

Permitting Decisions- Variation

We have decided to grant the variation for Bridge Street North operated by Dunton Technologies Ltd.

The variation number is WE8923AB/V002.

The permit was issued on 23/02/2024.

The variation is to operate a hazardous waste treatment facility located at Bridge Street North, Smethwick. The site is already permitted to operate under a Standard Rules Permit to produce soils, soil substitutes and aggregate, issued on 18/01/2023. The variation allows Dunton Technologies Limited to undertake the following installation activities at the Bridge Street North Facility:

- Section 5.3 Part A (1) (a) (i) - Biological treatment of hazardous waste soils by bioremediation;
- Section 5.3 Part A (1) (a) (vi) - Physico-chemical treatment of hazardous waste soils (asbestos picking); and
- Section 5.6 Part A (1) (a) – Temporary storage of hazardous waste pending treatment.

In addition, the following Directly Associated Activities will be undertaken: -

- Screening of waste prior to treatment (with the exception of asbestos contaminated soil);
- Storage of wastes after treatment; and
- On-site storage of fuel and raw materials.

The process is the treatment of contaminated soils via physio-chemical treatment and bioremediation in an indoor facility with a maximum of treatment capacity of 30,000 tonnes of hazardous waste per year. The principal treatment objective is to render the waste materials non-hazardous and appropriate for re-use.

There will be no discharges of process water to controlled waters or sewer. Any process water generated will be either reused in the process or removed off site for suitable disposal.

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.

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.
- 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 and the variation notice.

Key issues of the decision

Amendments to the initial application proposals

In the original application, Dunton Technologies Ltd proposed to treat up to 215,000 tonnes per year of hazardous waste. In an email to the Environment Agency dated 11/10/2023, Dunton Technologies Ltd advised they wished to reduce the permitted tonnage to 30,000 tonnes per year.

The initial application proposal submitted by Dunton Technologies Limited was to operate a hazardous waste treatment facility for the following activities:

- Physico-chemical treatment of hazardous waste (asbestos picking);
- Biological treatment of hazardous waste (bioremediation);
- Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes;
- Storage of hazardous wastes pre-treatment; and
- Physical treatment of non-hazardous wastes (oversize waste crushing).

This application proposal was amended following the Schedule 5 Notice dated 01/11/2023. In response to the Schedule 5 Notice (received 15/12/2023), Dunton Technologies Limited advised the Environment Agency to withdraw the following activities from the application:

- Physical treatment of non-hazardous wastes (oversize waste crushing).

Aside from the modification of proposed activities there were several other clarifications made to the application that were presented in the Schedule 5 Notice response (received 15/12/2023). This included a revised Dust & Emissions Management Plan, further information on wastewater containment and treatment, asbestos treatment, storage of soils, point source emissions to air and compliance with Environment Agency guidance on appropriate measures.

Disposal of wastewater

Documents submitted in support of the application, the BAT Assessment (Report reference 1620013520-002 dated June 2022) and Application to Vary Environmental Permit (report reference 1620013520-002 dated June 2023) ('the Permit application report') describe how water will be dealt with at the installation. Both documents state there will be no discharge to controlled waters and effluent will be discharged to foul sewer under a Trade Effluent Discharge Consent with relevant water undertaker. Further discussions in response to the duly making of the application stated that no water from any of the waste treatment activities ('process water') will be directed to foul sewer. However, throughout the application documents there were contradictions on how process water from the treatment operations will be dealt with.

In response to the Schedule 5 Notice (dated 01/11/2023 and received 15/12/2023), Dunton Technologies Limited provided clarification on how water would be dealt with at the site. As the storage and treatment of waste materials will be undertaken within the main process building, with the only external storage being the treated soils stored in covered bays, the generation of contaminated water will be minimised. Any process water generated will be contained within dedicated sumps located within the main process building. The sumps do not have any connection to surface water or foul sewer and in the event that the sumps become full, the water will be reapplied for damping down or manually pumped out for removal offsite. There will be no discharge to sewer from the main process building.

The external areas of the site will be laid to fall to a sump that will have an isolation valve installed. This sump from this area will connect to the below ground drainage network via a full retention class one interceptor which will ultimately discharge to foul sewer via two 10,000 litre effluent holding tanks. The

tanks will be located in a dedicated bund and used to isolate any potentially contaminated surface waters.

Table S1.1 of consolidated permit includes the directly associated activity AR7 which is the collection and storage of process water prior to offsite removal. A limit has been included on the activity that states the discharge to surface water and/or sewer is not allowed.

Pre-treatment of waste and oversize materials

Pre-treatment by screening is restricted to hydrocarbon contaminated soil. There shall be no screening of asbestos contaminated soil prior to hand picking of the asbestos. Oversize materials generated from the pre-screening operations will be stored within a designated storage area. Any further treatment of oversize is not covered by this permit.

Decision considerations

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.

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:

Local Authority – Environmental Health
Local Authority – Planning
UK Health Security Agency (UKHSA)
Health and Safety Executive
Canal and River Trust

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' and 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.

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 not within our screening distances for these designations.

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.

The operating techniques are in line with the following guidance: Develop a management system, Control and monitor emissions for your environmental permit, Chemical waste: appropriate measures for permitted facilities and the Waste Treatment BAT Conclusions.

Operating techniques for emissions that screen out as insignificant

Emissions of Volatile Organic Chemicals (VOC's) have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this 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 plan has been incorporated into the operating techniques S1.2.

Noise and vibration management

We have reviewed the noise and vibration management plan in accordance with our guidance on noise assessment and control.

We consider that the noise and vibration management plan is satisfactory and we approve this plan.

We have approved the noise and vibration 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 plan has been incorporated into the operating techniques S1.2.

Dust management

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission 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 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 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.

We have excluded the following wastes for the following reasons:

19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 02	wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation)
19 02 04*	premixed wastes composed of at least one hazardous waste
19 02 11*	other wastes containing hazardous substances
19 03	19 03 Stabilised/solidified wastes
19 03 04*	19 03 04* Wastes marked as hazardous, partly stabilised other than 19 03 08
19 03 06*	19 03 06* Wastes marked as hazardous, solidified

We did not consider these waste types as ‘waste soils’ suitable for the permitted treatment processes. We queried the proposed waste types with the applicant to see if they wanted to provide further information and justification as to why they were suitable, but the applicant confirmed they were happy for the waste codes to be removed.

At permit review stage, the applicant requested to add the following waste types to Table S2.3 (asbestos treatment):

- 17-05-07* track ballast containing hazardous substances
- 19-12-11* other wastes (including mixtures of materials) from mechanical treatment of waste containing hazardous substances
- 19-13-01* solid wastes from soil remediation containing hazardous substances

After consideration, we agreed to add 17-05-07* and 19-13-01*, both dual coded with 17 06 05* for the asbestos fragments. However we did not consider 19-12-11* was suitable as mixed wastes containing asbestos should not be mechanically treated at a predecessor site if the treatment did not include the removal of asbestos.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included the following improvement programmes in the permit:

- **IC1** which requires the operator to complete an assessment an assessment of the building fabric for potential fugitive emission routes to air, and an assessment of the air extraction system demonstrating that the building is under effective negative pressure and that all air extracted is emitted via the air filtration system.
- **IC2** which requires the operator to monitor the air emissions abatement system to demonstrate that it is treating emissions to meet the emission limits in the permit and to validate the emission level that was used in the H1 assessment for emissions to air.

Emission limits

Emission Limit Values (ELVs) or equivalent parameters or technical measures based on Best Available Techniques (BAT) have been added for the following substances:

- Dust - 5 mg/m³
- Total Volatile Organic Compounds (TVOCs) - 40 mg/Nm³
- Odour - 1000 ou_E/Nm³

We have included these limits based on the limits specified in the Waste Treatment BAT Conclusions.

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.

Point source emission points marked A1 – A5:

- Dust, TVOCs, asbestos fibres and odour

Surface water monitoring

- Oil/grease

Process Monitoring

- For the carbon filters

- pH, temperature, gas flow rate, moisture, back pressure, process efficiency.

- For the biopiles

- pH, temperature, oxygen levels, nutrient concentrations, Total Petroleum Hydrocarbons (TPH), Polycyclic Aromatic Hydrocarbons (PAHs), VOCs and Phenols

Ambient monitoring at the fugitive Emissions Monitoring Stations:

- Asbestos fibres, odour and dust

These monitoring requirements have been included in order to ensure that there are no significant emissions of dust, TVOCs, asbestos fibres and odour from the point sources emission monitoring points and the general operation of the site.

We made these decisions in accordance with Chemical waste: appropriate measures for permitted facilities, Waste Treatment BAT conclusions and M17 monitoring of particulate matter in ambient air around waste facilities.

We have agreed that monitoring of fugitive emissions of odour can be carried out as a daily sniff test at the site boundary in accordance with the agreed Odour Management Plan (OMP). This is not in line with the requirements of BAT 10 of the Waste Treatment BAT conclusions which requires the operator to periodically monitor odour emissions using EN standards, specifically EN 13725 using grab bag samples sent to the lab for assessment. The applicability of BAT 10 is restricted to cases where an odour nuisance at sensitive receptors is expected and/or has been substantiated. As this is a new site, there are no odour issues on which to make a decision, however, we have agreed to the alternative approach because:

- The treatment operations are carried out inside a building under active extraction thereby reducing the risk of fugitive odorous emissions;
- The Risk Assessment for the site states that the site is designed and operated in such a way as to reduce fugitive emissions of odour and we agree with this.
- The Operator has submitted an Odour Management Plan we consider to be satisfactory. We approve this plan and it has been incorporated into the operating techniques S1.2.

- The daily collection of grab samples for assessment at the lab will be onerous in relation to the risk of odorous emissions from the site and there will be a delay in obtaining results and implementing any actions;
- To reduce the frequency from daily monitoring but keep the need to collect samples for lab analysis will not be effective as daily olfactory monitoring which can aid in the identification and management of odours swiftly in accordance with the action plan.

We agree with the approach provided by the operator and consider BAT 10 is not applicable in this instance. However, if once the site is operational, it is determined that there is odour nuisance at sensitive receptors, we will require the operator to review the OMP for the site and undertake sampling of fugitive emissions in accordance with the requirements of BAT10.

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with Chemical waste: appropriate measures for permitted facilities, Waste Treatment BAT conclusions and M17 monitoring of particulate matter in ambient air around waste 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.

A full review of the management system is undertaken during compliance checks.

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 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, 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 The Canal and Rivers Trust.

Brief summary of issues raised and action taken: The consultee requested the following:

- a) The Canal & Rivers Trust confirmed there were residential moorings on Engine Arm to the south of the site. The Trust was concerned that these moorings had not been considered as potential receptors in the Noise Impact Assessment.
 - Actions taken: The applicant was asked to submit a revised Noise Impact Assessment (NIA) that took into consideration the canal moorings. They responded to confirm the NIA had been updated but the latest report had not been submitted and a copy was provided (Report 1620013520, V2.1 dated 21/04/2023). The Environment Agency completed a review of the submitted NIA and the proposal to apply with BAT for noise management and was satisfied with the findings.
- b) The Trust was concerned that the asbestos treatment activity would put those using the canal (both as an amenity and for residential purposes) at risk.

Actions taken: Waste pre-acceptance and acceptance procedures are in places that require the asbestos free fibre content to be <0.1%. All waste acceptance and treatment operations will be contained either in the building or purpose built picking station. Only treated waste will be stored externally in covered bays. All other storage is either in the building or a lockable skip. The asbestos picking station will be designed to fulfil Health and Safety Regulations specifically HSG 248 and the Control of Asbestos Regulations 2012 (CAR 2012). Emissions to air are controlled using the onsite abatement system which comprises an extraction system that passes through a HEPA filter and carbon filter arrangement prior to discharge at roof height. HEPA filters which are effective at capturing 99.95% of all particulates measuring 2 microns in diameter. There are three release points relating to the asbestos treatment process, one from the storage area, one from the hopper and one from the picking station. Routine monitoring will be undertaken in line with BAT.

Picked asbestos will be placed into bags inside the picking station and transferred to an enclosed skip so that the bags are not exposed to the outside environment. The Environment Agency is satisfied that the proposed control measures in the application represent BAT and that the permit conditions are robust enough to ensure that there are no significant impact on public health as a result of the permitted site's activities.

- c) Water from the site will be discharged via an existing surface water drain which is thought to enter the canal.
- Actions taken: The permit includes a requirement that no water from the process will be permitted to be discharged to either surface water or foul sewer. Any process water generated on site that is not reused in the treatment operation will be collected and removed offsite for disposal. Any water falling on external areas of the site will be directed to a sump that will have an isolation valve installed. The sump from this area will connect to the below ground drainage network via a full retention class one interceptor which will ultimately discharge to foul sewer via two 10,000 litre effluent holding tanks. The tanks will be located in a dedicated bund. No water from the site will be directed to surface waters. The Environment Agency is satisfied that there will be no releases to controlled waters from the site.
- d) The site will cause light pollution to the canal corridor.
- Actions taken: None. Consideration of light pollution does not fall under the remit of the environmental permitting regime. It is understood that the site will operate Monday to Friday, 07:30 to 17:00 and Saturday 08:00 to 13:30.
- e) Information on what ecological enhancements/screening would be taken by the operator.
- Actions Taken: None. Requiring the operator to undertake ecological enhancements does not fall under the remit of the environmental permitting regime.
- f) Habitats along the canal could be affected by air quality.
- Actions taken: The permit application provides details on the containment of the treatment operations. All waste acceptance and treatment operations will be contained either in the building or purpose built picking station. Only treated waste will be stored externally in covered bays. All other storage is either in the building or a lockable skip. The site has been designed and operated to minimise the release of fugitive emissions in accordance with BAT and relevant Health and Safety regulations. Emissions to air are controlled using the abatement system which comprises an extraction system that passes through a HEPA filter and carbon filter arrangement prior to discharge at roof height. The applicant has completed an air impact assessment prepared using the approved EA methodology to undertake the initial screening assessment of potential impacts to identify whether the potential for significant pollution exists. The completed assessment demonstrated that the emissions can be screened out as being insignificant. However, it is noted that the data used for the assessment is based on the best available data and not actual on-site data as the site is still in the construction phase, therefore, the Environment Agency has included a permit condition (IC2) requiring the assessment be repeated for review once the site becomes operational and monitoring data is available. Table

S3.1 sets limits on point source emissions to air which need to be complied with. The Environment Agency is satisfied that the proposed control measures in the application represent BAT and that the permit conditions are robust enough to ensure that there is no significant impact on habitats along the canal.

Response received from Public Health England

Brief summary of issues raised: PHE response highlights that *'the main emissions of potential concern are asbestos fibres from the treatment of asbestos contaminated soils'*. They indicated that *'Appropriate prevention and mitigation measures are proposed along with regular monitoring for all relevant pollutants'* and that based on the information contained in the application that they have no significant concerns regarding the risk to the health of the local population from the installation. Their response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.

Summary of actions taken: the Environment Agency is satisfied that the proposed control measures in the application represent BAT and that the permit conditions are robust enough to ensure that there are no significant impact on public health as a result of the permitted site's activities.

Representations from community and other organisations

Response received from: A registered company

Brief summary of issues raised and action taken: The consultee requested the following:

- a) Query on the use of a screener/hopper as a pre treatment for asbestos contaminated soils.
 - **Actions taken:** The operator has confirmed there is no screening of asbestos contaminated soils prior to treatment. This is a requirement included in the permit in Table S1.1.
- b) Queried lack of information on their extraction system or HEPA filter design to demonstrate that emissions are effectively mitigated.
 - **Actions taken:** The site is not yet fully operational. Therefore the permit includes an improvement condition (IC2) requiring the submission of a report demonstrating the abatement system as built will be sufficient to ensure emissions and effectively mitigated.
- c) Queried why no assessment of the approach to ensure compliance with Chemical Waste: Appropriate Measures at Permitted Facilities (Nov 2020).
 - **Actions taken:** In response to a Schedule 5 Notice for Further Information issued by the Environment Agency, the operator has demonstrated how the site will meet the appropriate measures for

- Chemical waste. The Environment Agency is satisfied with the response.
- d) Queried the acceptance criteria for contaminated waste soils and suitability for bioremediation.
- **Actions Taken:** None. The operator can set the waste acceptance criteria for the site. The objective of the treatment is to render the waste material non-hazardous and appropriate for re-use at restoration or environmental betterment schemes. They will need to demonstrate that the treatment of the soils has been effective and it is suitable for reuse through testing. For the avoidance of doubt the materials will remain within the waste hierarchy and are transferred off-site to third party facilities as waste, albeit a waste suitable for re-use in accordance with the framework of waste exemptions and approvals.
- e) Queried suitability of process controls for bioremediation including soil temperature, aeration and pH which could lead to a reduction of the degradation of contaminants.
- **Actions taken:** None. It is for the operator to set process controls to ensure that the bioremediation treatment process is effective to render the soils non hazardous for reuse.
- f) Queried the proposal by the applicant to use an asbestos emissions threshold of <0.01f/ml for their monitoring would potentially increase the levels of asbestos fibres in air around the site.
- **Actions taken:** Table S3.4 of the permit (Ambient air monitoring requirements) sets the limit for monitoring of fibres at the site. The limit is set at 0.01 fibres/ml and is a standard requirement set in permits. It is not specifically asbestos fibres but any fibres present in the air. It requires the operator to undertake further analysis when fibres are detected at concentrations exceed this limit. The additional analysis will determine what level of asbestos fibres are present and trigger further action if required.
- g) Queried the frequency of monitoring of asbestos in air set at monthly monitoring, stating it should be daily in accordance with WHO air quality guidance for Europe.
- **Actions taken:** Table S3.4 of the permit (Ambient air monitoring requirements) sets the frequency for monitoring for fibres 'during receipt, handling and movement of asbestos contaminated soil within the site', not monthly.
- h) Queried why no assessment of wind erosion of dust/asbestos fibres into adjacent surface water receptors.
- **Actions taken:** The permit application provides details on the containment of the treatment operations. Emissions to air are controlled using the abatement system which comprises an extraction system that passes through a HEPA filter and carbon filter arrangement prior to discharge at roof height. Any storage of waste is for treated soils in external bays which are covered. The operator has submitted, and had approved, a Dust and Emissions Management Plan (DEMP) that

has been produced in line with Environment Agency guidance. In addition to this, the permit requires the Operator to undertake point source and fugitive emissions monitoring for asbestos fibres, dust and particulates and to report on them. The inclusion of all relevant documents in the operating techniques section of the permit (Table S1.2), in particular the Emissions Management and Monitoring Plan ensures the applicant takes all appropriate measures to prevent or control pollution. We consider the control measures are in place to reduce the risk of wind erosion.

- i) Queried the annual treatment throughput of 215,000t per annum given the storage capacity of the site.
 - **Actions taken:** in an email to the Environment Agency dated 11/10/2023, the operator confirmed they wished to reduce the annual tonnage to 30,000 tonnes. This limit is included in tables S2.2 and S2.3 of the permit.