

## Permitting Decisions- Environment Agency Initiated Variation

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We have issued an Environment Agency initiated variation for Unit Vi Vinces Road Ind Est operated by Personnel Hygiene Service Limited following a review of the permit in accordance with Environmental Permitting (England and Wales) Regulations 2016, regulation 34(1).

The variation number is EPR/QP3599NQ/V005.

We consider in reaching this 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.

### Permit Review

This Environment Agency has a duty, under the Environmental Permitting (England and Wales) Regulations 2016 (EPR), regulation 34(1), to periodically review permits.

We have reviewed the permit for this activity and varied the notice to make a number of changes to reflect relevant standards and best practice. These changes principally relate to the implementation of our technical guidance [Healthcare waste: appropriate measures for permitted facilities](#).

In this decision document, we set out the reasoning for the variation notice that we have issued.

It explains how we have reviewed and considered the techniques used by the operator against our technical guidance.

As well as considering the review of the operating techniques used by the operator, the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issue. Where this has not already been done, it also modernises the entire permit to reflect the conditions contained in our current generic permit template. We have also updated the waste codes permitted, to include those previously accepted under waste exemptions and regulatory position statements.

## Purpose of this document

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

- explains how the Environment Agency initiated variation has been determined;
- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account;

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.

### Environment Agency led variation – permit review

We have carried out an Environment Agency initiated variation to the permit following a permit review as required by legislation to ensure that permit conditions deliver compliance with relevant legislative requirements and appropriate standards to protect the environment and human health.

On 13 July 2020, Healthcare waste: appropriate measures for permitted facilities guidance was published on gov.uk. This technical guidance explains the standards that are relevant to regulated facilities with an environmental permit to treat or transfer healthcare waste, providing relevant standards (appropriate measures) for those sites.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 10/02/2021 requiring the operator to provide information to confirm that the operation of their facility meets, or how it will subsequently meet, the standards described in our technical guidance.

The notice required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented to ensure operations meet the relevant standards and by when, or
- Explains why they are not applicable to the facility in question, or
- Justifies why an alternative technique is appropriate and will achieve an equivalent level of environmental protection to the standards described in our guidance

The standards described in our technical guidance are split into 7 chapters:

- General management appropriate measures
- Waste pre-acceptance, acceptance and tracking appropriate measures
- Waste storage, segregation and handling appropriate measures
- Waste treatment appropriate measures
- Emissions control appropriate measures
- Emissions monitoring and limits appropriate measures
- Process efficiency appropriate measures

We have set emission limit values (ELVs) and monitoring requirements for relevant substances in line with our technical guidance, unless a tighter, i.e. more stringent, limit was previously imposed and these limits have been carried forward.

The Regulation 61 notice required the operator to confirm whether they could comply the standards described in each of these chapters. Table 1 below provides a summary of the response received and our assessment of it. The overall status of compliance with the standards (appropriate measures) is indicated in the table as:

NA – Not Applicable

CC – Currently Compliant

FC – Compliant in the future (through improvement conditions set in permit)

NC – Not Compliant

The Regulation 61 notice also asked the operator to confirm whether they operate a medium combustion plant or specified generator (as per Schedule 25A or 25B of EPR 2016) and whether they had considered how their operations could be affected by climate changes (e.g. through a climate change adaptation plan).

Our assessment of the responses received from the operator medium combustion plant and specified generators and consideration of climate change are also summarised in Table 1.

The Regulation 61 notice response from the Operator was received on 17/06/2021.

We considered that the response did contain sufficient information for us to commence determination of the permit review.

<b>Appropriate measures</b>	<b>Compliance status</b>	<b>Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator</b>
<b>General management appropriate measures</b>	<i>CC</i>	The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	<i>FC</i>	<p>The operator's pre-acceptance audit is an electronic questionnaire which is returned by the customer and stored electronically on the operator's data storage system.</p> <p>The operator confirmed that their acceptance procedure meets the requirements of all appropriate measures in this section. When identified at entry to site non-conforming wastes are rejected and investigated to prevent future occurrence. Where non-permitted wastes are discovered on site, these are held in a dedicated quarantine area.</p> <p>The operator's computerised tracking system has been implemented to allow for waste to be tracked electronically. System has been implemented to allow for waste to be tracked electronically is still being developed and we have included an improvement condition, IC1, in the variation notice to cover its implementation.</p>
<b>Waste storage, segregation and handling appropriate measures</b>	<i>CC</i>	The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
<b>Waste treatment appropriate measures</b>	<i>N/A</i>	There is no treatment of waste on site. Waste is transferred to a soft compaction vehicle for removal off site and this is not a treatment activity
<b>Emissions control appropriate measures</b>	<i>N/A</i>	Sections that relate to treatment of waste are not applicable.
<b>Emissions monitoring and limits appropriate measures</b>	<i>FC</i>	<p>The operator has agreed that they will review the appropriate measures guidance with respect to emissions to water and sewer from when bin washing activities commence.</p> <p>We have set two pre-operational measures:</p> <p>PO1 for the operator to submit a written report setting out the washing process and drainage arrangements.</p>

		PO2 for the operator to provide an inventory of emissions to characterise and assess the facility's point source emissions to sewer.
<b>Process efficiency appropriate measures</b>	<i>N/A</i>	This section is not relevant to waste operations.
<b>Reg 61 requirement</b>	<b>Assessment of response received</b>	
<b>Medium combustion plant and specified generators</b>	<i>N/A</i>	
<b>Climate change</b>	The operator confirmed that they do not anticipate any direct consequences of climate change, there is no climate change plan in place. Action on climate change adaption measures will be through the EMS condition of the varied permit.	
<b>Summary of other changes made to the permit as a result of our assessment of the Reg 61 response</b>		
<b>Change</b>	<b>Reason for change</b>	
Additional waste codes	Waste types previously accepted under exemptions have been added to the permit to ensure future compliance. The site will comply with the non-hazardous and inert, chemical and Waste Electronic and Electrical Equipment (WEEE) appropriate measures.	

**Table 1 – Summary of our assessment of the operator's Reg 61 response**