

## Permitting Decisions- Environment Agency Initiated Variation

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We have issued an Environment Agency initiated variation for Bow Beck Clinical Waste Treatment Facility operated by Cliniwaste Health South 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/HP3632MR/V005.

### 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 [Healthcare waste: appropriate measures for permitted facilities](#) 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.

# 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

### 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 must be in compliance with the BAT Conclusions within 4 years (i.e. by August 2022).

On 13 July 2020, Healthcare 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 healthcare waste, providing relevant standards (appropriate measures) for those sites and incorporating the relevant requirements of the BAT Conclusions.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 26/03/2024

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, 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 27/06/2024.

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 (summary of information) on 11/04/2025. We made a copy of this information available on our public register.

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
<b>General management appropriate measures</b>	CC	<p>The Operator confirmed that they currently meet the requirements of all appropriate measures 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.</p> <p>Please see 'emissions control appropriate measures' for status of sites Odour Management Plan and Pest Management Plan.</p>
<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	CC	<p>Within the existing permit there is an outstanding improvement condition (IP11 – date of submission to be 19/01/2019) which requires the submission of a written waste tracking/accounting procedure to the Environment Agency for approval. This has never been satisfied but the Operator (who had the permit transferred them on 01/06/2023) has stated that they have a complete tracking system called Trace and they have confirmed that they comply with all the waste pre-acceptance, acceptance and waste tracking appropriate measures. IP11 has been marked as 'withdrawn' as it has been superseded by the appropriate measures, which the Operator complies with.</p> <p>The Operator confirmed that they currently meet the requirements of all appropriate measures 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.</p>
<b>Waste storage, segregation and handling appropriate measures</b>	CC	<p>Within existing permit there is an outstanding improvement condition (IP12 – date of submission to be 19/01/2019) which requires the submission of a written report on the existing waste storage arrangements to the Environment Agency for approval. This has never been satisfied but the Operator (who had the permit transferred them on 01/06/2023) has stated that they comply with the waste storage, segregation and handling appropriate measures. IP12 has therefore been withdrawn as it has been superseded by the appropriate measures, which the Operator complies with.</p> <p>The Operator confirmed that they currently meet the requirements of all appropriate measures 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.</p>
<b>Waste treatment appropriate measures</b>	CC	<p>The Operator confirmed that this is not applicable as they are no longer treating wastes and the activities are repackaging and transfer only.</p>

		<p>During the review period, the Operator confirmed that they had decommissioned their steam disinfection treatment plant (including pre-shredders, emissions abatement equipment and boiler), but that they wished to retain the activity on their permit, as their plans for the site may include a similar operation in the future.</p> <p>We have retained the treatment activity in the permit (and boiler DAA), but have set a pre-operational condition (Table S1.4, PO5) which requires the operator to submit a variation to demonstrate that prior to recommencement of the steam treatment activity, they meet the requirements of the Waste Treatment BAT conclusions, Healthcare Wastes: appropriate measures for permitted sites, and other appropriate measures guidance as applicable.</p> <p>The existing permit also allows (within activity AR8) the compaction of waste. During the review period, the operator confirmed that they are not compacting any waste on site. PO7 has been inserted as a result of the permit review that prior to the recommencement of activity AR8 authorised by table S1.1, the Operator shall apply to the Environment Agency to vary the permit and provide supporting documents in accordance with the requirements of the Healthcare waste: appropriate measures for permitted facilities and other appropriate measures guidance as applicable.</p>
<b>Emissions control appropriate measures</b>	FC	<p>The Operator confirmed that they currently meet the requirements of all appropriate measures in this section. However, following changes to the site regarding the decommissioning of the steam disinfection treatment plant (including pre-shredders, emissions abatement equipment and boiler), and the fact that there is legacy waste on site, we have set an improvement condition (Table S1.3, IC13) for the Operator to provide an up-to-date Odour Management Plan (OMP) for the site. In addition, at the request of Area, an improvement condition (Table S1.3, IC14) has been inserted for the Operator to provide a Pest Management Plan.</p>
<b>Emissions monitoring and limits appropriate measures</b>	CC	<p>The site had two emission points to air, one from the treatment plant activities and one the steam raising boiler. There is one emission point to foul sewer from the treatment process and associated activities (bin washing etc).</p> <p>The Operator had confirmed that they comply with all the emission monitoring and limits. However, as stated above the operator has decommissioned the steam disinfection treatment process, but the activity (and boiler DAA) is retained on the permit. Emission limits and the necessary monitoring have not been set – these are subject to the pre-operational condition PO1. Any replacement equipment may have different emissions characteristics and therefore emissions and necessary monitoring would need to be reassessed.</p>

Process efficiency appropriate measures	CC	The Operator confirmed that they comply with the requirements of all appropriate measures in this section.
Reg 61 requirement	Assessment of response received	
Soil and groundwater risk assessment	The Operator has not submitted any baseline data so they will be accepting that there is zero pre-existing contamination and accepting the risk that they may be required to clean up any pre-existing contamination when the permit is surrendered.	
Medium combustion plant and specified generators	N/A - the Operator confirmed that they had decommissioned their steam disinfection treatment plant (including pre-shredders, emissions abatement equipment and boiler), but that they wished to retain the activity on their permit. There is therefore currently no MCP on 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 other changes made to the permit as a result of our assessment of the Reg 61 response		
Change	Reason for change	
Table S1.1 – Activities	<p><b>AR1</b> - During the review period, the operator confirmed that they had decommissioned their steam disinfection treatment plant (including pre-shredders, emissions abatement equipment and boiler), but that they wished to retain the activity on their permit, as their plans for the site may include a similar operation in the future.</p> <p>We have retained the treatment activity in the permit (and boiler DAA (<b>AR3</b>)), but have set a pre-operational condition (Table S1.4, PO5) which requires the operator to submit a variation to demonstrate that prior to recommencement of the steam treatment activity, they meet the requirements of the Waste Treatment BAT conclusions, Healthcare Wastes: appropriate measures for permitted sites, and other appropriate measures guidance as applicable.</p> <p><b>AR2</b> – We have added in the repackaging of non-hazardous and hazardous waste, despite this activity not being explicitly permitted in the current permit. This is because we've determined (under our definition of repackaging) that the site already carries out this activity. Therefore, the following has been added:</p> <ul style="list-style-type: none"><li>- Section 5.3 Part A(1)(a)(iv) disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving repackaging.</li><li>- Repackaging of non-hazardous waste and non-hazardous offensive waste</li></ul>	

	<p><b>AR5 &amp; AR6</b>– We have made this activity (Bin washing) subject to the requirement set out by pre-operational condition 6 (PO6). The Operator confirmed in an information response (11/04/2025) that no washing of bins takes place on site and therefore we have set a pre-operational condition (Table S1.4, PO6) which requires the operator to review and update their bin washing procedures to ensure they take into account the appropriate measures for bin washing specified in Healthcare Wastes: appropriate measures for permitted sites, and other appropriate measures guidance as applicable. There is also a requirement to provide a copy of the relevant trade effluent consent and a requirement to provide a copy of the updated procedure(s) to the Environment Agency for approval, prior to recommencement of activity AR5 and AR6.</p> <p><b>AR8</b> - During the review period, the operator confirmed that they had decommissioned their steam disinfection treatment plant (including pre-shredders, emissions abatement equipment and boiler), but that they wished to retain the activity on their permit, however, they confirmed in an information response (11/04/2025) that they did not wish to retain the ability to steam treat non-hazardous waste and this has therefore been removed from AR8.</p>
<b>Table S1.3 – Improvement programme requirements</b>	<p>We have added new improvement conditions, which relate to:</p> <ul style="list-style-type: none"> <li>- <b>IC13</b> – Odour management plan</li> <li>- <b>IC14</b> – Pest management plan</li> </ul> <p>The following improvement conditions have been withdrawn:</p> <ul style="list-style-type: none"> <li>- <b>IP11</b> – This existing improvement has been marked as ‘withdrawn’. The Operator has stated that they have a complete tracking system called TRACE and they have confirmed that they comply with all the waste pre-acceptance, acceptance and waste tracking appropriate measures.</li> <li>- <b>IP12</b> – This existing improvement condition has been withdrawn. The Operator has confirmed that they meet all of the waste storage, segregation and handling appropriate measures.</li> </ul>
<b>Table S1.4 – Pre-operational measures for future development</b>	<p>The following pre-operational measures have been added to the permit:</p> <ul style="list-style-type: none"> <li>- <b>PO5</b> - Recommencement of steam disinfection and gas-fired steam raising boiler activities (AR1 &amp; AR3) in table S1.1.</li> <li>- <b>PO6</b> - Recommencement of bin washing (AR5 &amp; AR6) in table S1.1.</li> <li>- <b>PO7</b> - Recommencement of compaction of non-hazardous, non-clinical – human and animal hygiene and offensive waste and compaction of shredded waste (AR8) in table S1.1.</li> </ul> <p>The following pre-operational conditions have been removed from the permit:</p>



	<ul style="list-style-type: none"> <li>- <b>PO1 – PO3</b> – These pre-operational measures have been removed from the permit as they apply to the steam treatment of wastes. This is all information that the Operator will either need to supply with a future variation application and/or equivalent pre-operational measures will be inserted during any future variation.</li> <li>- <b>PO4</b> – This pre-operational measure (washing of containers) has been removed as the Operator believes that this measure applies to the washing of reusable containers (such as sharps containers) and that Cliniwaste do not perform this type of operation and therefore it does not apply to them.</li> </ul>
<b>Schedule 2 – Waste types, raw materials and fuels</b>	<p>Waste code 18 01 06* (chemicals consisting of or containing hazardous substances) has been removed from the permit as requested by the Operator in their Regulation 61 response.</p> <p>The current waste tables (Table S2.2 permitted hazardous waste types and quantities for treatment in autoclaves and subsequent maceration; Table S2.3 permitted hazardous waste types for storage prior to transfer off-site for disposal; Table S2.4 permitted non-hazardous waste types for storage; Table S2.5 permitted non-hazardous waste types for treatment) have been consolidated into:</p> <p>Table S2.2 permitted waste types and quantities for treatment in autoclaves and subsequent maceration; Table S2.3 permitted waste types and quantities for repackaging and storage; Table S2.4 permitted non-hazardous waste types for treatment.</p>
<b>Schedule 3 – Emissions and monitoring</b>	<p>Table S3.1 (Point source emissions to air), Table S3.2 (Point source emissions to sewer, effluent treatment plant or other transfers off-site), Table S3.3 (Fugitive microbial emissions monitoring) and Table S3.4 (Process monitoring requirements) have been updated to insert PO5 and PO6.</p> <p>Table S3.4 (Fugitive bioaerosol emissions monitoring) in the existing permit is now Table S3.3 (Fugitive microbial emissions monitoring) and Table S3.3 (Process monitoring requirements) in the existing permit is now Table S3.4 (Process monitoring requirements) in the revised permit.</p>
<b>Schedule 4 – Reporting</b>	<p>Table S4.1 (Reporting of monitoring data) has been updated to insert PO5 and Table S4.2 (Annual production/treatment), Table S4.3 (Performance parameters) and Table S4.4 (Reporting forms) have been updated to modernise the permit to reflect the conditions contained in our current generic permit template.</p>

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

