

Permitting Decisions - Variation

We have decided to grant the variation for Waste Transfer and Treatment Facility operated by Sharpsmart Limited.

The variation number is EPR/XP3602PF/V004.

The variation is for:

- Treating sharps by autoclave and compaction pending a pre-operational condition.
- Operating a larger natural gas fuelled steam-raising boiler – 3.95MWth
- Add new activity of shredding, thermal treatment and compaction for waste code 18 01 04 pending a pre-operational condition.
- Increasing storage capacity from 40 tonnes to 80 tonnes

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

NOTE: the permit variation application was made prior to the sector permit review and subsequent issue of the reviewed permit. This means that some of the information and references in the variation permit application forms are outdated/superseded. We have taken this into account when determining the variation permit application.

Change in tonnage

Table 2.4 referred to 4 tonnes per day but the relevant activity referred to 10 tonnes per day. This was an error from previous variation and it has been amended to reflect the activity table at 10 tonnes per day.

Addition of waste code

The waste code 18 01 03* was added to allow the acceptance of sharps for treatment. The operator will process the hazardous and non hazardous waste separately, using different 'carts' to ensure there is no mixing and therefore minimising any risks that could have been connected to the addition of this waste code.

Air quality assessment

An air quality assessment was submitted by the applicant. A light touch assessment of this was undertaken, as the new boiler installed on site is more efficient and therefore has lower environmental impacts than the previous boiler.

Best Available Techniques (BAT) Assessment

The new proposed waste treatment operations have been assessed against relevant BAT, specifically BAT 4 in relation to the increase of storage. The site was already using appropriate techniques for waste storage and in agreement in Area officers the increase in tonnage was approved. Also, appropriate measures of Sector Guidance Notes S5.06 were used to assess the treatment of waste of the new waste streams, including sharps.

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:

- Local Authority – Environmental Health
- Local Authority – Planning
- Director of PH/UKHSA
- Health and Safety Executive

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', Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

The operator has provided the grid reference for the emission points from the medium combustion plant/specified generator.

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 plans show the location of the part of the installation to which this permit applies on that site.

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 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.

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.

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'.

Emission limits

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

Oxides of nitrogen (NO and NO₂ expressed as NO₂) - 100mg/Nm³ for the medium combustion plant (emission point A1 in Table S3.1 of the permit).

Monitoring

We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies specified:

Oxides of nitrogen (NO and NO₂ expressed as NO₂), monitoring in line with web guide: Monitoring stack emissions: low risk MCPs and specified generators
Published 16 February 2021 every year.

These monitoring requirements have been included to cover the MCPD requirements for the new boiler.

Reporting

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

Emissions to air. Parameters as required by condition 3.5.1.

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.

TCM - Level 4 in Waste Management Operations – Managing Treatment Hazardous Waste (Clinical 4TMHC).

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 UKHSA.

Brief summary of issues raised: Based on the information contained in the application supplied, UKHSA has no significant concerns regarding the risk to the health of the local population from the installation.

Summary of actions taken: No action taken.