

## Permitting Decisions - Environment Agency Initiated Variation

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We have issued an Environment Agency initiated variation for Sacker's Metal Recycling Facility operated by Sackers 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/LP3494NX/V008.

### 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. Article 21(3) of the Industrial Emissions Directive (IED) also requires the Environment Agency to review conditions in permits to ensure that they deliver compliance with relevant standards, within four years of the publication of updated decisions on Best Available Techniques (BAT) Conclusions.

We have reviewed the permit for this regulated facility and varied the permit to make a number of changes to reflect relevant standards and best practice. These changes principally relate to the implementation of our technical guidance for Treating metal waste in shredders, Waste electrical and electronic equipment (WEEE), including the relevant requirements of the BAT Conclusions for Waste Treatment which have been incorporated into our guidance.

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 in the operation and control of the plant and activities of the installation (operating techniques) against our technical guidance.

As well as considering the review of the operating techniques used by the Operator for the operation of the plant and activities of the installation, 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.

## 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;
- highlights key issues in the determination.

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

## Key issues of the decision

### Shredder residue plant

The residue arising from the metal shredding process containing most of the lighter, low density materials is known as metal shredder residue or MSR (also known as frag fluff or light fraction).

Monitoring and reporting conducted by the BMRA, completed in 2022, demonstrated that over half of the samples of MSR exceeded hazardous waste thresholds. The conclusion is that MSR is presumed a hazardous waste.

The activities carried out at Sacker's Metal Recycling Facility begin with pre-shredding of non-hazardous metal waste, which is then fed into the fragmentiser (activity AR1). Downstream separation is then carried out on the shredded wastes. The MSR, once separated out, is treated in their shredder residue plant (activity AR2). This process is separate from the fragmentiser plant.

Previously, activity AR2 was classed as a non-hazardous waste activity (S5.4 A(1)(b)(iv) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components). In light of the new conclusions drawn from the research carried out by the BMRA and Environment Agency, we have decided to class activity AR2 as a hazardous waste treatment activity (S5.3A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment).

## 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.

The Industrial Emissions Directive (IED) came into force on 7 January 2014 with the requirement to implement all relevant Best Available Techniques (BAT) Conclusions as described in the Commission Implementing Decision. Article 21(3) of the IED requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication of updated decisions on Best Available Techniques (BAT) Conclusions.

The BAT Conclusions for Waste Treatment (the BREF) was published on 17 August 2018 following a European Union wide review of BAT, implementing decision (EU) 2018/1147 of 10 August 2018. Relevant existing facilities were expected to be in compliance with the BAT Conclusions within 4 years (i.e. by August 2022).

On 20<sup>th</sup> October 2021 our Treating metal waste in shredders appropriate measures guidance was published on gov.uk. This technical guidance explains the standards that are relevant to regulated facilities with an environmental permit to mechanically treat metal waste in shredders and incorporates the relevant requirements of the BAT Conclusions.

On 13<sup>th</sup> July 2022 our Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities (including additional appropriate measures for waste temperature exchange equipment (WTEE). This technical guidance explains the standards that are relevant to regulated facilities with an environmental permit to treat WEEE (and WTEE) and incorporates the relevant requirements of the BAT Conclusions.

The following Appropriate Measures guidance is also applicable to the permitted activities being varied under this permit review and has been included in the operating techniques table.

- Non-hazardous and inert waste: appropriate measures for permitted facilities - published 12 July 2021.
- End of life vehicles (ELVs): appropriate measures for permitted facilities – published 19 October 2023.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 17/12/2021 requiring the operator to provide information to confirm that the operation of their facility currently meets, or how it will subsequently meet, the standards

(appropriate measures) described in our technical guidance for treating metal waste in shredders.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 20/04/2022 requiring the operator to provide information to confirm that the operation of their facility currently meets, or how it will subsequently meet, the standards (appropriate measures) described in our technical guidance for treatment of WEEE.

The notices 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 and the BAT Conclusions for Waste Treatment, 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

In accordance with Article 22(2) of the Industrial Emissions Directive, the Regulation 61 notice asked the operator to provide a soil and groundwater risk assessment, along with a baseline report or summary report confirming the current state of soil and groundwater contamination, where listed activities are undertaken that involve the use, production or release of relevant hazardous substances.

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 regarding soil and groundwater risk assessment, medium combustion plant and specified generators, and consideration of climate change are also summarised in Table 1.

The Regulation 61 notice responses from the Operator were received on 19/04/2022 for activities relating to treatment of metal waste in shredders, and 20/04/2022 for activities relating to treatment of WEEE.

Although we were able to consider the Regulation 61 notice response generally satisfactory at receipt, we needed more information in order to complete our permit review assessment. We requested this by email and the operator provided the below further information on 17/07/2024, 07/08/2024, and 11/09/2024. We made a copy of this information available on our public register.

- Clarification of wastes accepted at the facility
- Process flow diagrams
- Information on raw materials used in the activities
- Site layout including emission points to air and sewer
- Appropriate measures for storage of shredder non-metallic fractions
- Descriptions of abatement systems
- Information on storage capacities and throughput (tonnes per day) for certain waste types and activities
- Information regarding water use
- Information regarding the status of the end-of-life vehicle (ELV) waste operation, and compliance with the Appropriate Measures
- Compliance with the Appropriate Measures guidance for non-hazardous and inert wastes

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

<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>
<p><b>General management appropriate measures</b></p>	<p>FC</p>	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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.</p> <p>Within their response to the Regulation 61 Notice, the operator confirmed that they have a written management system in place, however improvement condition IC2, requiring the operator to update their management system in line with the Best Available Techniques, has not yet been signed off as complete. Further information relating to this improvement condition has not been requested during the review of this permit, as this issue is being addressed by the local Environment Agency Officer. The original deadline 31/08/2017 has been retained.</p> <p>Improvement condition IC8, requiring the operator to submit a noise management plan (NMP), has not yet been signed off as complete. Within their response to the Regulation 61 Notice, the operator confirmed that they have submitted a NMP on 18/03/2022, and that discussions are still ongoing. As a result of this, further information on noise management has not been requested during the review of this permit, as this issue is being addressed by the local Environment Agency Officer. The original deadline of 30/11/2017 has been retained.</p> <p>Within their response to the Regulation 61 Notice, the operator stated that a deflagration management plan is not applicable to their facility. A deflagration management plan is a requirement of the Best Available Techniques (no. 27) and the Appropriate Measures 30-32 within section 6.2 of the appropriate measures for treating metal waste in shredders. Improvement condition IC9 has been included in the varied permit to address this.</p> <p>Due to the outstanding and new improvement conditions assigned to this permit, the compliance status of ‘future compliant’ has been given.</p>

<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	FC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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.</p> <p>Improvement condition IC1, requiring the operator to submit a procedure for tracing and inspecting baled wastes, has not yet been signed off as complete. As a result of this, further information on tracing and inspecting baled waste has not been requested during the review of this permit, as this issue is being addressed by the Area Officer. The original deadline of 31/08/2017 has been retained.</p> <p>Due to the outstanding improvement conditions assigned to this permit, the compliance status of 'future compliant' has been given.</p>
<b>Waste storage, segregation and handling appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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.</p>
<b>Waste treatment appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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.</p>
<b>Emissions control appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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.</p>
<b>Emissions monitoring and limits appropriate measures</b>	FC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their response to the Regulation 61 notice for treatment of WEEE.</p> <p>Within their response to the Regulation 61 notice for treatment of metal waste in shredders and treatment of WEEE, the operator stated that they have an up-to-date emissions inventory for their</p>

		<p>point-source emissions to air and to water (sewer). The supporting documentation submitted does not reflect what we consider to be an emissions inventory. In this way, improvement conditions IC10a and IC10b, requiring the operator to monitor their emissions and submit a report to demonstrate their results and conclusions, has been added to Table S1.6.</p> <p>Due to the improvement conditions assigned to this permit, the compliance status of 'future compliant' has been given. Compliance with the remainder of 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.</p>
<b>Process efficiency appropriate measures</b>	CC	The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to both the Regulation 61 notice for treating metal waste in shredders and treatment of WEEE. 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>Reg 61 requirement                      Assessment of response received</b>		
<b>Soil and groundwater risk assessment</b>	The operator provided a baseline report in August 2010, to support the variation EPR/LP3494NX/V003. This report was a desk top study carried out by Envirocheck. The local Environment Agency Team has not raised any concerns that the site has not complied with its requirements under IED.	
<b>Medium combustion plant and specified generators</b>	The operator has confirmed that there are no medium combustion plant or specified generators associated with their permitted facility.	
<b>Climate change</b>	Submission of climate change risk assessment is no longer application requirement. It now forms a part of the operator's EMS and will be reviewed within compliance assessment.	
<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>	
<b>Activity AR2 has been amended to a hazardous waste treatment activity</b>	Previously a non-hazardous waste treatment activity for the treatment of metal shredder residues (MSR) resulting from the fragmentiser (activity AR1), research concluded in 2022 has identified MSR as a hazardous waste and therefore AR2 is a hazardous waste activity. Please see the Key Issues section for more detail.	



<b>within Table S1.1 of Schedule 1</b>	
<b>Directly associated activity AR4 has been removed from S1.1 of Table Schedule 1</b>	Directly associated activity AR4, described in the previous version of this permit (EPR/LP3494NX/V007) as for the storage of recovered fractions and shredder residue following treatment, has been removed because the storage of treated materials is included as part of the Schedule 1 activities AR1 or AR2. Remaining existing activities have been renumbered.
<b>Directly associated activities AR6 and AR7 has been amended within Table S1.1 of Schedule 1</b>	<p>Directly associated activity AR5, described in the previous version of this permit (EPR/LP3494NX/V007) as AR6 for storage of raw materials, has been amended to include reference to the foam injected into the shredders, and diesel used to power the shearing machinery.</p> <p>Directly associated activity AR6, described in the previous version of this permit (EPR/LP3494NX/V007) as AR7 for site drainage from storage and treatment areas discharged to point S1, has been amended. This has been done to reference the holding tank and amend the limits of the activity.</p>
<b>Directly associated activities have been added to Table S1.1 of Schedule 1</b>	<p>A Directly associated activity has been added to describe the borehole used to abstract less than 20m<sup>3</sup> per day of water for use in the misting/dampening systems. This is referenced as AR7.</p> <p>A Directly associated activity has been added to include the abatement systems serving the fragmentiser and shredder residue plant respectively. This is referenced as AR8.</p>
<b>The extent of the waste operation Waste Electrical and Electronic Equipment (WEEE) authorised treatment facility has been amended (AR10)</b>	Following clarification from the operator regarding the extent of this activity, this activity has been revised to sorting and separation of WEEE prior to treatment within AR1 or transfer off-site only. This activity was previously described as sorting, dismantling, separation, screening, grading, baling, shearing, compacting, crushing, or cutting of WEEE waste.
<b>Changes to the Wastes and EWC Code Tables in Schedule 2 of the permit</b>	<p>The waste code 19 12 12 other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11 has been amended to specify that only wastes containing metals are permitted for acceptance. This applies to Table S2.2 and S2.5.</p> <p>The waste 15 01 06 mixed packaging has been removed from the waste code list applicable to the Waste Electrical and Electronic Equipment (WEEE) waste operation AR10 because it was confirmed as not relevant to the activity. EWC</p>

	codes have also been removed from this activity following clarification from the operator. Please see the relevant section below.
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## **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 Regulation 61 notice response that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

### **The regulated facility**

We considered the extent and nature of the facilities 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'.

There has been a change to activity AR2. Previously a non-hazardous waste treatment activity for the treatment of metal shredder residues (MSR) resulting from the fragmentiser (activity AR1) is now classed as a hazardous waste activity (AR2). This is because research concluded in 2022 has identified MSR as a hazardous waste. Please see the key issues section for more detail.

The extent of the facilities is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

### **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.

### **Changes to the permit conditions**

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

### **Improvement programme**

We have included an improvement programme to ensure that the permit complies with measure 30 of section 6.2 of the Treating metal waste in shredders

appropriate measures guidance, and Best Available Techniques for Waste Treatment. Specifically, the improvement condition requires the operator to produce and maintain a deflagration management plan.

We have also included an improvement condition requiring the operator to monitor their emissions and submit a report to demonstrate their results and conclusions including a H1 assessment and emissions inventory. These improvement conditions are labelled IC10a and IC10b, and supersede IC4, IC5, and IC6.

The below improvement conditions have been removed from the permit:

Reference	Requirement	Date
IC4	<p>The operator shall submit a written monitoring plan to the Environment Agency for approval that includes:</p> <p>(a) proposals to undertake representative monitoring of the site surface water discharged from point S1 including the parameters to be monitored, frequencies of monitoring and methods to be used;</p> <p>The operator shall carry out the monitoring in accordance with the Environment Agency's written approval.</p>	30/11/2017
IC5	<p>The operator shall submit a written report to the Environment Agency for approval that includes:</p> <p>(a) the results of an assessment of the impact of the emissions of surface water from the site using the Environment Agency's 'H1 Environmental Risk Assessment' tool (or equivalent as agreed with the Environment Agency) based on the parameters monitored in IC4 above; and</p> <p>(b) proposals for appropriate measures to mitigate the impact of any emissions where the assessment determines they have the potential to be significant, including dates for implementation of individual measures.</p> <p>The operator shall implement the measures in (b) as approved, and from the dates stipulated by the Environment Agency.</p>	30/05/2018
IC6	<p>The operator shall submit a written plan to the Environment Agency for approval that includes:</p> <p>(c) proposals to undertake representative monitoring of the air discharged from points A1 and A2 including the parameters to be monitored, frequencies of monitoring and methods to be used;</p> <p>(d) proposals to undertake representative monitoring of the ambient air including the sampling locations, parameters to be monitored, frequencies of monitoring and methods to be used;</p> <p>(e) confirmation that a written report will be submitted to the Environment Agency for approval that includes:</p>	30/11/2017

	<ul style="list-style-type: none"> <li>i) the results of an assessment of the impact of the emission to air from the site using the Environment Agency's 'H1 Environmental Risk Assessment' tool (or equivalent as agreed with the Environment Agency) based on the parameters monitored in (a) above; and</li> <li>ii) proposals for appropriate measures to mitigate the impact of the emission where the assessment determines they are significant.</li> </ul>	
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## Changes to EWC codes

The following EWC codes have been removed from Table S2.4. This is following clarification from the operator regarding the wastes accepted under the waste operation for sorting and separation of WEEE (AR10).

<b>09</b>	<b>WASTES FROM THE PHOTOGRAPHIC INDUSTRY</b>
<b>09 01</b>	<b>wastes from the photographic industry</b>
09 01 11*	single-use cameras containing batteries included in 16 06 01, 16 06 02 or 16 06 03
09 01 12	single-use cameras containing batteries other than those mentioned in 09 01 11
<b>16</b>	<b>WASTES NOT OTHERWISE SPECIFIED IN THE LIST</b>
<b>16 02</b>	<b>wastes from electrical and electronic equipment</b>
16 02 09*	transformers and capacitors containing PCBs
16 02 10*	discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09
16 02 11*	discarded equipment containing chlorofluorocarbons, HCFC, HFC
<b>16 06</b>	<b>batteries and accumulators</b>
16 06 01*	lead batteries
16 06 02*	Ni-Cd batteries
16 06 03*	mercury-containing batteries
16 06 04	alkaline batteries (except 16 06 03)
16 06 05	other batteries and accumulators
<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 21*	fluorescent tubes and other mercury-containing waste
20 01 23*	Discarded equipment containing chlorofluorocarbons
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries

## Emission limits

Emission Limit Values (ELV's) based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment, have been amended for the following substances:

- Dust

This substance, listed under the emission points A1 and A2 in Table S3.1 of the permit, has been amended in line with the current requirements of BAT. The AEL for this substance was 20 mg/m<sup>3</sup>. The revised AEL is 5 mg/m<sup>3</sup>.

Emission Limit Values (ELV's) based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment have been added for the following substances:

- TVOC
- Brominated flame retardants
- Dioxin-like PCBs
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Sb, Se, Ti, V)
- Dioxins and furans (PCDD/F)

The above substances, listed under the emission points A1 and A2, have been added in line with the current requirements of BAT.

Emissions limits have been amended for indirect emissions to sewer as a result of this variation based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment:

- Hydrocarbon oil index
- Arsenic
- Cadmium
- Chromium
- Copper
- Lead
- Nickel
- Zinc
- Mercury
- PFOA, PFAS, Deca BDE

The above substances, listed under the emission point S1 in Table S3.2 of the permit, have been added in line with the current requirements of BAT.

## Monitoring

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

- Dust
- All mechanical treatment of WEEE
- Cyclone filter on emission point A1 serving the metal fragmentiser and shredder residue plant
- Cyclone filter on emission point A1 serving the shredder residue plant
- Wet scrubber on emission point A1 serving the metal fragmentiser
- Bag filter on emission point A2 serving the shredder residue sorting plant

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

## Reporting

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

- Emissions to air

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

- Emissions to water – sewer
- Process monitoring

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

## 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.