

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Great Yarmouth Ship to Shore Facility operated by ASCO UK Ltd.

The permit number is EPR/DP3442YP.

The application is for a hazardous and non-hazardous waste treatment and storage facility on South Denes Road, Great Yarmouth. The proposed facility will accept up to 20,000 tonnes of waste per annum from the oil and gas industry. Wastes will undergo gravity separation within settlement tanks, allowing for separate offtake of waste fractions.

We consider in reaching that decision we have considered 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 issue in this case is water pollution control from the discharge of surface water. A sealed drainage system fitted with automated shut-off valves will prevent any emissions to surface water. Any water believed to be contaminated will be tankered offsite to a permitted treatment facility. Uncontaminated surface water and rainwater will be discharged into the River Yare.

The activities will be conducted in the manner described in the Chemical waste appropriate measures and will be subject to emission monitoring requirements set out in the permit.

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:

- Health and Safety Executive (HSE)
- United Kingdom Health Security Agency (UKHSA)
- Local authority – Environmental Health
- Food Standards Agency
- Port Authority

The comments 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' 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.

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. The applicant has chosen not to collect baseline data. The applicant was advised to collect baseline data.

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 consulted Natural England on our Habitats Regulation assessment and taken their comments into account in the permitting decision.

The decision was taken in accordance with our guidance.

Fisheries, Biodiversity and Geomorphology (FBG) were consulted on the application and requested that the applicant expand their screening distance beyond 3km to consider tidal impacts on sites/species outside of this 3km distance. However, the applicant had already considered impacts at sites more than 7km away from the site and so this request was deemed already complete.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.

A small-scale activity with wastes contained within sealed tanks on site. All tanks will be located within a single bund. A CIRIA C736 risk assessment has been undertaken as part of the permit application (reference; C736 assessment BM12124 0002 Report v1.0 Final). The assessment outlined recommendations to be actioned to demonstrate the bund meets the required standard. As such a Pre-operational condition has been included in the permit.

The only emissions from the site will be uncontaminated surface water and fugitive emissions from pressure relief valves on the storage tanks.

The site has an impermeable surface preventing emissions to soil and groundwater. Site infrastructure will prevent any emissions to surface water from the storage tanks.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment or similar methodology supplied by the operator and reviewed by ourselves, all emissions may be screened out as environmentally insignificant.

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 relevant guidance notes are as follows:

- Best available techniques (BAT) conclusions for waste treatment

- Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste
- Chemical waste: appropriate measures for permitted facilities

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

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.

The applicant proposes to address the points outlined in section 6.1.3; C736 assessment BM12124 0002 Report v1.0 Final, prior to operations commencing. The assessment outlined recommendations to be actioned to demonstrate the bund meets the required standards.

The pre-operational condition (PO1) states that operations at the Ship to Shore facility will not be authorised until the operator has provided a report, to the Environment Agency for approval, demonstrating that the bunding has been constructed to an appropriate standard in line with CIRIA C736.

Emission Limits

We have decided that emission limits are not required in the permit. The only emissions from the site will be uncontaminated surface water and fugitive emissions from pressure relief valves on the storage tanks.

Monitoring

We have decided that monitoring should be carried out for the following parameters listed in the permit, using the methods detailed and to the frequencies specified.

- Particulates
- Oil and grease

These monitoring requirements have been included to ensure no adverse effects to the River Yare from uncontaminated surface water run-off.

Reporting

We have specified reporting in the permit for the following parameters:

- Total waste treatment and storage throughput.

We made these decisions in accordance with guidance on Chemical waste: appropriate measures for permitted facilities.

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, 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 (Great Yarmouth Borough Council).

Brief summary of issues raised: Storage capacity of the bund and lack of baseline data collected at the site. Requested that Norfolk County Council are consulted as the lead local flood authority.

Summary of actions taken: The storage capacity of the bund was assessed as part of the application. Their application (CIRIA C736 Assessment) states that all tanks will be located within a single bund with a capacity of c. 392m³ that provides sufficient capacity for 110% of the largest tank (c. 177m³) or 25% of the total storage capacity (137.5m³).

The collection of baseline data is not compulsory but was recommended to the applicant. Norfolk County Council were not consulted during this determination. The EA's internal Coastal Partnership and Strategic Overview team were consulted on this application and asked to comment on flood risk. They concluded that the facility was similar to other sites within Great Yarmouth that store gas and liquids on the dockside, and that the proposed bund would protect the site from flooding and prevent contaminants entering the River Yare.

Response received from United Kingdom Health Security Agency (UKHSA).

Summary of issues raised: Lack of fire prevention plan (FPP) and potential odour nuisance.

Summary of actions taken: A Fire Prevention Plan was not deemed necessary for this permit application. In response to a schedule 5 notice issued, we are satisfied appropriate fire prevention measures have been addressed in the site's accident and amenity management plan.

An odour management plan was not deemed necessary. In response to a schedule 5 notice issued, we are satisfied that the applicant will have a robust amenity complaints procedure in place, where remedial action will be taken as necessary as part of the site's accident and amenity management plan.