

## Permitting Decisions- Variation

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We have decided to grant the variation for Clearwater DC 2001 Ltd operated by Clearwater DC 2001 Limited.

The variation number is EPR/FB3708UK/V002.

The permit was issued on 08/07/2025.

The variation is for the introduction of a hazardous waste repackaging and temporary storage of hazardous waste activity. The facility is now an installation having previously being permitted as a waste transfer operation. The facility is an installation because the repackaging and storage of hazardous waste exceed the Industrial Emissions Directive (IED) thresholds. This variation adds the following scheduled activities to the permit:

- Activity reference AR1 (in Table S1.1): Section 5.3 A1 (a) (iv) - Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving repackaging prior to submission to any of the other activities listed in this Section or in Section 5.1.
- Activity reference AR2 (in Table S1.1): Section 5.6 A1 (a) - Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes.

### **Brief description of the hazardous waste repackaging and storage activities (AR1 to AR3):**

Hazardous spent activated carbon waste arrives on site in vessels (tanks), sealed bags and containers. On arrival, waste is inspected and, if there are any non-conformities identified against waste consignment notes, then the waste is quarantined in a designated area. The non-conformities are logged, and waste is rejected pending return to the producer.

Before waste is accepted, representative samples are taken and sent for laboratory analysis. The waste is stored in a designated reception bat until laboratory results are returned. Following successful acceptance checks, waste is taken to the designated repackaging area located outside. Waste is removed from its primary container and the contents are transferred into Fabric Intermediate Bulk Bags (FIBCs). The transfer of waste is undertaken in an enclosed condition, under plastic sheeting placed between the tanker and FIBCs to prevent and minimise escape of dust.

Waste is transferred from tanks by suction to a Disab vacuum tanker. Once full, the tanker is lifted vertically and waste is discharged from the tanker outlet to

FIBCs. At this stage, bags are connected directly to the Disab outlet to prevent dust release. Once repackaging is complete, the sealed bags are transferred by forklift to designated hazardous waste storage areas inside a building. Consignment notes are generated for repackaged waste and the waste is transferred to an appropriate regeneration, or disposal facility.

The repackaging and storage activities take place on a secondary contained area within a sealed drainage system.

#### **Non-hazardous waste operation (AR4):**

Clearwater DC 2001 facility accepts non-hazardous spent activated carbon waste in addition to the hazardous waste activities described above. Non-hazardous waste arrives on site in sealed vessels and undergoes acceptance checks in accordance with non-hazardous waste acceptance procedures. Waste is rejected if it is incorrectly coded prior to acceptance. Waste that is accepted is transferred to the outside storage area prior to repackaging. Repackaging involves transferring waste from vessels into plastic lined bags which are then sealed. Following repackaging, waste is transferred to a designated non-hazardous storage bay within the building. Hazardous and non-hazardous wastes are stored separately and are not mixed.

Waste transfer notes are created for the repackaged waste where it is stored pending shipment to an appropriate regeneration or recovery facility. Where recovery is not possible the waste is sent to an appropriate disposal facility.

The facility does not have any point source emissions to air or land. Uncontaminated water from roofs and non-operational areas is discharged off-site via a three-stage interceptor via emission point W1. Water generated by washing of containers is discharged to the foul sewer via emission point S1.

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

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- shows how we have considered the [consultation responses](#).

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**

### **Consideration of BAT 14d - containment, collection and treatment of diffuse emissions:**

Repacking activities are undertaken outside in a dedicated area. The repackaging processes are as follows:

Activated carbon waste arrives in sealed primary container tanks. The waste from the tanks is transferred from the outlets into Fabric Intermediate Bulk Bags (FIBCs). The discharge process could give rise to dust emissions if not controlled and the risk mitigated. To prevent and where not practicable minimise a release of dust, the Operator submitted procedures document ref: CWTFS/SWP/023, dated 20/10/2022 demonstrating how the process (transfer/decanting) is undertaken. During the transfer process, plastic sheeting is placed around and between tank outlets and FIBCs to minimise potential releases of dust during the operation. Drop heights are minimised with bags placed directly underneath tank outlets.

Waste is then transferred via vacuum to a Disab tanker (Disab tankers are road tankers with an integral vacuum unit). Once the Disab tank is full, the tanker is raised for discharging. FIBCs are directly attached, clamped and sealed to the Diab tanker outlet to prevent release of dust during the process.

The Waste Treatment BAT conclusion 14d details techniques that should be implemented to prevent or, where that is not practicable, to reduce diffuse emissions to of dust. The Operator has provided details of procedures and measures they have in place to meet the containment requirements (see document ref: CWTFS/SWP/023). The facility also has an approved Dust Emissions Management Plan (DEMP) which forms part of the permit (See Table S1.3 of the permit) that the Operator must follow to further control dust emissions. In addition to the these, the permit contains conditions 3.2.1 and 3.2.2 requiring the Operator to not cause pollution.

Based on the information provided by the Operator, and conditions and limitations in the permit, we are satisfied that the measures and procedures in place at the site will prevent or where not practicable, minimise diffuse emissions of dust.

### **Emissions to sewer (emission point S1):**

Clearwater DC 2001 Limited has a washing area at the facility which is used in washing containers prior to reuse in the repackaging process. Wash water is discharged to sewer (S1) under a trade effluent consent issued by Anglian Water.

We have included an improvement condition IC1 (see Table S1.3 of the permit) which requires the Operator to monitor emissions to sewer through a programme of effluent sampling and analysis. The emission to sewer is existing but has not been included on the permit prior to this variation. The improvement condition aims to verify that there are no substances of concern present in the effluent that are liable to cause pollution.

The Operator is required to submit a report of the sampling results and to complete H1 screening of any pollutants identified, comparing the pollutant concentrations against the relevant environmental quality standards (EQS). Based on the results of the monitoring programme and H1 screening/assessment, the Operator required to include in the report, a proposal for improvements to be implemented, together with a timescale for implementation.

It is important to note that there are no appropriate BAT-AELs relevant to the repackaging operations, therefore emission limits have not been set on the permit at this time.

If improvements require a variation to the current permit conditions, then the Operator is required to vary the permit on completion of IC1.

## **Decision considerations**

### **Confidential information**

A claim for commercial or industrial confidentiality has not been made.

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

### **Identifying confidential information**

We have not identified information provided as part of the application that we consider to be confidential.

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

## Consultation

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Local Authority environmental protection department
- Health and Safety Executive (HSE)
- Local fire service
- Sewage undertaker (Anglian Water Services Limited)

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

## 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'.

The extent of the facilities is defined 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.

The plan is included in the permit.

## Site condition report

The operator has provided a description of the condition of the site, which we consider is not satisfactory.

We have reviewed the site condition report submitted by the Operator. We are satisfied that details of environmental setting including geology, hydrogeology and surface waters were supplied as part of the condition report and pollution history has been identified. However, the facility is situated on land historically operated as the steel works as such there is the possibility of historical

contamination. The Operator did not submit any baseline reference data as part of this variation application.

The Operator is not necessarily required to collect baseline reference data as part of the application. However, at sites where historic contamination may be an issue, they may choose to establish baseline conditions that can be referred to at surrender. Without this it may be difficult for them to prove that they have not caused the contamination. The Operator is aware of this liability and has chosen not to provide baseline reference data.

The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is 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.

We have not consulted Natural England.

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.

## **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 applicant provided an assessment against the following guidance:

- [The BAT Conclusions for waste treatment, August 2018 under Directive 2010/75/EU.](#)
- [Chemical waste: appropriate measures for permitted facilities - Guidance - GOV.UK.](#)
- Dust Emissions Management Plan (DEMP) - [Control and monitor emissions for your environmental permit - GOV.UK.](#)
- Fire Prevention Plan (FPP) - [Fire prevention plans: environmental permits - GOV.UK.](#)

The BAT assessment identified the relevant conclusions and provided a response on how the techniques are implemented for the relevant activities.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **Fire prevention plan**

We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.

The plan sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.

The fire prevention measures in place at the facility include but are not limited to the following;

- Fire walls located between storage bays to isolate waste piles.
- Fire detection systems including Linear Heat Detection Cable (LHDC) with digital monitoring is installed in the carbon waste storage area.
- Out-of-hours monitoring is supported by the CCTV system, which means immediate inspection of the storage area can be carried out remotely and the necessary action instigate
- Any potentially contaminated carbon is placed in isolation within the quarantine containers reducing the risk of fire.
- Prevention takes place by removing any waste that shows signs of heating where it is transferred to quarantine.
- Fire water is available and active fire fighting will only take place by trained individuals.

We have approved the fire prevention plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The plan has been incorporated into the operating techniques S1.2.

## **Dust management**

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit.

The plan has been incorporated into the operating techniques S1.2.

## **Waste types**

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

We made these decisions with respect to waste types in accordance with the WM3 guidance.

## **Improvement programme**

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme condition (IC1/2 in Table S1.3 of the permit) to validate that emissions of wash water from the container wash area are not liable to cause pollution. The discharge is existing but currently not present on the permit. As the emission arise from part of the repackaging process i.e. cleaning of containers for reuse, the discharge is a point source



emission to sewer. IC1/2 aim to ensure that the emissions are fully characterised from this variation onwards.

See Key Issues section above for more details.

## Emission limits

Emission limits have been added as a result of this variation. No visible oil or grease from emission point W1 which is an emission of uncontaminated roof and surface water from non-process/storage areas only. See Table S3.2 of the permit.

## Monitoring

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

- Weekly monitoring of oil and grease from the emission point, W1.
- Monitoring of container wash effluent to sewer from emission point, S1. Monitoring of emissions to sewer is linked to the improvement condition IC1/2.

These monitoring requirements have been included in order to ensure that emissions to surface water and sewer are kept under checks.

We made these decisions in accordance with the chemical waste treatment appropriate measures (<https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>) and waste treatment BAT conclusions (WT BATc).

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

## Reporting

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

- Point source emissions to water (other than sewer). Parameters as listed in Table S3.2 via emission point W1.
- Point source emissions to sewer. Parameters as listed in Table S3.3 via emission point S1.

We made these decisions in accordance with the chemical waste treatment appropriate measures (<https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>)

[measures-for-permitted-facilities](#)) and waste treatment BAT conclusions (WT BATc).

## **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.

## **Technical competence**

Technical competence is required for activities permitted.

The operator is a member of the CIWM scheme.

We are satisfied that the operator is technically competent.

## **Previous performance**

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

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

## **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 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, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

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

Response received from Anglian Water Services Limited (AWSL).

Brief summary of issues raised: No issues raised, AWSL confirms an active trade effluent consent for the site.

Summary of actions taken: No actions taken.

Response received from North Northamptonshire Council Environmental Health (Corby)

Brief summary of issues raised: No issues raised

Summary of actions taken: No actions taken.