

## Permitting Decisions- Variation

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We have decided to grant the variation for Ellington Road Composting Facility operated by SUEZ RECYCLING AND RECOVERY UK LTD.

The variation number is EPR/UP3494ZL/V007.

The permit was issued on 11/02/2025.

The scope of the changes to the permit cover:

- Removal of In-Vessel Composting (IVC) and associated Directly Associated Activities (DAA)
- Addition of operation of an Anaerobic Digestion (AD) facility and associated Directly Associated Activities (DAA)
- Addition of Combined Heat and Power (CHP) engine which will have a capacity 1.2 MW MCP with a specified generator (SG). As such, it's considered that the CHP engine will be subject to the Medium Combustion Plant Directive (MCPD) and therefore will comprise a MCP with a specified generator (SG).

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.

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

The operator wanted addition of four EWC codes ending in 99 to meet the needs of commercial customers that need to separate their food waste from April 2025 onwards, and councils that need to provide separate household food waste collections from April 2026, but beyond that, identifying customers/waste streams and/or bidding for contracts is something that will take place in the coming months.

The codes the operator wanted to add are below (this is for AD activity), restriction to each code is on the right-hand side:

02 02 - Wastes from the preparation and processing of meat, fish and other foods of animal origin

02 02 99      Wastes not otherwise specified      Sludges from gelatine production and animal gut contents only.

02 04 - Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation

02 04 99      Wastes not otherwise specified      Other biodegradable wastes, allowed only if no chemical agents added and no toxin residues

02 07 - Wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)

02 07 99      Wastes not otherwise specified      ·      Malt husks, malt sprouts, malt dust

- Spent and sludge from breweries
- Sludge from wine making
- Yeast and yeast-like residues

Waste types in this section allowed if biodegradable material only, no chemical agents added

19 05 - Wastes from aerobic treatment of solid wastes

19 05 99      Wastes not otherwise specified      Waste types in this section are allowed only if derived from input types allowed by the Anaerobic Digestate Quality Protocol.

It has been reviewed by the biowaste sector lead and we refused putting 99 codes in the permit.

## **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:

- Local Authority – Environmental Protection Department
- Local Authority – Planning
- Fire & Rescue
- Director of PH/UKHSA
- Health and Safety Executive
- National Grid

No responses were received from some organisations.

The comments and our responses are summarised in the [consultation responses](#) section.

## **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.

For more details refer to SSSI Assessment form: Appendix 4 saved on DMS.

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**

We have reviewed the techniques proposed by the operator and compared these with the relevant technical guidance 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.

## **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.

## 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'.||

## 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.

## Emission limits

No emission limits have been added, amended or deleted as a result of this variation.

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

|         |
|---------|
| Table 1 |
|---------|

| Source                               | Parameter   | Limit<br>(including unit) | Reference period                    | Monitoring frequency                | Monitoring standard or method                                     |
|--------------------------------------|---|---------------------------|-------------------------------------|-------------------------------------|---|
| CHP engine stack<br>[burning biogas] | Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>2</sub> ) | 500 mg/Nm <sup>3</sup>    | Periodic over minimum 4-hour period | Quarterly in first year then annual | BS EN 14792   |
|                                      | Sulphur dioxide   | 107 mg/Nm <sup>3</sup>    | Periodic over minimum 4-hour period | Quarterly in first year then annual | BS EN 14791   |
|                                      | Carbon monoxide   | 1,400 mg/m <sup>3</sup>   | Periodic over minimum 4-hour period | Quarterly in first year then annual | BS EN 15058   |
|                                      | Total VOCs  | 1,000 mg/m <sup>3</sup>   | Hourly average                      | Quarterly in first year then annual | BS EN 12619:2013  |
| Emergency Flare Stack                | Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>2</sub> ) | 150 mg/m <sup>3</sup>     | Hourly average                      | Annual                              | BS EN 14792   |
|                                      | Carbon monoxide   | 50 mg/m <sup>3</sup>      | Hourly average                      |                                     | BS EN 15058   |
|                                      | Total VOCs  | 10 mg/m <sup>3</sup>      | Hourly average                      |                                     | BS EN 12619:2013<br>Or BS EN 1356:2002 depending on concentration |

## Monitoring

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

See table 1 above.

## **Reporting**

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

Electricity generated, Biomethane generated, CO2 generated, Liquid digestate, Solid digestate, Electricity exported, Biomethane exported, CHP engine usage, CHP engine efficiency

Recovered outputs We made these decisions in accordance with the relevant technical guidance.

## **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.

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points.

A full review of the management system is undertaken during compliance checks.

## **Technical competence**

Technical competence is required for activities permitted.

The operator is a member of the CIWM/WAMITAB scheme

We are satisfied that the operator is technically competent.

## **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,

- Local Authority – Environmental Protection Department
- Local Authority – Planning
- Fire & Rescue
- Director of PH/UKHSA
- Health and Safety Executive
- National Grid

and the way in which we have considered these in the determination process.

## **Responses from organisations listed in the consultation section**

Response received from Public Health Protection Unit.

Brief summary of issues raised: Public Protection have no comments / objections on this consultation.

Summary of actions taken: NA



Response received from UKHSA.

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

Summary of actions taken: NA

Response received from Northumberland County Council.

Brief summary of issues raised: I would confirm that Development Management have No Objection to the above consultation.

Summary of actions taken: NA