

## Permitting Decisions- Variation

We have decided to issue a variation for Airbag Disposal operated by Airbag Disposal (UK) Ltd.

The variation number is FB3702UD/V003.

The permit was issued on 27/06/2024.

This variation is to:

- Amend Table S1.1 to add new activities/operations:
  - Section 5.6 Part A(1)(a) – Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes
  - Physical Treatment of Hazardous Waste with a capacity not exceeding 10 tonnes per day.
- Allow the acceptance and treatment of a wider range of waste types
- Increase the annual throughput from 5,000 tonnes to 70,000 tonnes/year
- Extend the permit boundary to incorporate the adjacent warehouse unit (Unit 10)
- Update the registered office address

The regulated facility accepts and treats hazardous and non-hazardous wastes that are predominantly associated with WEEE and items from the automotive sector. Treatment will comprise variety of methods which include manual and mechanical sorting and separation, shredding granulating and baling.

The treatment of non-hazardous waste will be less than 75 tonnes per day and treatment of hazardous waste will be less than 10 tonnes per day. It is proposed to store 100 tonnes of hazardous waste at the site at any one time.

There are two point sources to air from the Local Extraction Ventilation System (LEV). Dust collected from the LEV system will be abated using high efficiency particulate air (HEPA) bag filters, with the outlets discharged externally.

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:

- explains how the 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;

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

## 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  
Fire & Rescue  
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 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 plans which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

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.

## **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 S1.2 in the environmental permit.

The operating techniques are in line with the following guidance: Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities; and Treating metal waste in shredders: appropriate measures for permitted facilities.

## **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.

## **Changes to the permit conditions**

We have varied the permit as stated in the variation notice.

## **Fire Prevention plan**

We have assessed the fire prevention plan and are satisfied that it 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 represent all appropriate measures covering every circumstance throughout the life of the permit.

## **Noise and vibration management**

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

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'.

## **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.

## **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 submit a written plan that includes proposals to undertake monitoring of the air discharged from points A1 and A2 determine both the substances and their concentrations emitted from the installation. This information will then be used to complete a risk assessment using the Environment Agency's 'H1 Environmental Risk Assessment' tool (or equivalent).

We have included this condition as the operator stated in the original application that the Local Extraction Ventilation System (LEV) collected air within the building, passing it through HEPA filters before discharging back into the building. In response to a Schedule 5 Notice dated 31/05/2024, the operator provided a revised application which stated that there are two point source emissions from the LEV discharging externally to the building. No risk assessment has been completed for these emission points and the emissions inventory for the site is inadequate. To ensure the abatement technology is working efficiently, the operator needs to demonstrate an understanding of the emissions from the site operations and complete a risk assessment of them to ensure they are being adequately controlled.

We have requested this work to be completed within 6 months of permit issue.

## 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:

<b>20</b>	<b>MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS</b>
<b>20 01</b>	<b>separately collected fractions (except 15 01)</b>
20 01 10	Clothes
<b>20 03</b>	<b>Other municipal wastes</b>
20 03 01	Mixed municipal waste

We did not consider these waste types 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.

## Emission limits

Emission Limit Values (ELV's) based on Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities have been added for the following substances:

- Dust - 5 mg/m<sup>3</sup>

We have included these limits based on the limits specified in the Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities.

## Monitoring

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

## **Point source emission points marked A1 and A2:**

- Dust

### **Process Monitoring**

#### **- For metal shredding**

- Mass balance for all mechanical treatment of WEEE
- Mercury and cadmium for the finest non-metallic fraction from the mechanical treatment of SMW or IT, telecommunications or business equipment

These monitoring requirements have been included in order to ensure that there are no significant emissions of dust and in accordance with the process monitoring requirements of section 5.4 and 5.8 of Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities

## **Reporting**

We have specified reporting in the permit.

We made these decisions in accordance with Waste electrical and electronic equipment: appropriate measures for permitted facilities and Treating metal waste in shredders: appropriate measures for permitted facilities.

## **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 100 of that Act in deciding whether to grant the variation of 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 Response

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:

Response received from Fire And Rescue Service.

Brief summary of issues raised:

- Confirmed the site has an explosives licence in place to have a maximum storage of 250 kg Net Explosive Content (NEC) of Hazard Type 4 items. The consultee recommended the operator should review if this is still sufficient for their intentions.
- Highlighted an error in the application which stated that the automatic fire detection and alarm system isn't licensed by the fire and rescue service under license S283.
- Recommended the Environment Agency's should consider its own guidance where it states a fire suppression system should be installed due to the significant increase to annual throughput from 5000 tonnes to 70,000 tonnes.
- Requested evidence that on site support will be provided to the Fire service for any out of hours fire.

Summary of actions taken:

In response to a Schedule 5 Notice requesting further information dated 22/03/2024:

- The operator confirmed the explosives licence is still sufficient and they will adhere to the requirements of it.
- The reference to the automatic fire detection and alarm system being licensed under s283 was removed from the FPP.
- After requests for further information on the Fire Prevention Plan, we are satisfied that the operator has demonstrated the site can meet the 3 objectives set out in our guidance [Fire prevention plans: environmental permits - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fire-prevention-plans-environmental-permits). We have approved the Fire Prevention Plan
- The FPP has been updated to include support from site staff outside operational hours.



Response received from UKHSA.

Brief summary of issues raised:

- The applicant has submitted a fire prevention plan with mitigation measures listed to reduce the likelihood of a fire occurring. However, they have stated that the recommended 6 metres separation distance between waste piles cannot be achieved, and the use of fire walls is not proportionate to the level of risk associated with the site's activities. In addition, no fire suppression system is planned to be installed in the building. The Environment Agency may wish to review the plan to ensure it is in agreement with the approach as there are residential receptors situated within 200 metres of the installation who could be impacted in the event of a fire

Summary of actions taken:

- There were two additional requests for further information on the Fire Prevention Plan issued to the operator (Schedule 5 Notice dated 22/03/2024 and a 2<sup>nd</sup> one dated 31/05/2024) requesting additional information on both storage arrangements and water supply to demonstrate the site could meet the 3 objectives set out in our guidance [Fire prevention plans: environmental permits - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fire-prevention-plans-environmental-permits). We are satisfied with the responses to these request and have approved the fire Prevention Plan