

Permitting Decisions- Environment Agency Initiated Variation

We have issued an Environment Agency initiated variation for Unit 1, Graythorp Industrial Estate operated by Gee Dee Cleansing 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/CP3892LQ/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 <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.

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

Point Source Emissions to Air

Emissions to air may arise from the site as a result of storage and treatment of waste oils containing volatile organic compounds. The site contains two tanks used for storage and treatment which are vented to the atmosphere through vents. Treatments that may release emissions to air include physico-chemical treatment of waste with calorific value undertaken in tanks T1 and T2 by gravity separation which is a section 5.3 Part A(1)(a)(ii) activity in the Environmental Permitting Regulations 2016 to which the Waste Treatment BAT Conclusions apply. The BAT-associated emissions level for channelled emissions of TVOC (total volatile organic compounds) to air from physico-chemical treatment of waste is listed in Table 6.9 of the Waste Treatment BAT Conclusions. Monitoring requirements are listed in BAT 8.

The operator did not submit an up-to-date emissions inventory for the point source emissions to air in their Regulation 61 response in accordance with measure 7.1.1 of the chemical waste: appropriate measures for your permitted facility, so we have added improvement condition IC1a in Table S1.2 of the permit.

The operator did not provide an up-to-date H1 assessment as part of their response to our Regulation 61 notice. We have added improvement condition IC1c in the permit to ensure the operator complies with chemical waste: appropriate measures for your permitted facility condition 6.1.3 '*You must assess the fate and impact of the substances emitted to air, following the Environment Agency's [risk assessment guidance](#)*'.

We have included emission points A1 and A2 in the permit for emissions from tanks T1 and T2, which is used for gravity separation of waste oils for recovery.

Abatement

All treatment and storage tanks at the installation are currently unabated. We consider that the requirement of BAT conclusion 14d – ‘collecting and directing emissions to an appropriate abatement system’, and appropriate measures 4.43 and 6.1.1 from the Chemical Waste: Appropriate Measures for Permitted Facilities guidance, are applicable to cold treatment and storage tanks containing oils due to the potential for emissions of volatile organic compounds (VOCs) and odour.

To address this, we have included improvement conditions IC2a and IC2b in the permit. These conditions require the operator to submit, and subsequently implement, a plan for the installation, maintenance and operation of suitable abatement system(s) for treatment/storage tanks in accordance with sections 4 and 6 of chemical waste: appropriate measures for your permitted facilities.

Emission Limits and Monitoring

Waste treatment activities including ‘physico-chemical treatment of waste with calorific value’ are required to comply with the BAT Conclusions for waste treatment. The BAT Conclusions were published in 2018. The expected date of BAT AEL compliance for existing sites has now passed (4 years after issue publication of BAT Conclusions).

On this basis the Environment Agency is required to insert the BAT AELs outlined in the BAT Conclusions into a permit where it is determined they are appropriate and the BAT AELs will apply on issue of a permit as the timescale for existing site compliance has passed.

We have therefore inserted the BAT-AEL of 30 mg/Nm³ for TVOC (total volatile organic compounds) in Table S3.1 of the permit. This limit is subject to the accompanying notes under Table S3.1. Compliance with both the BAT-AELs and condition 3.5.1 will be assessed by the Environment Agency.

The operator has not provided any monitoring data or evidence to demonstrate compliance with the BAT-AELs’ for emissions to air from their facility. Due to the challenges of monitoring intermittent emissions for oil storage and cold treatment via gravity filtration tank vents, we have provided the opportunity through the inclusion of improvement condition IC1b in the varied permit, for the operator to establish whether the existing emission points A1 and A2 can be monitored to the required standard.

Monitoring of speciated VOCs has been included in the permit to ensure compliance with Waste Treatment BAT Conclusion 3. Inclusion of speciated VOC monitoring ensures that emissions of compounds with carcinogenic, mutagenic or reprotoxic (CMR) properties can be detected and managed appropriately.

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.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on [14/12/2021](#) 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 14/02/2022.

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 01/11/2024, 04/11/2024, 18/11/2024, 11/12/2024, 17/12/2024 and 16/06/2025. We made a copy of this information available on our public register.

Breakdown of information received:

- Response received for questions 2 to 8 of the RFI on 01/11/2024
- Email received regarding registered office address on 04/11/2024
- Response received for EWC waste code tables on 18/11/2024
- Submission of a revised site plan on 11/12/2024
- Response received for waste tonnage activities on 17/12/2024
- Email received on 16/06/2025 with confirmation the BAT-AELs for physico-chemical treatment of waste with calorific value apply and confirmation to add the non-hazardous waste operation

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	<i>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.</i>
Waste pre-acceptance, acceptance and tracking appropriate measures	CC	<i>The operator confirmed that they currently meet the requirements of the 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.</i>
Waste storage, segregation and handling appropriate measures	FC	<i>The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of Appropriate Measure 4.43. You should vent bulk storage tanks and silos through suitable abatement. Improvement Condition IC2a and IC2b has been included in the varied permit in Table S1.2 that requires the operator to consider suitable abatement for storage tanks (see key issues section above). Compliance with other 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.</i>
Waste treatment appropriate measures	CC	<i>The operator confirmed that they currently meet the requirements of the 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.</i>
Emissions control appropriate measures	FC	<p><i>The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of Appropriate Measure 6.1.1, 6.1.4, 6.1.6 and 6.1.7 (see key issues section above).</i></p> <p><i>Improvement Condition IC2a and IC2b has been included in the varied permit to address the exceptions. Compliance with other 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.</i></p>
Emissions monitoring and limits appropriate measures	FC	<i>The operator currently does not comply with all the emissions monitoring and limits appropriate measures given in the guidance.</i>

		<p><i>We have set improvement conditions summarised below to ensure future compliance with these measures:</i></p> <ul style="list-style-type: none"><i>IC1a - submit an up-to-date emissions inventory for the point source emissions to air</i><i>IC1b - demonstrate the feasibility of monitoring emissions to air from process treatment tank T8, which carries out gravity filtration.</i><i>IC1c - submit a H1 risk assessment for emissions to air.</i> <p><i>See key issues section above for further details.</i></p>
Process efficiency appropriate measures	CC	<p><i>The operator confirmed that they currently meet the requirements of the 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.</i></p>
Reg 61 requirement	Assessment of response received	
Soil and groundwater risk assessment	<p><i>The operator has not included a site condition report in their submission. This was not required as part of the application as it was out of the scope of the permit review. The operator is required to submit 5 and 10 yearly monitoring of groundwater and soil contamination as per the conditions in the permit.</i></p>	
Medium combustion plant and specified generators	<p><i>No medium combustion plant or specified generator is present on site.</i></p>	
Climate change	<p><i>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.</i></p>	
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response		
Change	Reason for change	
Registered Office Address Amended	<p><i>The registered office address has been updated on the permit according to the Companies House to Unit 1, Graythorp Industrial Estate, Hartlepool, England TS25 2DF</i></p>	
Changes in the Conditions	<p><i>The permit conditions are amended as part of the permit review. A few conditions have been added to the permit.</i></p>	

	<p><i>Following are the sections added:</i></p> <ul style="list-style-type: none"> • <i>Section 1.1 General Management has been added</i> • <i>Under Section 2.1 Permitted Activities, point 2.1.1 has been added</i> • <i>Section 2.2 The Site has been added</i> • <i>Under Operating Techniques, points 2.3.1-2.3.3 and 2.3.5 has been added</i> • <i>Section 2.5 Improvement Programme has been added</i> • <i>Section 3 Emissions and Monitoring</i>
Changes in the Operations	<p><i>A waste operation has been added with the following description</i></p> <ul style="list-style-type: none"> • <i>Storage of non-hazardous waste</i>
Changes to the EWC Code Table	<p><i>The EWC code tables have been split into two tables S2.2 and S2.3 based on the activities AR1 (Treatment) and AR2 (Storage) respectively.</i></p>

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 Regulation 61 notice response 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 facility 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', guidance on waste recovery plans and permits.

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 emission 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

We have included an improvement programme to ensure that the permit complies with the Chemical Waste Appropriate Measures.

Improvement conditions (IC1a to IC2b) have been added to Table S1.3 of the permit.

The IC1a and IC1b requests operator to submit an updated emissions inventory and provide a monitoring viability report for the oil gravity separation. The IC1c requests operator to provide H1 Risk assessment.

The IC2a and IC2b requests operator to submit a written 'abatement plan' and associated procedures for EA approval. The plan will seek to install an abatement system in the tanks.

Changes to EWC codes

The EWC code tables have been split into two tables S2.2 and S2.3 based on the activities AR1 (Treatment) and AR2 (Storage) respectively.

Emission limits

Emission Limit Values (ELV's) based on Best Available Techniques – Associated Emission Levels (BAT-AELs) for Waste Treatment have been added for the following substances in Table S3.1:

- Total Volatile Organic Compounds (TVOCs)
- Speciated Volatile Organic Compounds

Reporting

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

- Emissions to air
- Water Usage
- Energy Usage
- Total raw material used

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

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.