

Permitting Decisions- Environment Agency Initiated Variation

We have decided to grant the partial transfer for BIP Environmental (formally Brooks Lane Organics) from BIP Environmental Ltd. to Indaver Solvents Limited.

The permits were issued on 28/04/2025.

Permit number EPR/RP3531LP will continue to be operated by BIP Environmental Limited.

Indaver Solvents Limited will operate the consolidated permit EPR/BS3859IF incorporating the part of permit EPR/RP3531LP that has been transferred. The decisions made regarding the consolidation of EPR/BS3859IF are explained in a separate decision document.

We have also carried out an Environment Agency initiated variation to the permit EPR/RP3531LP operated by BIP Environmental Ltd following a review of the permit in accordance with Environmental Permitting (England and Wales) Regulations 2016, regulation 34(1).

The variation number is EPR/RP3531LP/V012.

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.

A transfer date has been agreed with the new operator as the date on which they will be in control of the facility. This is the effective date of the permit transfer.

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:

- <https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities> and the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance.
- [Waste electrical and electronic equipment \(WEEE\): appropriate measures for permitted facilities - Guidance - GOV.UK](#) and the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance
- [Healthcare waste: appropriate measures for permitted facilities - Guidance - GOV.UK](#) and the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance
- [Waste temperature exchange equipment: appropriate measures for permitted facilities - Guidance - GOV.UK](#) and 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.

Permit application – partial transfer

In addition to implementing the permit review, the partial transfer of the permit also makes the following changes to the permit that were applied for by the operator under application EPR/RP3531LP/T015. The permit is varied to add waste codes: 07 02 17 and 16 03 07* (for storage and sorting/bulking) and 19 03 08* (for storage and onward transfer).

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

Changes to permitted activities

The following table describes and explains the changes made to the permitted activities listed in Table S1.1.

<u>Activity listed in Table S1.1 of the consolidated EPR/RP3531LP permit</u>	<u>Activity description</u>	<u>Activity added/ amended/ removed/ unchanged</u> <u>Previous reference from EPR/RP3531LP/V008 (where applicable)</u>	<u>Additional information</u>
AR1	Section 5.3 Part A(1)(a)(iv) – repackaging of hazardous wastes	Activity amended by permit review (EPR/RP3531LP/V012). Previous reference: A3	Limits of activity updated to reflect current operations on site and to match modern permit template.
AR2	Section 5.3 Part A(1)(a)(iii) – blending and mixing of hazardous wastes	Activity amended by permit review (EPR/RP3531LP/V012). Previous reference: A6	Limits of activity updated to reflect current operations on site and to match modern permit template.
AR3	Section 5.6 Part A(1)(a) – Temporary storage of hazardous wastes	Activity amended by permit review (EPR/RP3531LP/V012). Previous reference: A7	Limits of activity updated to reflect current operations on site and to match modern permit template.

<u>Activity listed in Table S1.1 of the consolidated EPR/RP3531LP permit</u>	<u>Activity description</u>	<u>Activity added/ amended/ removed/ unchanged</u> <u>Previous reference from EPR/RP3531LP/V008 (where applicable)</u>	<u>Additional information</u>
AR4	Directly associated activity – surface water collection and storage	Activity amended by partial transfer application (EPR/RP3531LP/T015) Previous reference: A10	Existing discharge points have been removed by the partial transfer and a new discharge point added. We have therefore reviewed and updated the limits of this activity.
AR5	Directly associated activity – spray painting of containers	Added by the permit review (EPR/RP3531LP/V012)	This is an existing activity. We have added this to the permit as we consider it is a DAA to the repackaging activities because of the potential for emissions.
AR6	Directly associated activity – washing of wheelie bins/ waste containers	Activity amended by permit review (EPR/RP3531LP/V012) Previous reference: A5	Upon reflection of the operator's description of this activity, we consider it is not a scheduled activity because the wheelie bins/waste containers being processed are brought onto site containing waste treated under activities AR1 to AR3 and are emptied prior to cleaning. It is a directly associated activity because of the potential for

<u>Activity listed in Table S1.1 of the consolidated EPR/RP3531LP permit</u>	<u>Activity description</u>	<u>Activity added/ amended/ removed/ unchanged</u> <u>Previous reference from EPR/RP3531LP/V008 (where applicable)</u>	<u>Additional information</u>
			emissions from the washing process.
AR7	Waste operation – R12 D14 repackaging of non-hazardous waste for recovery or disposal	Added by the permit review (EPR/RP3531LP/V012)	This is an existing activity. Non-hazardous wastes were listed for treatment under the corresponding activity for the treatment of hazardous waste. We have added the activity to ensure that the operator as able to continue this operation under the consolidated permit.
AR8	Waste operation – R12 D13 mixing and blending of non-hazardous waste for recovery or disposal	Added by the permit review (EPR/RP3531LP/V012)	This is an existing activity. Non-hazardous wastes were listed for treatment under the corresponding activity for the treatment of hazardous waste. We have added the activity to ensure that the operator as able to continue this operation under the consolidated permit.
AR9	Waste operation –	Activity amended by permit review (EPR/RP3531LP/V012).	Limits of activity updated to reflect current operations on site

<u>Activity listed in Table S1.1 of the consolidated EPR/RP3531LP permit</u>	<u>Activity description</u>	<u>Activity added/ amended/ removed/ unchanged</u> <u>Previous reference from EPR/RP3531LP/V008 (where applicable)</u>	<u>Additional information</u>
	R13 D15 temporary storage of non-hazardous waste pending recovery or disposal	Previous reference: A11	and to match modern permit template.
N/A (removed)	Section 5.3 Part A(1)(a)(v) – recovery of solvents using distillation techniques	Activity removed by partial transfer application (EPR/RP3531LP/T015) Previous reference: A1	Transferred to Indaver Solvents Limited.
N/A (removed)	Section 4.1 Part A(1)(a)(ii) – Polymerisation to produce polyester resin	Activity removed by partial transfer application (EPR/RP3531LP/T015) Previous reference: A2	Transferred to Indaver Solvents Limited.
N/A (removed)	Section 5.3 Part A(1)(a)(ii) – Recovery of waste oils and oil/water mixtures	Activity removed by partial transfer application (EPR/RP3531LP/T015) Previous reference: A4	Operator indicated activity is no longer happening and it has been removed from the permit.
N/A (removed)	Directly associated activity – Compaction of solid non-hazardous wastes by crushing and bailing	Activity removed by permit review (EPR/RP3531LP/V012) Previous reference: A8	The operator has explained this activity has never commenced and it has been removed from the permit.

<u>Activity listed in Table S1.1 of the consolidated EPR/RP3531LP permit</u>	<u>Activity description</u>	<u>Activity added/ amended/ removed/ unchanged</u> <u>Previous reference from EPR/RP3531LP/V008 (where applicable)</u>	<u>Additional information</u>
N/A (removed)	Directly associated activity – Use of boilers and furnaces for supplying heat/steam	Activity removed by partial transfer application (EPR/RP3531LP/T015) Previous reference: A9	Transferred to Indaver Solvents Limited.
N/A (removed)	Waste operation – R5 D9 shredding of solid non-hazardous waste for recovery or disposal	Activity removed by permit review (EPR/RP3531LP/V012) Previous reference: A12	The operator has explained this activity has not started and it has been removed from the permit.

The main activities taking place on site are repackaging, consisting of:

- bulking of liquids in the Bulk Bay using a pump to transfer liquids from one container to another.
- bulking of sludge residues in the Hopper Shed.
- the sorting of solid wastes and repackaging of wastes in the Warehouse.
- twirling of wheelie bins and subsequent sorting of the solid (hazardous) wastes.

Mixing and blending; consisting of:

- loading of compatible wastes meeting the specifications of a cement kiln into road tankers for onward transfer in the tanker loading area.
- consolidation of compatible wastes in the bulk bay to facilitate onward transfer for recovery or disposal.

Temporary storage ahead of onward transfer and consolidation of wastes for transfer without removal from their original packaging. The activities are further described in the document '*BIPE - Waste Activity Process Flows*' submitted by BIP Environmental Limited on 26/02/2024 in response to our request for information and locations are described in the site plan in Schedule 7 of the permit.

Emission Points

Emission points removed

All of the emission points listed under schedule 4 in Tables S4.1 and S4.2 have been removed from the RP3531LP permit as a result of the partial transfer application made by the operator. The equipment associated with point source emissions to air including waste solvent storage tanks have been transferred to the new operator. None of the discharge locations listed previously in Table S4.2 of EPR/RP3531LP/V008 relate to the discharge of surface water/process effluent from the BIP Environmental site.

Emission points added

Wet scrubber and paint spray booth:

The operator uses a wet scrubber to abate VOC emissions from the vacuum loading of organic wastes into road tankers. We consider the use of a wet scrubber to be BAT.

The paint spray booth is used to spray paint containers prior to their use in transferring waste off-site. This takes place in a building and emissions are abated using a fabric filter. The paint is primarily water-based and the volume of paint used is approximately 800 litres per year.

We have added both emission points to the permit as both operations already existed and we consider they constitute point source emissions that should be listed in the permit.

Discharge to foul sewer:

The operator indicated that they were applying for a discharge consent to discharge effluent to foul sewer prior to the takeover of the site by Indaver. It appears that the discharge consent was granted by United Utilities but the environment permit was not varied at the time to include the discharge. The site has subsequently been renovated to improve bunding and drainage infrastructure across areas damaged by a fire in 2021.

We have decided to permit the discharge of site surface water run-off and uncontaminated run-off from bunded areas. Contaminated run-off and effluent discharged from the washing of wheelie bins will be collected and transferred off-site by road tanker. Our reasons for adding the discharge under this application (EPR/RP3531LP/T015) are as follows:

- After the renovation to bunded areas and impermeable surfacing, discharge of surface water run-off is required by the operator to prevent build up of surface water on site which could result in a greater consequence to the environment.

- Surface water run-off passes through an oil/water interceptor prior to discharge. Run-off from bunded areas is collected and assessed prior to discharge (via the interceptor). The discharge is mostly uncontaminated rainwater and therefore the environmental risk of permitting the discharge is low.
- The discharge is controlled by a trade effluent discharge consent with United Utilities who carry out regular inspection of the discharge.
- The application (EPR/RP3531LP/T015) included a fee for the variation of the permit as per our guidance Environmental permits: when and how you are charged - GOV.UK.

We have added the requirement to carry out a visual inspection prior to discharge of the effluent for oil and grease and a limit in the permit to ensure that the operator may not discharge the effluent if there are visible signs of contamination.

EWC waste codes and tables

Waste code tables

We have reviewed the tables of EWC waste codes present in schedule 3 of the permit (last updated in EPR/RP3531LP/V008) and have made the following changes after consulting with the operator:

<u>Activity reference</u>	<u>Activity description</u>	<u>EWC Code Table reference in EPR/RP3531LP/V008</u>	<u>New EWC Code Table Reference</u>
AR1	Repackaging of hazardous waste	S3.3 (hazardous codes) S3.4 (hazardous codes)	S2.3 (bulking of liquids) S2.4 (sorting/repackaging)
AR2	Mixing and blending of hazardous wastes	S3.3 (hazardous codes)	S2.4
AR3	Temporary storage of hazardous wastes	S3.2 (hazardous codes)	S2.5
AR7	Repackaging of non-hazardous waste	S3.3 (non-hazardous codes) S3.4 (non-hazardous codes)	S2.6 (bulking of liquids – non-hazardous) S2.7 (sorting/repackaging non-hazardous)
AR8	Mixing/blending of non-hazardous waste	S3.3 (non-hazardous codes)	S2.8

<u>Activity reference</u>	<u>Activity description</u>	<u>EWC Code Table reference in EPR/RP3531LP/V008</u>	<u>New EWC Code Table Reference</u>
AR9	Temporary storage of non-hazardous waste	S3.2 (non-hazardous codes)	S2.9
N/A removed	Recovery of solvents (removed by partial transfer)	S3.6	-
N/A removed	shredding of containers and washing (shredding of non-haz waste and waste containers non-operational. Washing is a DAA – wastes already accounted for on permit)	S3.5 ^{note 1}	-

Note 1: selected waste codes from Table S3.5 have been added to the repackaging, blending and mixing tables.

These changes ensure that hazardous waste codes are separated from non-hazardous waste codes to make it clearer which wastes are acceptable under which activities. The operator indicated repackaging takes place through several distinct processes. We have separated the bulking of liquids from the manual sorting of waste in keeping with the existing permit and to ensure that the wastes are processed appropriately.

Additional waste codes

We have added the following waste codes to the permit as a result of the partial transfer application (including variation) made by the operator:

- 07 02 17 waste containing silicones – sorting (S2.3) and storage (S2.4).
- 16 03 17* metallic mercury – sorting (S2.3) and storage (S2.4).
- 19 03 08* partly stabilised mercury – storage only (S2.4).

The operator has described the repackaging of waste containing silicones as the sorting of tubes of material that can be sorted for onward disposal. The operator has described the repackaging of waste containing metallic mercury as the sorting of individual laboratory smalls and segregation from other laboratory smalls.

We are satisfied that the operator will store and treat (repackage) the wastes in accordance with the requirements of the relevant appropriate measures' guidance.

Removal of waste codes/amendment of waste code tables

We queried several waste codes that were in the existing permit with the operator as we considered they may not be suitable for the proposed treatments due to the potential environmental risk of treating the wastes. The operator has agreed to only store, and not repackage (separate from their original packaging), or remove from the permit completely, the following wastes:

- 11 01 98 other wastes containing dangerous substances
- 13 01 01* hydraulic oils containing PCB's
- 13 03 01* insulating oils or heat transmitting oils containing PCB's
- 18 01 01 sharps (except 18 01 03)
- 18 01 04 wastes whose collection and disposal is not subject to special requirements in order to prevent infection (for example dressings, plaster casts, linen, disposable clothing, diapers)
- 18 01 08* cytotoxic and cytostatic medicines.
- 18 01 09 medicines other than those mentioned in 18 01 08
- 18 01 10* amalgam waste from dental care.
- 18 02 01 sharps (except 18 02 02)
- 18 02 03 wastes whose collection and disposal is not subject to special requirements in order to prevent infection
- 18 02 07* cytotoxic and cytostatic medicines
- 18 02 08 medicines other than those mentioned in 18 02 07

We have removed the following waste codes from Tables S2.2 and S2.3 as we consider that these wastes should not be removed from their original packaging:

- 16 01 11* brake pads containing asbestos
- 16 02 12* discarded equipment containing asbestos

The operator reviewed the list of wastes and we have additionally agreed with the operator the following amendments described in the table below:

<u>EWC code</u>	<u>Added/removed/amended</u>	<u>Table reference</u>	<u>Additional information</u>
020101	removed	S2.8	Not required in this table
020103	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020104	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020107	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020109	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8

<u>EWC code</u>	<u>Added/removed/amended</u>	<u>Table reference</u>	<u>Additional information</u>
020201	removed	S2.8	Not required in this table
020203	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020204	removed	S2.8	Not required in this table
020301	removed	S2.8	Not required in this table
020304	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020305	removed	S2.8	Not required in this table
020501	removed	S2.8	Not required in this table
020502	removed	S2.8	Not required in this table
020601	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020602	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
020603	removed	S2.8	Not required in this table
020701	removed	S2.8	Not required in this table
020705	removed	S2.8	Not required in this table
040209	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
040210	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
040215	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
040219*	removed	S2.4	Not required in this table
040220	removed	S2.8	Not required in this table
040221	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
060802	removed	S2.9	Not required in this table
070107*	removed	S2.4	Not required in this table
070109	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
070110	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
070112	added	S2.7	Added from Table S3.5
070207*	removed	S2.4	Not required in this table
070209*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070210*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070213	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
070214*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070216*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070307*	removed	S2.4	Not required in this table
070310*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070319*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070413*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070507*	removed	S2.4	Not required in this table
070513*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.

<u>EWC code</u>	<u>Added/removed/amended</u>	<u>Table reference</u>	<u>Additional information</u>
070514	amended	S2.7	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
070607*	removed	S2.4	Not required in this table
070707*	removed	S2.4	Not required in this table
070711*	added	S2.2	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
080115*	added	S2.2, S2.3, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
080119*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
080202	removed	S2.8	Not required in this table
080307	removed	S2.8	Not required in this table
080314*	removed	S2.4	Not required in this table
080315	removed	S2.8	Not required in this table
080411*	removed	S2.4	Not required in this table
080412	removed	S2.8	Not required in this table
080501*	added	S2.2	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
090107	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
090108	amended	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
110116*	removed	S2.4	Not required in this table
120107*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
120109*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
120110*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
120119*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
120301*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
120302*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130105*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130110*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130111*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130112*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130205*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130206*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130207*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130208*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130307*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130308*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.

<u>EWC code</u>	<u>Added/removed/amended</u>	<u>Table reference</u>	<u>Additional information</u>
130309*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130310*	added	S2.2, S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130506*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
130507*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
140602*	added	S2.2	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
140603*	added	S2.2	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
140604*	added	S2.3	Present in Table S3.2 in previous permit and appropriate for proposed treatment.
140605*	added	S2.3	Present in Table S3.2 in previous permit and appropriate for proposed treatment.
150202*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
150203*	removed	S2.5	Not required in this table
160107*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
160708*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
160709*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
161004	added	S2.9	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
170507*	added	S2.5	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
190207*	added	S2.4	Present in Table S3.5 in previous permit and appropriate for proposed treatment.
190904	removed	S2.8	Not required in this table
190906	added	S2.8	more suitable waste code than ion exchange resins 110116* which will not be blended or mixed.
200131*	amended	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
200132	added	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
200133*	added	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
200134	added	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
200135*	added	S2.3	Considered solid not liquid waste so added to S2.3 not S2.2 or S2.4.
200136	added	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
200139	added	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8
200140	added	S2.7	Considered solid not liquid waste so added to S2.7 not S2.6 or S2.8

Improvement and pre-operational conditions

Improvement conditions

We have reviewed the improvement conditions present in the previous permit version (EPR/RP3531LP/V011) and considered if they are still required, are superseded by the appropriate measures guidance, or superseded by an improvement condition we have added to the permit as a result of the permit review. We have made the following changes:

- Improvement conditions IC8, IC9, IC10, IC11, IC12 and IC13 have been marked as superseded by the appropriate measures' guidance listed in Table S1.2 which the operator is required to adhere to. In response to our requests for information, the operator provided us with information relating to storage (and repackaging/blending and mixing where applicable) of waste gas cylinders, aerosols, waste batteries and waste laboratory smalls. We consider that these processes are satisfactory. The operator also provided us with descriptions of the repackaging and blending and mixing processes. We have added these techniques to Table S1.2.
- Improvement condition IC7 and IC17 are superseded by IC20 that we have added to this permit. IC7 and IC17 relate to bunding/storage of flammable liquids and rainwater provision respectively. IC20 requires the operator to review containment across the site and ensure compliance with the relevant CIRIA, HSE and EEMUA guidance listed in section 4 of the permit (including procedures for handling rainwater and procedures to prevent fire spreading).
- Improvement conditions IC14 to IC16 have been removed from the permit as they relate to the part of the permit that has been transferred to the new operator (Indaver Solvents Limited).
- Improvement conditions IC18, IC19, IC20 and IC21 have been added as a result of the permit review and are explained fully in Table 1.

Pre-operational conditions

We have removed all pre-operational conditions from the permit for the reasons explained below:

- Pre-operational conditions PO1 to PO4 and PO6 have been removed because, following a major incident at the site in 2021, the waste storage infrastructure on site was reviewed and a large proportion replaced with new, upgraded infrastructure. This makes it complicated to assess which areas are now compliant with these conditions and which are not. The inclusion of improvement condition IC20 in the permit will ensure that the renovation is completed for all areas of the site (included those not impacted by the incident) and bring the waste storage measures into compliance.

- Pre-operational conditions PO5 and PO7 have been removed after the operator supplied details of the storage of waste gas cylinders and aerosols and the washing of wheelie bins in response to our requests for information. The conditions are also superseded by the appropriate measures guidance which the operator is committed to.
- Pre-operational conditions PO8 and PO9 have been removed after the operator confirmed they have no intention of carrying out shredding or bailing of non-hazardous wastes.
- Pre-operational condition PO10 relates to the part of the permit that has been transferred to Indaver Solvents Limited.

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 18 November 2020, Chemical 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 chemical waste, providing relevant standards (appropriate measures) for those sites and incorporating the relevant requirements of the BAT Conclusions. Similarly, the following guidance that is relevant to the activities taking place on site has also been published on gov.uk:

- Healthcare waste: appropriate measures for permitted facilities - published 13 July 2020.
- Non-hazardous and inert waste: appropriate measures for permitted facilities - published 12 July 2021.
- Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities – published July 2022.
- Waste transfer exchange equipment: appropriate measures for permitted facilities – published July 2022.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 17/11/2021 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.

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 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 response from the Operator was received on 01/03/2022.

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

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 further information on 26/02/2024 and 16/01/2025. We made a copy of this information available on our public register.

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

Appropriate measures	Compliance status	Assessment of the installation’s compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
General management appropriate measures	CC	The operator identified several improvements relating to general management in their initial response which have now been rectified as stated in the response received on 26/02/2024 to our request for information dated 26/01/2024. 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.
Waste pre-acceptance, acceptance and tracking appropriate measures	CC	The operator stated in their response that they are compliant with this section of the measures. We have no reason to consider that the operator is not currently compliant with the measures stated 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.
Waste storage, segregation and handling appropriate measures	FC	<p>The operator has introduced several procedures into their management system such as procedures for suitable storage of aerosols and lab smalls as per the appropriate measures guidance. We have assessed these as they relate to previous improvement conditions in the permit (see summary under improvement and pre-operational conditions section above).</p> <p>The operator explained that waste is currently mixed in road tankers. We consider this is not in compliance with measure 4.63 ‘You must make sure that tankers are not used as blending or reaction vessels as this is not their designed purpose’ and could lead to incidents if the wastes react. We have added IC21 to the permit to ensure that the operator reviews this activity and proposes alternative methods to blend and mix the wastes. The operator will need to vary their permit to account for any major changes in infrastructure as per the permit conditions.</p> <p>The operator stated in their response that some waste is stored in fibre or cardboard packaging and covered with polythene pallet covers to prevent water ingress in contradiction to measure 4.8. We understand that this waste is non-hazardous and inert waste and therefore the measure does not apply. Hazardous waste is stored in containers (IBCs, drums or suitably weatherproof WEEE storage units) or in the dedicated building(s) (if it is sensitive to light, heat, moisture etc.) with the exception of waste stored from the repackaging of wheelie bins which is initially stored in open-topped containers prior to transfer to more suitable containers for long-term storage. We consider this is not in compliance with measure 4.11 and have added IC18 which requires the operator to review their procedures to ensure</p>

		<p>that hazardous waste is not stored in open-topped containers.</p> <p>The operator stated that they do not have VOC leak detection systems on site (in contradiction to measure 4.13) as (some) VOC containing wastes are stored outside. Whilst ideally wastes should be stored inside a building/under cover, this is not always practical and not an absolute requirement of the appropriate measures (providing they are stored in suitable containers and are not sensitive to exposure to weather extremes). The purpose of measure 4.13 is to ensure that sites have suitable provisions in place to prevent fire. This is captured by IC20.</p> <p>After a previous incident, the operator has rebuilt part of the site's bunding and tertiary containment to the required standards as set out in section 4 of the chemical waste: appropriate measures guidance. The operator has acknowledged that the older parts of the site are not built in accordance with the guidance and has explained their commitment to upgrading their older infrastructure. We have added IC20 to the permit requiring the operator to review their bunding and containment measures and to ensure compliance with standards set out in section 4 of the appropriate measures.</p> <p>Compliance with the rest of the appropriate measures in this section of the guidance to which an improvement condition has not been applied, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Waste treatment appropriate measures	FC	<p>The operator stated they are not compliant with sections 5.1.2 and 5.1.6-5.1.8 and explained that the operations taking place on site they do not consider to be 'treatment'. The activities taking place on site consist of repackaging, sorting and consolidating waste and blending and mixing of compatible wastes. Therefore, whilst the operator does 'treat' the waste, the treatment is not designed to result in a reaction of the wastes. The operator carries out scaled laboratory testing to ensure that any mixing or blending of wastes will not result in a reaction. The operator has in place flow diagrams describing their treatment processes and controls. We therefore consider the operator is compliant with the relevant parts of 5.1.2 and 5.1.6 to 5.1.8.</p> <p>Whilst there is abatement on VOCs emitted from the vacuum loading of liquids to tankers, there is no abatement currently fitted on the bulk bay where chemically compatible materials are blended and mixed. The bulk bay is also covered but not enclosed as required by measure 5.1.10. We have added IC 21 to the permit to ensure that the operator reviews their procedures for blending and mixing of waste in the bulk bay and implements improvements to the process as required by the appropriate measures' guidance.</p> <p>Compliance with the rest of the appropriate measures in this section of the guidance to which an</p>

		improvement condition has not been applied, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Emissions control appropriate measures	FC	<p>The operator stated that they are compliant with the requirements of this section (but did not provide any further comment). Point source emissions from the facilities include emissions from the vacuum loading of wastes into tankers and from paint spraying of waste containers for re-use (with water-based paints). These are suitably abated using a wet scrubber and a fabric filter abatement system respectively. There is the potential for fugitive emissions of VOCs/odour to arise from the bulk bay (which is covered but not enclosed) where blending and mixing of hazardous and non-hazardous wastes are carried out, and from the washing of waste containers (wheelie bins) containing residues of hazardous and non-hazardous wastes. Measures 6.2.2, 6.2.3 and 6.2.10 make it clear that fugitive emissions must be prevented where possible. We have added IC 21 to the permit to ensure that the operator reviews their procedures and implements any improvements to achieve compliance with the appropriate measures.</p> <p>Compliance with the rest of the appropriate measures in this section of the guidance to which an improvement condition has not been applied, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Emissions monitoring and limits appropriate measures	CC	<p>The operator stated they are compliant with the requirements of this section. The operator stated that there are no emission limits and monitoring specified in the permit that relate to activities taking place on site (see comment on emission points above). We agree that the BAT-AELs do not apply to the treatments taking place on site (blending and mixing and repackaging) as these processes are not included in the specific waste treatment processes listed in the Waste Treatment BAT Conclusions to which the limits apply so compliance with these limits is not required.</p> <p>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>
Process efficiency appropriate measures	CC/FC	<p>The operator stated that they are not currently reviewing energy use or water use at BIP Environmental and there are no raw materials used. The operator stated that the amount of energy and water used on site is minimal. We agree that usage of energy and water for operations is likely to be minimal, but the operator is still required under IED and under the appropriate measures to review their facilities to ensure they are as efficient as possible. The partial transfer of the permit under application EPR/RP3531LP/T015 which has been co-determined alongside the review (EPR/RP3531LP/V012) will mean that it will be clearer what the energy and water requirements of the permitted activities are. We will then be able to discuss any potential improvements to the efficiency of the operations with the</p>

		operator as part of our compliance work. 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.
Reg 61 requirement	Assessment of response received	
Soil and groundwater risk assessment	The operator stated that they are carrying out soil and groundwater surveys as per the requirements of their permit (every 5 years for groundwater and 10 years for soil) – although they acknowledged that this work was overdue for the BIP Environmental site. Ongoing compliance with this condition will be regulated through our compliance work.	
Medium combustion plant and specified generators	There are no combustion plant or generators operating at the site.	
Climate change	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.	
Summary of response to other appropriate measures guidance	Assessment of response received	
Healthcare waste	<p>The operator stated that in their response that they are compliant with these measures and state that they store non-infectious wastes only pending transfer off-site. We queried healthcare waste codes such as 18 01 01 on the permit under repackaging and blending and mixing activities which the operator agreed to remove. Repackaging of healthcare waste will not involve removing the waste from its original packaging and just for consolidation onto a pallet or vehicle for onward transfer. Healthcare waste is stored in the building segregated from other wastes as appropriate. We do have concerns around bunding and containment across the site as a whole (note: there is no treatment of healthcare waste, so emission control is not relevant) but these are addressed by the improvement programme as stated above under the relevant sections of our assessment of the response to the chemical waste: appropriate measures for permitted facilities guidance.</p> <p>Compliance with the 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>	
Non-hazardous and inert	The operator stated that in their response that they are compliant with these measures. Non-hazardous waste is stored	

waste	<p>alongside hazardous waste (i.e. in the same building, banded areas subject to the requirements for the specific types of waste accepted) and is subjected to a similar level of scrutiny. We do have concerns around bunding and containment and emissions control across the site as a whole, but these are addressed by the improvement programme as stated above under the relevant sections of our assessment of the response to the chemical waste: appropriate measures for permitted facilities guidance.</p> <p>Compliance with the 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>
Waste electrical and electronic equipment (WEEE)	<p>The operator stated in response to our request for information (dated 25/11/2024) received on the 16/01/2025 that they are compliant with these measures. The site is permitted to manually sort some types of WEEE prior to storage and onward transfer. In response to our request, the operator described how different types of WEEE are stored in compliance with the appropriate measures. This response was made available on the public register and is referenced in Table S1.2. We do have concerns around bunding and containment across the site as a whole (note: there is no treatment of WEEE other than manual sorting so emission control is not relevant) but these are addressed by the improvement programme as stated above under the relevant sections of our assessment of the response to the chemical waste: appropriate measures for permitted facilities guidance.</p> <p>Compliance with the 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>
Waste temperature exchange equipment (WTEE)	<p>The operator stated in response to our request for information (dated 03/04/2025) received on the 09/04/2025 that the site only stores WTEE and there is no treatment. The appropriate measures for WTEE are still applicable. The operator has had the opportunity to state any measures they are not currently complying with. We have no reason to consider that the operator cannot currently comply with any of the measures (except those already covered by the improvement programme upon review of the chemical waste: appropriate measures for permitted facilities).</p> <p>Compliance with the 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>

Application made by the operator

This section summarises the key issues that we considered in relation to permit application EPR/RP3531LP/T015, which was made by the operator on 04/07/2024 and separate to the permit review detailed above.

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.

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' and 'Appendix 1 of RGN 2 'Interpretation of Schedule 1'. We have summarised our decisions in the key issues section of this decision document.

The extent of the facilities are 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 including the discharge points.

The plan is included in 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

The improvement programme has been updated by the issue of the consolidated permit. This is explained in the Key Issues section of this document.

Waste Codes

The EWC Waste code tables have been updated by the issue of the consolidated permit. This is explained in the Key Issues section of this document.

Emission limits

Emission limits relating to activities partially transferred as a result of the application made by the operator have been removed from the permit. This is explained in the Key Issues section of this document.

Monitoring

Monitoring requirements relating to activities partially transferred as a result of the application made by the operator have been removed from the RP3531LP permit. We have added the requirement for a visual assessment of the discharge to foul sewer to ensure it is not contaminated with oil or grease. These points are explained in the Key Issues section of this document.

Reporting

Reporting requirements relating to activities partially transferred as a result of the application made by the operator have been removed from the RP3531LP permit.

Operator

We are satisfied that the applicant the permit is being transferred to (now the Operator) is the person who will have control over the operation of part of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

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.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.

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.

Financial competence

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

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.