Permitting Decisions- Variation

We have decided to grant the variation for Edwin Richards Quarry - Soil Treatment Centre operated by Waste Recycling Group (Central) Limited.

The variation number is EPR/HP3632RP/V005.

The permit was issued on 22/07/2025.

The variation is to:

- Expand bioremediation activities into a new part of the site within the existing permit boundary and add additional supporting infrastructure e.g. biofilter.
- Add soil washing Installation activities for the treatment of hazardous and non-hazardous waste for recovery and disposal.
- Add soil washing Waste Operation for the treatment of non-hazardous waste for recovery.
- Amend preoperational conditions, operating techniques and monitoring in line with expected standards for screening of soil contaminated with bound asbestos.
- Remove waste tonnage split restriction and increase annual tonnage by 30,000 tonnes.
- Increase annual tonnage to 180,000 tonnes.

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

Treatment of soil containing bonded asbestos

Preoperational condition 1

The operator requested under this application that preoperational condition PO1 is removed from table S1.3 of the permit. We have retained preoperational condition PO1 regarding enclosure and abatement of the soil containing bonded asbestos screening equipment and only amended the text for the following reasons.

1) The requirements of the preoperational condition are consistent with the decision made in other permits and subsequent appeals challenging the requirement for enclosure and abatement for waste treatment involving the screening of soils containing bonded asbestos. The Planning Inspector in these similar cases determined that enclosure and abatement is appropriate for waste treatment involving the mechanical screening of soils containing bonded asbestos and the other permits were issue which reflect this. We have amended the text of the Edwin Richards permit preoperational condition in line the text of preoperational conditions in the permits subject to the Planning Inspector's Decision on appeals 636, 651 for Daneshill Soil Treatment Facility & 652 for Maw Green Soil Treatment Facility.

2) The mechanical screening process proposed by the operator may agitate the asbestos containing waste and result in the generation of asbestos fibres. We consider that to carry out this process effectively without endangering human health or without harming the environment, the screener must be enclosed and the air within the enclosure (potentially contaminated with asbestos fibres) must be treated via an abatement system prior to release. This is in line with the Waste Treatment Best Available Technique Conclusions (BAT Conclusions), BAT 14(d). The expected specification for an Enclosed Building with Extraction and Abatement is agreed and incorporated into the permit operating techniques Table S1.2.

   It is also a requirement of the Agency's Chemical Waste appropriate measures guidance (Nov 2020) to minimise fugitive emissions to air. Treatment of the air to remove particulates and asbestos fibres is typically done using filtration. High Efficiency Particulate Air ("HEPA") filters are a commonly available technique to control asbestos fibre emissions and are used at other sites as part of Best Available Techniques ("BAT") for emissions control.

   On this basis the operator must demonstrate they have fully enclosed the mechanical screener and that all air is being suitably treated prior to operation of the mechanical screener.

Improvement condition IC2 - Soil asbestos content

We have inserted improvement condition IC2 into the permit. This condition requires the operator to provide a report on the monitoring undertaken as part of the sampling of the incoming waste and the separated wastes streams, from the operation of the asbestos screening process over the first 4 months of operation. The intention is to require the operator to demonstrate that:

- The mechanical screening process is working as intended in separating the soils from the bonded asbestos waste fraction,
- The screening of soil containing bonded asbestos itself is not creating additional asbestos fibre contamination in the soil and residual waste fractions, and
- The residual waste streams are not increasing in free asbestos fibre contamination and remain suitably low in asbestos contamination to allow reuse without endangering human health or without harming the environment.

This requirement is in line with BAT and appropriate measures guidance which requires the treated output material must meet expectations and be suitable for its intended disposal or recovery route.

Bioremediation process and emission controls

The operator applied to expand their bioremediation process. We have inserted improvement conditions IC4 and IC5 along with process monitoring requirements to review whether the current methodology for bioremediation and emissions control can be further improved and optimised in line with the requirements of BAT and appropriate measures to control emissions.

BAT 14d outlines the requirement to contain, collect and treat diffuse emissions. The BAT Conclusions also outline the requirements to optimise energy and material efficiency. Our Chemical wastes, appropriate measures guidance, 5.1.10 states ‘Where an emission is expected, all treatment or reactor vessels must be enclosed. Only vent them to the atmosphere via an appropriate scrubbing and abatement system (subject to explosion relief)”. We consider the key diffuse emissions from the site’s bioremediation process to be Volatile Organic Compounds (“VOCs”) and dust.

The operator has confirmed that they do not routinely cover the biopiles during bioremediation activities. They have provided additional information on their current operating techniques which includes details of how they minimise fugitive emissions; and data from ambient air monitoring that has historically been carried out for dust and VOCs. The Operator concluded that the options such as covering of biopiles is unnecessary and that their existing operating techniques provide an equivalent level of protection as compared to covering the biopiles.

We have reviewed the operator’s proposals for optimising and controlling the emissions from their process. Bioremediation using uncovered biopiles may be appropriate under specific circumstances however we are not satisfied the operator has provided sufficient justification or representative data in practice to

demonstrate that current bioremediation methodologies continue to be sufficient, and that further measures, for example covering biopiles going forward would not provide a sufficient improvement in regard to process optimisation and emissions control.

The operator has not provided sufficient evidence to demonstrate under variable environmental conditions that the treatment processes parameters and emissions management remains optimised and controlled as much as possible without the need for further mitigation, for example covering of biopiles. We have therefore determined that further evidence is required to demonstrate whether or not the current measures are sufficient or whether further controls such as covering of biopiles could make a significant difference in further optimising the treatment process and controlling emissions in line with BAT.

BAT conclusions for the water washing of excavated contaminated soil

VOC containment and emissions

BAT Conclusion BAT 50 regarding soil washing states in order to reduce emissions of dust and organic compounds to air from the storage, handling, and washing steps, BAT is to apply BAT 14d and to use one or a combination of the techniques given (adsorption, wet scrubbing as described in section 6.1). These abatement systems are listed in section 6.1 of the BAT Conclusions are related to the control of the VOCs associated with the waste containing hydrocarbons.

BAT 50 also states that associated monitoring is given in BAT 8 which lists the requirement for Total Volatile Organic Compounds (“TVOC”) monitoring once every six months in line with EN 12619 standard.

On this site, soil wastes will be assessed to ensure that hydrocarbons and other contaminants are not present at thresholds at which could result in diffuse VOC emissions prior to undergoing soil washing. In addition, the operator will undertake ambient air monitoring for VOC emissions to ensure that their assessment procedures are effective in preventing diffuse VOC emissions. This has been incorporated into the permit through the waste table exclusions stating that waste that are excluded from acceptance for treatment via soil washing are wastes with a contamination threshold that has the potential to release VOC emissions and that waste shall not have a noticeable smell of hydrocarbons in accordance with the Odour Management Plan (Report Ref: K0182-BLA-R- ENV-00006). On this basis monitoring and abatement of the soil washing process is not required.

The abatement of VOC emissions and VOC monitoring associated with hydrocarbon contamination as required by the BAT conclusions is therefore not considered to be appropriate. On this basis the requirement for VOC abatement and monitoring associated the soil washing activities has not been included in

this permit. Controls are applied within the permit to ensure that the operator must check levels of VOCs (and other parameters) as part of the bioremediation process controls.

Dust containment and emissions

BAT 50 states in order to reduce emissions of dust and organic compounds to air from the storage, handling, and washing steps, BAT is to apply BAT 14d and to use one or a combination of the techniques given (fabric filter, wet scrubbing as described in section 6.1). These abatement systems listed in BAT Conclusions, section 6.1 are related to the control of the dust associated with the soil waste onsite.

BAT 50 also states that associated monitoring is given in BAT 8 which list the requirement for dust monitoring once every six months in line with EN 13284-1 standard.

This specific washing of soils treatment process is in the majority a wet process untaken on a batch basis. The risk of dust emissions is considered to be low because the soil wastes are immersed in water for washing. The nature of the process is in line with the dampening process controls outlined in BAT 14e as the process is dampened as part of the process actions. On this basis we are satisfied that the abatement of dust emissions and associated monitoring required by the BAT conclusions are not considered to be appropriate in this circumstance due to the method of treatment.

In addition to this, the operator's fugitive emissions management plan outlines how soil moisture content will be monitored and dampened down to reduce the risk of dust. Where dust is detected, further measures are applied, such as covering of dust sources with sheeting and daily cover consisting of soils with a low potential for dust generation e.g. cohesive wet materials.

Specifically in relation to soil washing it states that the conveyor belt which will load the soil into the soil washing process is fully enclosed and that they will minimise drop height from machinery. Untreated soils (awaiting soil washing) can be covered where appropriate with tarpaulins to prevent dust generation. The stockpiles can be treated with a dust cannon as an additional dust suppressant.

Emission monitoring plan references in schedule 7 of the permit includes ambient air emissions monitoring point for PM10 and dust within the site and at the site boundary. The monitoring and frequency is outlined in the Fugitive emissions management plan. The operator also undertakes visual inspections and uses nephelometers to inform the implementation of dust controls. We have reviewed the fugitive emissions management plan and are satisfied appropriate controls and monitoring are in place to manage dust.

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 Health – Sandwell
- Director of Public Health – Sandwell
- UK Health Security Agency (UKHSA)
- Health and Safety Executive
- Food Standards Agency

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’, Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’.

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

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.

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.

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.

Relevant guidance and BAT reference document include:

- Best Available Techniques (“BAT”) Conclusions for Waste Treatment
- Chemical waste: appropriate measures for permitted facilities

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

Operating techniques for emissions that do not screen out as insignificant

The following indirect emissions via sewage treatment plant to water cannot be screened out as insignificant:

Arsenic, Boron, Cadmium and its compounds, Chloride, Chromium III, Copper, Cyanide, Iron, Lead, Mercury, Nickel, Sulphate, Tin, Trichloromethane.

We have assessed whether the proposed techniques are Best Available Techniques (BAT).

The proposed techniques/emission levels for emissions that do not screen out as insignificant are in line with the techniques and benchmark levels contained in the technical guidance and we consider them to represent appropriate techniques for the facility. The permit conditions enable compliance with relevant BAT reference documents (BREFs) and BAT Conclusions, and Emission Limit Values (ELVs deliver compliance with BAT-Associated Emission Levels (AELs).

Operating techniques for emissions that screen out as insignificant

The following emissions to air and indirect emissions via sewage treatment plant to water have been screened out as insignificant:

Air - Benzene, Ethylbenzene, Naphthalene, Polycyclic aromatic hydrocarbons, Toluene, Xylene.

Indirect emission via sewage treatment plant to water - Mecoprop, Ammonia, Manganese.

We therefore agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Odour management

We have reviewed the odour management plan in accordance with our guidance on odour management.

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

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

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

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

Noise and vibration management

We have reviewed the noise and vibration management plan in accordance with our guidance on noise assessment and control.

Subject to the completion of IC3 (see improvement condition section below), we consider that the noise and vibration management plan is satisfactory and we approve this plan.

We have approved the noise and vibration 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.

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.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.

Waste types

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

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

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

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

Pre-operational conditions

We consider that we need to retain pre-operational condition 1. We have amended the text in Preoperational condition 1 (see key issues section of this document)

Improvement programme

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

Improvement condition IC2 has been added to assess whether the screening of bonded asbestos treatment process affects soil asbestos fibre content. See key issues section for further information.

Improvement condition IC3 – We have assessed the operator's noise impact assessment and are satisfied with the operator's conclusions subject to the requirement for construction of an acoustic barrier. IC3 requires the operator to provide evidence that an acoustic barrier has been installed as per the specification stated in the noise impact assessment.

Improvement conditions IC4 and IC5 have been added to review the controls related to the bioremediation process. See key issues section for further information.

Emission limits

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

<u>Emissions to air from biofilter</u>

Added emission point for biofilter A2.

Emissions point A1 and A2 include limits for TVOC, NH_3, H_2S, dust and Speciated Volatile Organic Compounds in line with the requirements of the BAT Conclusions.

<u>Emissions to air from enclosed building</u>

Added emission point A3 (subject to PO1) for building extraction and abatement of asbestos fibres and particulate matter with a limit for Asbestos fibres (0.1 f/ml) in line with Environment Agency requirements and a limit for particulate dust line with the BAT-AEL requirements of the BAT Conclusions.

Emissions to sewer

Added emissions to sewer MH7 from the soil washing treatment process. Limit added include:

Hydrocarbon oil index (HOI), Arsenic, Cadmium, Chromium, Copper, Nickel, Lead, Zinc, Mercury are BAT-AELs required by the Waste treatment BAT Conclusions

Ambient air

Monitoring requirement for asbestos fibres in ambient air and the associated ELV have been moved from the processes monitoring table in the previous permit version to the ambient air monitoring table S3.3 as the appropriate location for listing this monitoring. This monitoring has also been amended to consolidate the ELV and the requirement for ambient air monitoring within a building and outside to now just become general ambient air monitoring based on the site monitoring location outlined on their monitoring location plans in schedule 7 of the permit and incorporated into the operating techniques table S1.2.

Monitoring

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

Emissions to air from biofilter

Added monitoring emission point for biofilter A1 and A2 including TVOC, NH_3, H_2S, dust, Speciated Volatile Organic Compounds.

Emissions to air from enclosure

Added monitoring of asbestos fibres and particulate matter.

Emissions to sewer

Hydrocarbon oil index (HOI), Arsenic, Cadmium, Chromium, Copper, Nickel, Lead, Zinc, Mercury, Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonate (PFOS) are monitoring requirements added from Waste treatment BAT Conclusions.

Ambient air

Monitoring requirement for asbestos monitoring in ambient air have been moved from the processes monitoring table S3.3 in the previous permit version to the ambient air monitoring table as the appropriate location for listing this monitoring. This monitoring has also been amended to consolidate the requirement for

ambient air monitoring within a building and outside to now just become general ambient air monitoring based on the site monitoring location outlined on their monitoring location plans. References to DM2 for dust and DM3 for VOC are also added which are subject to the completion of improvement conditions (see Key Issues sections for further information).

Process monitoring requirements

Process monitoring has been added to monitor the treatment and abatement processes to ensure they are operated within expected optimal ranges to allow efficient and effective treatment and emissions abatement.

These monitoring requirements have been included in order to comply with the requirement in the relevant technical BAT guidance and appropriate measures, and to consolidate and appropriately relocate the ambient air monitoring requirements in the permit.

Gas temperature and gas flow rate inlet and outlet were changed to weekly as the current biofilter process has not raised compliance concern and sufficient monitoring and process monitoring parameters are in place to determine effective biofilter control.

Soil washing wash water monitoring prior to reuse has been inserted to ensure that wash water is not heavily laden with contaminants when used for washing contaminated soils to prevent contamination of the waste or less effective treatment.

We made these decisions in accordance with Waste Treatment BAT Conclusions and Chemical Waste Appropriate Measures guidance.

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/amended reporting in the permit for the following parameters:

Amended reporting for point source emissions to air to include reference to both Biofilter A1 and A2.

Added reference to emission point from Enclosure A3.

Added reporting for sewer emissions on the basis of adding BAT-AELs to emissions point MH7.

Added reporting for ambient air for asbestos fibres, this was previously reported in the permit but as part of process monitoring not under ambient air emissions.

Added reporting of DM2 for dust and DM3 for VOC subject to improvement condition (see key issues section of this document).

Added reporting for process monitoring as monitoring is required within the permit however no requirement to report was included in the previous version of the permit.

We made these decisions in accordance with Waste Treatment BAT Conclusions and Chemical Waste Appropriate Measures guidance.

Management system

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

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.

Responses from organisations listed in the consultation section

Response received from Sandwell Metropolitan Borough Council

Brief summary of issues raised:

1) New soil treatment area is very close to houses on Portway Road and it is important that residents are protected from noise, dust and odour arising from the operation.
2) Dust management plan or details of the conditions in the Environmental Permit issued by the Environment Agency which adequately demonstrates the measures in place to ensure that there will be no adverse impact on local amenity from dust.
3) Mitigation measures shall be implemented before the development is brought into use.
4) Before the development is brought into use a noise assessment shall be carried out in accordance with BS4141: 2014+A1:2019 to identify and quantify the noise impacts associated with the soil treatment plant.
5) Appropriate mitigation measures to limit noise to nearby residents and may include an acoustic barrier and enclosures for external plant and equipment.
6) The rating level of operational noise from the site, when measured as a 60-minute LAeq between the hours of 07:00 and 23:00, shall not exceed the background 60-minute LA90 by more than 5 dBA on any day. The rating level of operational noise, when measured as a 15-minute LAeq between the hours of 23:00 and 07:00, shall not exceed the background 15-minute LA90 on any day. All measurements are to be taken in accordance with BS4142:2014+A1:2019 at the nearest noise sensitive premises.
7) The noise and vibration, odour management and fugitive emission plans submitted with the application, if implemented, would appear to meet the requirements of the planning permission set out above. We would request that the conditions of the Environmental Permit are no less onerous than those imposed by the planning conditions.

Summary of actions taken:

1) We have reviewed the operator's environmental risk assessment including the measures outlined in their odour, dust and noise management plans and we are satisfied that appropriate mitigation and monitoring measures are in place to prevent emissions arising beyond the permitted boundary.

2) The operator has submitted a fugitive emission management plan which includes dust emissions. We have reviewed the first version of the fugitive emissions management plan and requested that further information and justification was provided on certain aspects. The operator provided a revised fugitive emissions management plan and we are satisfied the mitigation and monitoring measures outlined in their plan are sufficient to manage dust emissions from the processes onsite.

3) All the mitigation measures outlined by the operator in the application are required to be implemented when they undertake the permitted activity. In addition, improvement conditions have been inserted for further monitoring of existing and extension to bioremediation activities to ensure that dust emissions are controlled in practice. If dust emissions are detected above action limits agreed with the Environment Agency, then further mitigation measures need to be proposed to manage dust from the bioremediation process (see key issues section of this document for further information). As for the processing of soil containing bonded asbestos, a preoperational condition had been inserted which requires the operator to demonstrate that prior to undertaking this activity that it is provided with enclosed and abated building to the specification agreed with the Environment Agency.

4) The operator submitted a noise impact assessment. We have reviewed this plan and requested further information. The operator provided a revised plan and we are satisfied with their conclusions subject to the installation of a noise barrier to the specification outlined in their noise impact assessment. We have inserted an improvement condition into the permit requiring the operator to install the noise barrier within the timescale stated in the permit improvement condition.

5) The operator has submitted a noise management plan and noise impact assessment. We have reviewed these submissions and are satisfied that appropriate mitigation measures will be implemented, which include an acoustic barrier.

6) The operator has submitted a noise impact assessment. We have assessed the report and are satisfied the proposals will not result in an adverse impact on nearby receptor, subject to installation of the acoustic barrier required by improvement condition IC3.

7) We have inserted conditions and incorporated operating techniques into the permit to ensure that emissions do not result in a significant impact beyond the

permitted boundary of the site. We are satisfied that the emissions management plan on site meet the requirements of our guidance.

Response received from UK Health Security Agency

Brief summary of issues raised:

1) Emissions of potential concern are of dust, asbestos containing materials, particulate matter and odour from volatile organic compounds (VOCs). We note that residential receptors are located in close proximity to the site, within 100m.
2) Identify a number of mitigation strategies to reduce the potential for off-site emissions, including environmental monitoring for particulate matter (PM10) and sampling for asbestos fibres.
3) Minimise or mitigate public exposure to non-threshold air pollutants and address inequalities (in exposure) and encourage their consideration during site design, operational management, and regulation.
4) Removal of the split hazardous waste could double which could mean mitigation measures need reviewing, particularly as the site is so close to residential receptors.
5) Environment Agency may wish to confirm with the applicant whether there have been any historic nuisance complaints from residential receptors prior to any environmental permit variation.
6) UKHSA has no significant concerns regarding the risk to the health of the local population from the installation. This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.

Summary of actions taken:

1) The operator has submitted a revised fugitive emission management plan and an odour management plan based on the revised proposals. We have reviewed these plans and we are satisfied appropriate measures and monitoring proposals will be in place to effectively manage dust and odour emissions in line with the requirements of our guidance. These measures include two biofilters attached to air extraction system to capture and treat odorous VOC emissions.

With regard to asbestos, this is brought onsite in the form of bonded asbestos in discrete prices within bulk soil waste. Soils contaminated with bonded asbestos requires treatment with an enclosed building served by an abatement system, the specification for which has been agreed by the Environment Agency and incorporated into the permit operating techniques. All soil contaminated with bonded asbestos pieces stored externally are required to be sheeted and dampened to minimise emissions (see limits of activity table S1.1). A preoperational condition has been inserted to the permit which ensure that any

mechanical screening of soil contaminated with bonded asbestos will not take place until the building onsite and emissions abatement meets the specification incorporated into the permit operating techniques table S1.2. See the key issues section of the document for further information.

2) Monitoring of asbestos emissions is undertaken in the permit in the form of monitoring of the abatement system outlet and ambient air emissions monitoring. The operator's fugitive emission management plan, the permit operating techniques and the site emissions monitoring plan also outline the further ambient dust monitoring the operator will implement and outline the actions they will take in the event dust emissions exceed action levels. Dust monitoring is subject to improvement conditions to review emissions in practice to determine if further improvements need to be introduced (see the key issue section of this document for more information). Emission without a limit such as dust and odour should not result in emissions likely to cause pollution beyond the boundary of the site in line with the conditions of the permit with the objective being to prevent and minimise.

3) The operator has outlined a number of strategies for management of dust emissions outlined in their fugitive emissions management plan. These include, but are not limited to, mitigation such as containing high risk activities within an abated building, covering high risk storage only areas, maintain moisture levels, limiting stockpile heights, and road cleaning. They have also specified monitoring measures such as nephelometers alongside visual monitoring for dust to better inform and target the implementation of mitigation. In addition, improvement conditions have been inserted into the permit which require further review of existing and expansion to bioremediation activities to ensure emissions are appropriate controlled, see key issues section for further information. We are satisfied that that appropriate controls are in place to manage dust and that improvement conditions are in place to review controls in practice to ensure they are effective and implement additional control where required.

4) Based on their proposals the operator has submitted revised environmental risk assessments and emission management plans. We have assessed these submissions based on the revised proposal and we are satisfied that the measures represent appropriate measures and best available techniques for the sector.

5) We have reviewed the report from site audits and pollution reporting and we are satisfied that the operator has implemented appropriate techniques to prevent emission offsite and prevent complaints. We have also inserted improvement condition to ensure that emissions are effectively controlled in practice. See the Key Issues section of this document for further information.

6) The permit requires the operator to comply with the requirements of the conditions and operating techniques incorporated into the permit. This includes the incorporation of the relevant sector guidance and industry best practice.