

## Permitting Decisions- Variation

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We have decided to grant the variation for Hendon Dock Process Plant operated by Tradebe Solvent Recycling Limited.

The variation number is EPR/BV4673IM/V011.

The variation is to install and operate an additional distillation plant for the recovery of solvents (designated as S4) with an equivalent design to the existing 3 distillations plants. The distillation plant will increase site throughput from production of 40,000 tonnes to production of 53,000 tonnes per year of distilled solvent product. The kettle, column and a condenser which were previously in use at the now non-operational Tradebe North Tyne site will be used for this installation.

The air emissions will be abated by a main condenser, a new chilled-water condenser, a water-fed scrubbing column and the resulting vapours will be directed to the combustion chamber of one of the existing site boilers.

There are no changes to the site wastewater handling or to the raw materials (waste solvent) handled on site. No new waste materials will be handled on site. Five additional bulk storage tanks are being installed which will be sited in existing bunds on existing plinths to replace old or redundant plant.

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

- 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**

The new distillation column (S4) will need to be compliant with Best Available Techniques (BAT) upon permit issue. This is addressed in Table S1.2 of the permit (Operating Techniques) which states that all parts of Chemical waste: appropriate measures for permitted facilities (version published 18 November 2020) shall apply to the new distillation column. The existing 3 distillation columns, as well as the Installation as a whole, will be assessed against BAT in an upcoming statutory review of the 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 comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

Sunderland City Council

UK Health Security Agency

Director of Public Health

Health and Safety Executive

Tyne And Wear Fire and Rescue Service

The comments and our responses are summarised in the [consultation responses](#) section.

## **The site**

The operator has provided a plan which we consider to be satisfactory. This shows the extent of the site of the facility including the discharge points. The plan is included in the permit.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified. We have not consulted Natural England. The decision was taken in accordance with our guidance.

## **Environmental risk**

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

## **General Operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **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.

## **Fire prevention plan**

We haven't requested a Fire Prevention Plan at this time, but we will request one in the future if we consider the site poses a risk of fire.

## **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 permits.

## **Raw materials**

We have specified limits and controls on the use of raw materials and fuels.

## **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 waste code for the following reason:

16 03 06 organic wastes other than those mentioned in 16 03 05

The facility is not authorised to treat non-hazardous waste.

## **Pre-operational conditions**

We have included a pre-operational condition (PO1) in the permit relating to the commissioning plan. The operator is required to submit this plan three months before the commencement of commissioning – detailing the expected emissions to the environment during the different stages of commissioning. Please refer to Table S1.4 of the permit for further details.

## **Improvement Programme**

We have included an improvement condition (IC1) in the permit relating to the commissioning of the new plant (S4 Distillation Column). The operator

is required to submit a written report that summarises the environmental performance of the plant against the design parameters set out in the application. Please refer to Table S1.3 of the permit for further details.

## **Emission limits**

We have decided emission limits are required in the permit. Emission Limit Values (ELVs) and technical measures based on Best Available Techniques (BAT) have been added for the following substances:

Existing medium combustion plant (boilers)

- Nitrogen oxides
- Sulphur dioxide
- Dust
- Total Volatile Organic Compounds (TVOC's) (Boiler 3 only)

Please refer to Table S3.1 of the permit for further details.

## **Monitoring**

We have decided that monitoring should be carried out for the following parameters, using the methods detailed and to the frequencies specified. These monitoring requirements have been included in order to ensure compliance with Best Available Techniques (BAT).

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate. Please refer to Table S3.1 of the permit for further details.

## **Reporting**

We have specified reporting in the permit. Please refer to Table S4.1 of the permit for further details.

## **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.

## **Growth duty**

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

# Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section

Response received from UK Health Security Agency.

Brief summary of issues raised: Emissions of potential concern are VOCs, NO<sub>x</sub>, and CO.

Summary of actions taken: The permit requires abatement of air emissions and the boilers will have emissions limits in accordance with the Medium Combustion Plant Directive.