no visible oil or grease. The water will be discharged to the surface water drainage system on the existing permitted site. In the event that the water shows signs of contamination, it will be transported via a tanker for disposal offsite.

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- Planning (Bristol City Council)

Local Authority- Environmental Health (Bristol City Council)

Health and Safety Executive

Gloucestershire Fire and Rescue Service

Director of Public Health

UK Health Security Agency

No responses were received aside from the UK Health Security Agency.

The comments from the UK Health Security Agency 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 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 a plan which we consider to be satisfactory.

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

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 satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

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 and Natural Resources Wales.

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.

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.

Pre-operational conditions

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

See key issues for further detail.

Emission Limits

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

There are no point source emissions to air. The operator is permitted to discharge uncontaminated surface water only.

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.

Refer to the key issues section for further detail.

We made these decisions in accordance with the appropriate measures and BAT conclusions.

Reporting

We have specified reporting in the permit.

Surface water monitoring is to be reported every 3 months.

We made these decisions in accordance with the appropriate measures and BAT conclusions.

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.

Previous performance

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

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, 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: UKHSA is satisfied that the control measures should ensure no significant impact on public health. The response is based on

the assumption that all appropriate measures will be taken by the operator to prevent or control pollution in accordance with sector guidance and best practice.

Summary of actions taken: We reviewed the appropriate measures assessment and are satisfied that the facility will be operated in line with the appropriate measures. Refer to key issues section for further detail.