

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Riccall Wood Treatment Facility operated by H Barker & Son Limited.

The permit number is EPR/BP3628SX.

The permit was granted on 09/05/2024.

The application is for a waste wood treatment installation permit. The site has operated under an exemption for a number of years producing a chipped wood product for use as a biomass fuel. The application for an installations permit was submitted to allow for an increase in the quantity of waste processed at the site.

The facility will treat and store hazardous and non-hazardous waste wood. The three-step treatment process consists of manual sorting of waste wood, shredding and chipping. The site will operate Monday to Saturday and mechanical waste treatment will be limited to 25 hours operation per week. The maximum annual throughput of waste processing will be 37,500 tonnes. On-site storage is limited to 3,250 tonnes at any one time.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision-making process. It:

- summarises the decision making process in the decision considerations section to show how the main relevant factors have been taken into account
- highlights key issues in the determination
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

The key issues of the application were:

- whether the wood treatment process met the requirement of the Non-hazardous and inert waste: appropriate measures for permitted facilities and whether the process was the Best Available Technique (BAT).
- the location of the diesel tank which was outside the site boundary and its proximity to a water abstraction point.

Decision considerations

The waste appropriate measures recommend that waste treatment should be carried out inside a building to minimise noise and fugitive emissions arising from the processes. This Installation currently operates the mechanical shredding treatment equipment outside. We have agreed that the treatment processes can be carried out outdoors because of the limited operating hours of the shredding equipment, the annual capped treatment capacity of 37,500 tonnes, the rural location and the distance from residential areas. These factors combined with a robust Dust Management Plan will control potential fugitive emissions of dust leaving the site boundary. The Dust Management plan employs methods such as:

- Damping down waste wood material on dry days.
- Deployment of a mobile misting unit when needed.
- Minimising disturbance of chipped wood piles to avoid dust movement.
- Minimising drop heights to reduce dust travel.
- Enclosing or covering all loads of wood entering and leaving the site on vehicles.

The site's diesel tank was noted in the application supporting document as a potential source of land and ground water contamination in the event of a fuel spillage, but the tank was located outside the site boundary. The Schedule 5 Notice dated 20/02/2024, requested a revised site plan which incorporated the location of the diesel tank and it also requested clarification of its distance from the water abstraction point located at the neighbouring poultry farm. The operator

submitted a revised site plan which included the diesel tank and the tank had also been relocated to over 50 m away from the water abstraction point.

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:

- Health & Safety Executive (HSE)
- UK Health Security Agency (UK HSA)
- Local Authority
- Local Authority Environmental Health Dept.
- North Yorkshire Fire Service

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', 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.

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.

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.

Operating techniques

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

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

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

Fire Prevention Plan

We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.

The plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.

We have approved the fire prevention plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The plan has been incorporated into the operating techniques S1.2.

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.

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 restricted the following wastes for the following reasons:

- 19 05 03 – off specification compost, is limited to “oversized wood” to restrict any wastes unsuitable for chipped wood production.

Emission Limits

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

The Installation will have no relevant channelled emissions to air and there are no discharges to surface waters, sewer or groundwater.

Reporting

We have specified reporting in the permit.

The operator is required to submit an annual report detailing the total tonnes of chipped wood produces, along with the installations water and energy usage.

We made these decisions in accordance with Environmental Permitting Regulations (EPR) and the Industrial Emissions Directive (IED).

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.

The operator is relying on the grace period to provide technical 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.

Brief summary of issues raised: The local authority reported ongoing allegations of nuisance dust impacting a nearby business park. They also asked for consideration of the possibility of the plant on site causing a noise disturbance to nearby residential properties.

Summary of actions taken: The application included an Emissions Management Plan which addresses the site's dust management techniques. The Schedule 5 Notice issued on 20/02/2024 also requested a revision of the plan to improve on the dust suppression methods and housekeeping on site. The plan has been assessed following our guidance and we are satisfied that it is suitable to prevent nuisance emissions of dust from the waste treatment processes.

In line with our guidance a qualitative noise screening was undertaken which concluded that noise management plan was not currently required for the site. The permit includes a condition that stipulates that the activities shall be free from noise and vibration at levels likely to cause pollution outside the site boundary.

Response received from UK HSA

Brief summary of issues raised: UK HSA noted that air emissions from the installation were considered to be not significant and they had no significant concerns regarding the risk to the health of the local population from the installation.

Summary of actions taken: No action was necessary.