

Environment Agency

Review of an Environmental Permit for an Installation subject to Chapter II of the Industrial Emissions Directive under the Environmental Permitting (England & Wales) Regulations 2016

Decision document recording our decision-making process following review of a permit

The Permit number is: EPR/ZP3730XJ
The Operator is: SRCL Limited
The Installation is: Bolton Clinical Waste Incinerator
This Variation Notice number is: EPR/ZP3730XJ/V003

What this document is about

Article 21(3) of the Industrial Emissions Directive (IED) requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication of updated decisions on best available techniques (BAT) conclusions.

We have reviewed the permit for this installation against the revised BAT Conclusions for waste incineration published on 3rd December 2019. This is our decision document, which explains the reasoning for the consolidated variation notice that we are issuing. This review has been undertaken with reference to the decision made by the European Commission establishing best available techniques (BAT) conclusions ('BAT conclusions') for incineration as detailed in document reference C(2019) 7987. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position. It also provides a justification for the inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

It explains how we will ensure that the installation complies with the BAT conclusions by 3rd December 2023. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position. It also provides a justification for the inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

As well as ensuring that the Installation complies with the BAT conclusions the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issued. It also modernises the entire permit to reflect the conditions contained in our current generic permit template.

The introduction of new template conditions makes the Permit consistent with our current general approach and philosophy and with other permits issued to installations in this sector. Although the wording of some conditions has changed, while others have been removed because of the new regulatory approach, it does not reduce the level of environmental protection achieved by the permit in any way. In this document we therefore address mainly our determination of substantive issues relating to the new BAT Conclusions.

Throughout this document we will use a number of expressions. These are as referred to in the glossary.

We try to explain our decision as accurately, comprehensively and plainly as possible. We would welcome any feedback as to how we might improve our decision documents in future. The use of technical terms and acronyms are inevitable in a document of this nature: we provide a glossary of acronyms near the front of the document, for ease of reference.

How this document is structured

Contents

1	Glossary of acronyms used in this document	4
2	Our decision	5
3	How we reached our decision.....	5
3.1	Requesting information to demonstrate compliance with BAT Conclusions for incineration Plant.....	5
3.2	Review of our own information in respect to the capability of the installation to meet revised standards included in the BAT Conclusions document	6
3.3	Requesting information to demonstrate compliance with Appropriate Measures for Healthcare Waste:.....	6
3.4	Review of our own information in respect to the capability of the installation to meet revised standards included in the Appropriate Measures for Healthcare Waste document.	7
4	The legal framework	7
5	The key issues.....	8
5.1	Ensuring the Installation complies with the BAT conclusions	8
5.2	Emissions to air and the emission limits applied to the plant	8
5.3	Energy efficiency	9
5.4	Monitoring	9
6	Issues not directly relating to the BAT conclusions.....	9
6.1	Healthcare waste: appropriate measures for permitted facilities	9
6.2	Emissions to water or sewer	9
6.3	Emergency release valve (ERV)	11
6.4	Determination of daily averages	11
	Annex 1	11
	Decision checklist regarding relevant BAT Conclusions.....	13
7	Review and assessment of derogation requests made by the operator in relation to BAT Conclusions which include an associated emission level (AEL) value.....	29
8	Summary checklist	30

1 Glossary of acronyms used in this document

(Please note that this glossary is standard for our decision documents and therefore not all these acronyms are necessarily used in this document.)

APC	Air Pollution Control
BAT	Best Available Technique(s)
BAT-AEEL	BAT Associated Energy Efficiency Level
BAT-AEL	BAT Associated Emission Level
BAT-AEPL	BAT associated environmental performance level
BATc	BAT conclusion
BREF	Best available techniques reference document
CEM	Continuous emissions monitor
CHP	Combined heat and power
CV	Calorific value
DAA	Directly associated activity – Additional activities necessary to be carried out to allow the principal activity to be carried out
ELV	Emission limit value derived under BAT or an emission limit value set out in IED
EMS	Environmental Management System
EPR	Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No. 1154)
EWC	European waste catalogue
FSA	Food Standards Agency
IC	Improvement Condition
IED	Industrial Emissions Directive (2010/75/EU)
NOx	Oxides of nitrogen (NO plus NO ₂ expressed as NO ₂)
PHE	Public Health England
SAC	Special Area of Conservation
SGN	Sector guidance note
TGN	Technical guidance note
TOC	Total Organic Carbon
WFD	Water Framework Directive (2000/60/EC)

2 Our decision

We have decided to issue the consolidated variation notice to the operator. This will allow it to continue to operate the Installation, subject to the conditions in the consolidated variation notice.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the varied permit will ensure that a high level of protection is provided for the environment and human health.

The consolidated variation notice contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the Notice, we consider that those conditions are appropriate.

3 How we reached our decision

3.1 Requesting information to demonstrate compliance with BAT Conclusions for incineration Plant

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 20/12/2021 requiring the Operator to provide information to demonstrate how the operation of their installation currently meets, or will subsequently meet, the revised standards described in the incineration BAT Conclusions document. The Notice also required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented before 3rd December 2023, which will then ensure that operations meet the revised standard, or
- Justifies why standards will not be met by 3rd December 2023, and confirmation of the date when the operation of those processes will cease within the installation or an explanation of why the revised BAT standard is not applicable to those processes, or
- Justifies why an alternative technique will achieve the same level of environmental protection equivalent to the revised standard described in the BAT Conclusions.

Where the Operator proposed that they were not intending to meet a BAT standard that also included a BAT Associated Emission Level (BAT AEL) described in the BAT Conclusions Document, the Regulation 61 Notice requested that the Operator make a formal request for derogation from compliance with that AEL (as provisioned by Article 15(4) of IED). In this

circumstance, the Notice identified that any such request for derogation must be supported and justified by sufficient technical and commercial information that would enable us to determine acceptability of the derogation request.

The Regulation 61 Notice response from the Operator was received on 11/04/2022

We considered that the response did not contain sufficient information for us to commence the permit review. We therefore issued a further information request to the Operator on 14/03/2023.

We have not received any information in relation to the Regulation 61 Notice response that appears to be confidential in relation to any party.

3.2 Review of our own information in respect to the capability of the installation to meet revised standards included in the BAT Conclusions document

Based on our records and previous regulatory activities with the facility we have no reason to consider that the operator will not be able to comply with the conditions that we include in the permit.

3.3 Requesting information to demonstrate compliance with Appropriate Measures for Healthcare Waste:

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 20/12/2021 requiring the Operator to provide information to demonstrate how the operation of their installation currently meets, or will subsequently meet, the Appropriate Measures for Healthcare Waste document. The Notice also required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented before 3rd December 2023, which will then ensure that operations meet the revised standard, or
- Justifies why standards will not be met by 3rd December 2023, and confirmation of the date when the operation of those processes will cease within the installation or an explanation of why the revised standard is not applicable to those processes, or
- Justifies why an alternative technique will achieve the same level of environmental protection equivalent to the revised standard described in the Appropriate Measures for Healthcare Waste.

The response from the operator was received on 11/04/2022.

3.4 Review of our own information in respect to the capability of the installation to meet revised standards included in the Appropriate Measures for Healthcare Waste document.

Based on our records and previous regulatory activities with the facility we have no reason to consider that the operator will not be able to comply with the conditions that we include in the permit.

4 The legal framework

The consolidated variation notice will be issued under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED;
- subject to aspects of other relevant legislation which also have to be addressed.

We consider that the consolidated variation notice will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

5 The key issues

The key issues arising during this permit review are:

- Ensuring the Installation complies with the BAT conclusions.
- Setting emission limits (including BAT AELs) for emissions to air,
- The energy efficiency levels associated with the Best Available Techniques (BAT-AEELs)

5.1 Ensuring the Installation complies with the BAT conclusions

We have reviewed the operator's response to the regulation 61 notice and we are satisfied that the Installation will meet the requirements of the BAT conclusions by 3rd December 2023. Further detail on our assessment is in annex 1 of this decision document.

Based on our records and previous regulatory activities with the Installation we have no reason to consider that the operator will not be able to comply with the conditions that we have included in the permit.

5.2 Emissions to air and the emission limits applied to the plant

The consolidated permit includes new emission limits for emissions to air. These limits ensure that the installation will comply with the relevant BAT-AELs, as specified in the BAT conclusions, and the relevant limits from IED Annex VI.

A number of general principles were applied during the permit review. These included:

- The upper value of the BAT AELs ranges specified were used unless use of the tighter limit was justified.
- The principle of no backsliding where if existing limits in the permit were already tighter than those specified in the BREF, the existing permit limits were retained.
- Where a limit was specified in both IED Annex VI and the BAT Conclusions for a particular reference period, the tighter limit was applied and in the majority of cases this was from the BAT Conclusions.

We have set the emissions limit values at the top end of the BAT-AEL range in line with section 4.35 of Defra's Industrial emissions Directive EPR Guidance on Part A installations which states: *Where the BAT AELs are expressed as a range, the ELV should be set on the basis of the top of the relevant BAT-AEL*

range – that is to say, at the highest associated emission level - unless the installation is demonstrably capable of compliance with a substantially lower ELV, based on the BAT proposed by the operator, or exceptional environmental considerations compel a tighter ELV.

We are satisfied that environmental considerations do not require tighter ELVs to be set, and the operator has not proposed any lower ELVs, and so we have set the ELVs at the top end of the BAT-AEL ranges.

The operator states in the response to the Reg 61 notice that the incinerator is not capable of meeting the BAT EAL for NO_x. The operator proposes to install SNCR before Dec 2023 in order to meet the limit. We have set IC1 to ensure that the system is optimised and emissions are reduced as far as practicable.

5.3 Energy efficiency

The BAT conclusions specify an energy efficiency level associated with the best available techniques (BAT-AEEL). The BAT AEEL is based on gross electrical efficiency, gross energy efficiency or boiler efficiency depending on the type of plant.

The relevant BAT AEEL for this installation is boiler efficiency.

The operator stated that the boiler efficiency has not yet been calculated. We have set improvement condition IC4 that requires the operator to calculate the efficiency and assess opportunities to improve energy efficiency in the event that gross energy efficiency is below the BAT AEEL range.

5.4 Monitoring

The monitoring requirements for mercury and dioxins/furans are dependent on whether the waste has low and stale mercury content and whether emissions of dioxins are stable respectively. Improvement conditions IC2 and IC3 require the operator to submit information to enable us to require the correct monitoring.

6 Issues not directly relating to the BAT conclusions

6.1 Healthcare waste: appropriate measures for permitted facilities

The operator currently complies with all the waste pre-acceptance, acceptance and tracking appropriate measures given in the Healthcare waste: appropriate measures for permitted facilities guidance except the operator proposed alternative measures and we are satisfied that those measures provide an equivalent level of environmental protection.

The following alternative measures were agreed for waste acceptance appropriate measures 21 & 22, and waste tracking appropriate measure 6:

- Waste producers must label or tag each primary package to ensure that it can be traced to source. This is already a best practice requirement that is checked during pre-acceptance audits.
- When primary packages are collected individually from a producer they are placed into bulk containers (usually carts but also pallets for rigid containers) and the bulk container is tagged with a barcoded tag which is scanned into the tracking system). The barcoded tags can then be used to identify the bulk container in the tracking system and the route that the waste in the cart was received on.
- The primary packages within the cart are therefore traceable in the tracking system to the waste producers on that route, and each individual package can then be traced to the specific source using the tag, label or marking applied by the producer.
- When primary packages are removed from a cart for bulk transportation, the barcoded tags on those carts are assigned to a 'trailer sub-load' in the tracking system. The sub-load record can then be used to identify the carts that were emptied into the trailer, and therefore the individual producers or routes that the waste in those carts came from.
- The primary packages within the trailer are therefore traceable in the tracking system to this group of waste producers, and each individual package can then be traced to the specific source using the tag, label or marking applied by the producer.

The operator currently complies with all the storage segregation and handling appropriate measures given in the Healthcare waste: appropriate measures for permitted facilities guidance except for the following alternative measures were agreed for waste storage appropriate measure 11, we are satisfied that those measures provide an equivalent level of environmental protection:

The facility has a weatherproof roof that has been in operation since permit issue. This is however open on three sides and therefore does not meet the definition of a building.

The footprint of the facility completely limits any expansion or alteration of the facility to bring waste storage entirely within the definition of a building. It would not be technically feasible to construct any new waste storage buildings whilst maintaining safe vehicle access and egress

The following controls are in place which would provide an equivalent level of environmental protection for carts being stored outside:

- The containers remain closed and locked, except when waste is being loaded or unloaded from them
- Regular housekeeping checks and inspections are undertaken of the storage areas, and any issues identified will be investigated and rectified.

- Odorous material is prioritised for treatment
- The waste containers are not accessible to pests, but pest control contracts are held at site.
- Waste is stored for a limited storage timescale.
- Routine and efficient turnover of waste (rotation).
- The site is secured via a locked gates outside of daytime working hours, is entirely made up of impermeable surfacing and has a sealed drainage system.

Unlike infectious waste, the requirement for Pharmaceutical, chemical, anatomical to be stored in a secure building is not a new requirement, it was in the previous guidance EPR 5.07 which we was relevant to incinerators too. We have set IC12 to ensure the operator complies meet. With Point 11 we have provided, in the guidance, the means to justify not meeting it for operators of existing facilities. However, we expect all operators to meet point 9.

6.2 Emissions to water or sewer

The operator stated that there is an emission to sewer. The discharge consists of boiler blowdown and wash down water. Effluent is normally re-used but during periods of excess water such as during boiler blow down there is a discharge to sewer. Discharge is infrequent and volumes are low.

Due to the nature of the discharge, infrequent occurrence and low volumes we are satisfied that the emission is not significant and no further assessment of risk is required.

6.3 Emergency release valve (ERV)

The plant has an ERV that is used in emergency situations. Our records show that the ERV operated 6 times between 2015 – 2022, including 2 activations in 2022.

We have set improvements conditions IC6 to IC11 for the operator to review options (including provision of back-up power supply) to reduce its use and implement improvements if required.

6.4 Determination of daily averages

We have included improvement condition IC5. This condition is for sites that have fairly frequent shut-downs. For some sites this means that a daily average cannot always be calculated due to not having enough valid hourly averages. The IC is designed to investigate whether a different number of

valid hourly averages can be used to calculate a daily average. Having reviewed operating data we have concluded that we should set this IC for all of the SRCL permits.

Annex 1

Decision checklist regarding relevant BAT Conclusions

This annex provides a record of decisions made in relation to each relevant BAT Conclusion applicable to the installation.

The overall status of compliance with the BAT conclusion is indicated in the table below as

NA - Not Applicable

CC - Currently Compliant

FC - Compliant in the future (by 3rd December 2023)

NC - Not Compliant

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
1	EMS	Improve overall performance via use of a compliant EMS.	The EMS meets the requirements of BAT 1 with the exception of xxiv (the OTNOC management plan) and the EMS will be updated by 03/12/23 to ensure that it meets BAT 1 An OTNOC management plan will be developed and incorporated into the business management system.	FC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
2	Energy efficiency	Determine gross electrical efficiency, gross energy efficiency or boiler efficiency (depending on plant type).	Energy efficiency has not been calculated. A test will be carried out before 03/12/23 using long term data derived using Ricardo R1 guidance on 5-year boiler efficiency reassessment. A copy of the Ricardo R1 guidance has been obtained, and we are now in the process of reviewing this to enable a test which will be carried out before 03/12/2023.	FC
3	Process Monitoring	Monitor key process parameters for emissions to air and water specified in the corresponding table.	Process monitoring is carried out in line with BAT 3 requirements for the following relevant parameters [Flow, oxygen content, temperature, pressure, water vapour content]	CC
4	Air emissions monitoring	Monitor emissions to air with at least the frequency in the corresponding table and in accordance with the EN standards.	Monitoring is carried out in line with BAT 4 requirements	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
	PBDD/F	Monitor emissions to air of brominated dioxins and furans periodically if waste streams are known to contain brominated flame retardants are burned	PBDD/F monitoring is not required as no waste containing brominated flame retardants are/will be burned	NA
	PCDD/F	Monitor emissions to air of dioxins and furans using a continuous sampler unless emissions are sufficiently stable.	<p>Attempts will be made to demonstrate via the PCCD/F Monitoring Protocol that emissions to air of PCDD/F are sufficiently stable and that a continuous sampler (long-term monitoring) is not required by 03/12/23; if these are unsuccessful, continuous sampling will be installed as soon as reasonably practical.</p> <p>The last 5 consecutive extractive emission results have demonstrated that emissions are below the ELV. By the end of the 1st 6 months of 2022, we thereby expect to have the 6 emission results to demonstrate low and stable in-line with the protocol.</p>	FC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
	Mercury	Monitor emissions to air of mercury using continuous monitoring if required.	Attempts will be made to demonstrate via the Mercury Monitoring Protocol that emissions to air of mercury are low and stable and that a continuous sampler is not required by 03/12/23; if these are unsuccessful, continuous monitoring will be installed as soon as reasonably practical. At least the last 4 consecutive extractive emission results have demonstrated that emissions are below the ELV. By the end of 2022, we expect to have the 6 emission results to demonstrate low and stable in-line with the protocol.	FC
5	OTNOC monitoring	Appropriately monitor emissions during OTNOC. Monitor PCCD/F and dioxin-like PCB mass emissions during a planned start-up and shut-down following the successful commissioning of the plant; already-operational plants must carry out this monitoring every 3 years; emissions profiles of continuously monitored pollutants must also be established following successful commissioning and for existing plants; consider further monitoring for plants that use abatement-system bypasses during start-up and/or shut-down.	Plant has been successfully commissioned, or is likely to be before 03/12/23. Emissions profiles of continuously monitored pollutants have been established during start-up and shut-down or will be established by 03/12/23. Monitoring of PCCD/F and dioxin-like PCB mass emissions during a planned start-up and shut-down will be carried within 3 years of 03/12/23 Monitoring to determine the mass emissions during start-up and shut-down will be completed before 03/12/23.	FC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
6	Water emissions monitoring	Monitor emissions from FGC and/or bottom ash treatment. Monitor to frequencies and standards in corresponding table.	Not applicable as no emissions to water from FGC or bottom ash treatment.	NA
		Reduced monitoring frequency permitted if emissions can be shown to be sufficiently stable.	Not applicable as no emissions to water from FGC or bottom ash treatment.	NA
7	Ash monitoring	Monitor LOI or TOI content of bottom ash to the frequencies and standards in corresponding table .	Monitoring carried out for TOC Current monitoring arrangements have been undertaken using TOC, and we thereby propose to continue to monitor using TOC.	CC
8	POP monitoring	For hazardous waste containing POPs, monitor POP content of waste streams (applicable to dedicated hazardous waste incinerators only). After commissioning and then after significant change that could affect POP content.	Not applicable - plant is not a dedicated hazardous waste incinerator	NA

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
9	Waste input controls	Pre-acceptance / acceptance procedures. Use all techniques (a) to (c) in corresponding table, and where relevant (d), (e) and (f).	Techniques set out in BAT 9 (a)-(c) are in place. Additionally, the following relevant techniques are in place: (d) & (e)	CC
10	Bottom ash treatment	Quality output management system part of EMS where bottom ash treatment is carried out.	Not applicable - bottom ash treatment is not carried out.	NA

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
11	Waste delivery, storage and handling	<p>Monitor waste deliveries in line with corresponding table, depending on the risk posed by the waste type.</p> <p>Radioactivity detection</p>	<p>Measures in line with BAT 11 are in place Pre-acceptance and acceptance procedures are in place for waste deliveries. See section 3.1 and Appendix 1 of document reference SRCL_ZP3730XJ_BOL_REG61 for further details.</p> <p>Radioactivity detection is carried out due to site-specific reasons as set out as follows: [Monitoring is carried out in accordance with the EPR Permit held for the incineration of Radioactive Wastes] The site holds a EPR permit for the incineration of radioactive waste, with relevant monitoring being undertaken in accordance with that permit. The radioactive waste is transferred from the permit holder to us for incineration of the waste.</p>	CC
12		<p>Storage and handling. Use both techniques listed in corresponding table.</p>	<p>Measures in line with BAT 12 are in place</p> <p>The facility has impermeable surfaces with adequate drainage (technique a) that is subject to daily inspections to verify the integrity and allow any corrective and remedial actions to be undertaken. The waste storage areas (technique b) for the site have also been determined and defined.</p>	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
13		Storage and handling of clinical waste. Combination of techniques listed in corresponding table.	The following techniques are used in line with BAT 13: [technique references a, b and c] From small volume customers, third parties and internal from other SRCL facilities the wastes are received in UN packages, that are stored in accordance with the site storage techniques	CC
14	Overall environment performance	Reduce unburnt substances in slags / bottom ash and reduce emissions. Use a combination of techniques listed in corresponding table	The following measures listed in the table of BAT 14 are used: [technique reference b and c]	CC
		BAT-AEPL for TOC or LOI	The installation meets the BAT-AEPL for TOC as shown by historic monitoring data TOC monitoring undertaken on a monthly basis and results submitted to the Environment Agency.	CC
15		Control plant settings to reduce emissions to air. Use techniques such as an advanced control system.	An advanced control system is in place to achieve the requirements of BAT 15. A Supervisory Control and Data Acquisition (SCADA) system is in place.	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
16		Procedures to limit shutdown and start-up. Set up and implement procedures such as continuous rather than batch operation	Start-up and shut-down is minimised by (defined planned preventative maintenance system in place	CC
17	Emission to air and water	Design of FGC system and waste water treatment plant. Appropriate design, operated in design range, maintained to ensure optimal availability.	Flue gas system is designed appropriately and is operated within those design parameters The operating range of the flue gas cleaning system has been appropriately designed, with consideration also being given to use of raw materials.	CC
18	OTNOC	Reduce frequency of OTNOC by setting up and implementing an OTNOC management plan.	An OTNOC management plan which meets the requirements of BAT 18 will be implemented by 03/12/23. A description of how critical equipment has been designed to minimise occurrence of abnormal operation (AO) and minimise impacts from AO and start-up and shut-down periods is included with this submission See Appendix 5 of document reference SRCL_ZP3730XJ_BOL_REG61 for further details	CC
19	Energy efficiency	Increase efficiency by using a heat recovery boiler.	A heat recovery boiler is used to generate steam	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
20		Increase efficiency by using a combination of techniques listed in corresponding table.	The following measures listed in the table of BAT 20 are used: [technique reference b, c and d]	CC
		BAT-AEEL is within the BAT – AEEL range	The boiler efficiency has not yet been calculated. See response to BAT 2 above	FC
21	Diffuse emissions to air	Prevent or reduce diffuse emissions (including odour) using the listed techniques.	Measures in line with BAT 21 are in place We are following the measures in the healthcare waste appropriate measures.	CC
22		Prevent diffuse emissions of VOCs from gaseous and liquid wastes by direct feed to furnace.	Measures in line with BAT 22 are in place mechanical loading systems in place, with the entire contents of the cart being discharged into the process	CC
23		Prevent or reduce diffuse emissions to air from treatment of slags and bottom ashes by including listed measures in the EMS.	Not applicable - bottom ash treatment is not carried out.	NA

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
24		Prevent or reduce diffuse emissions to air from treatment of slags and bottom ashes. Use one or a combination of techniques in corresponding table	Not applicable - bottom ash treatment is not carried out.	NA
25	Channelled emissions to air	Reduce emissions of metals and metalloids from incineration of waste. Use one or a combination of techniques in corresponding table.	The following measures listed in the table of BAT 25 are used: [technique reference a and c]	CC
		BAT-AELs for dust and metals	The plant will be able to achieve an emission limit value set at the top end of the BAT-AEL range by 03/12/23 There was an exceedance in the 2nd half 2021 monitoring results, these have been investigated and reported to the EA. The plant has now been optimised (reviewed dose rate settings) and we are confident that the monitoring results will now be in line with previous results and the new ELVs	FC
26		Reduce emissions of dust from treatment of slags and bottom ashes. Use a bag filter if treating air from treatment of IBA under sub-atmospheric conditions.	Not applicable - bottom ash treatment is not carried out.	NA

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
		BAT-AEL for dust from IBA treatment. Applies if using a bag filter to treat air from treatment of IBA under sub-atmospheric conditions	Not applicable - bottom ash treatment is not carried out.	NA
27		Reduce emissions of HCl, HF and SO ₂ using one or a combination of techniques in corresponding table.	The following measures listed in the table of BAT 27 are used: [technique reference C and e]	CC
28		Reduce peak emissions of HCl, HF and SO ₂ and amount of residue produced, using technique (a) or both techniques in corresponding table.	The following measures listed in the table of BAT 28 are used: [technique reference a and b]	CC
		BAT-AELs for HCl, HF and SO ₂	The plant will be able to achieve an emission limit value set at the top end of the BAT-AEL range by 03/12/23. The reagent dose rate settings will be reviewed and increased at the facility to achieve the top end of the ELV.	FC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
29		Reduce emissions of NO _x while limiting emissions of CO, N ₂ O and NH ₃ using appropriate combination of techniques in corresponding table.	The following measures listed in the table of BAT 29 will be implemented by 03/12/23: technique c	FC
		BAT-AELs for NO _x , CO and NH ₃	The plant will be able to achieve an emission limit value set at the top end of the BAT-AEL range by 03/12/23	FC
30		Reduce emissions of organic compounds including PCDD/F and PCBs using techniques (a), (b), (c), (d) and one or a combination of techniques (e) to (i) in corresponding table	The following measures listed in the table of BAT 30 are used: [technique reference a, b, c, d and e]	CC
		BAT-AELs for PCDD/F	The plant is currently able to achieve an emission limit value set at the top end of the BAT-AEL range The plant will be able to achieve. Emission monitoring results for the facility demonstrate this.	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
31		Reduce mercury emissions using one or a combination of techniques in the corresponding table.	The following measures listed in the table of BAT 31 are used: [technique reference b and c]	CC
		BAT-AEL for mercury	The plant is currently able to achieve an emission limit value set at the top end of the BAT-AEL range. At least the last 4 consecutive extractive emission results have demonstrated that emissions are below the ELV. By the end of 2022, we expect to have the 6 emission results to demonstrate low and stable in-line with the protocol	CC
32	Emissions to water	Reduce contamination of uncontaminated water, reduce emissions to water and increase resource efficiency. Segregate waste water streams and treat them separately.	The measures listed under BAT 32 are used. The uncontaminated water streams are segregated from waste water streams that require treatment; based on characteristics the discharges are appropriate for Foul and surface waste water routes.	CC
33	Water usage	Reduce water usage, prevent waste water generation using one or a combination of techniques in the corresponding table	The following measures listed in the table of BAT 33 are used: [technique reference a and c]	CC

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
34	Emissions to water	Reduce emissions to water from FGC and/or from storage and treatment of slags and bottom ashes using one or a combination of techniques in the corresponding table and use secondary techniques as close to source as possible.	Not applicable - no direct or indirect emissions to water from FGC or bottom ash treatment	NA
		BAT-AELs	Not applicable - no direct or indirect emissions to water from FGC or bottom ash treatment	NA
35	Resource efficiency	Resource efficiency. Handle and treat bottom ashes separately from FGC residues.	Bottom ashes are handled and treated separately from FGC residues.	CC
36		Resource efficiency for treatment of slags and bottom ashes. Use appropriate combination of techniques in corresponding table depending on hazardous properties of the slags and bottom ashes.	Not applicable - bottom ash treatment is not carried out	NA

BAT No.	Topic	Brief Description	Operator response	Complies with BAT? (NA, CC, FC, NC)
37	Noise	Reduce noise emissions using one or a combination of techniques in the corresponding table.	The following measures listed in the table of BAT 37 are used: [technique reference b and e]	CC

7 Review and assessment of derogation requests made by the operator in relation to BAT Conclusions which include an associated emission level (AEL) value

The IED enables a competent authority to allow derogations from BAT AELs stated in BAT Conclusions under specific circumstances as detailed under Article 15(4):

By way of derogation from paragraph 3, and without prejudice to Article 18, the competent authority may, in specific cases, set less strict emission limit values. Such a derogation may apply only where an assessment shows that the achievement of emission levels associated with the best available techniques as described in BAT conclusions would lead to disproportionately higher costs compared to the environmental benefits due to:

(a) the geographical location or the local environmental conditions of the installation concerned; or

(b) the technical characteristics of the installation concerned.

As part of their Regulation 61 Note response, the operator has not requested a derogation from compliance with any AEL values.

8 Summary checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
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.
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator where they are relevant to the BAT Conclusions and compared these with the relevant guidance notes. The permit conditions ensure compliance with the relevant BREF, BAT Conclusions. The ELVs deliver compliance with the BAT-AELs.
Permit conditions	
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 at least the same level of protection as those in the previous permit and in some cases will provide a higher level of protection to those in the previous permit.
Changes to the permit conditions due to an Environment Agency initiated variation	We have varied the permit as stated in the variation notice.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. We have imposed an improvement programme see key for further details. We have also removed the completed improvement conditions from the permit.
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. These are described in the relevant BAT Conclusions in Section 5 of this document.

Aspect considered	Decision
	It is considered that the ELVs/equivalent parameters or technical measures described above will ensure that significant pollution of the environment is prevented and a high level of protection for the environment is secured.
Monitoring	<p>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.</p> <p>These are described in the relevant BAT Conclusions in Section 5 of this document.</p>
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>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.</p> <p>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.”</p> <p>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.</p> <p>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.</p>