

Permitting Decisions- Environment Agency Initiated Variation

We have issued an Environment Agency initiated variation for Midland Oil Refinery operated by Midland Oil Refinery 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/GP3135SD/V008.

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

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 18/11/2021 requiring the operator to provide information to confirm that the operation of their facility currently meets, or how it will subsequently meet, the standards (appropriate measures) described in our technical guidance.

The notice required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented to ensure operations meet the relevant standards and by when, or
- Explains why they are not applicable to the facility in question, or
- Justifies why an alternative technique is appropriate and will achieve an equivalent level of environmental protection to the standards described in our guidance

The standards described in our technical guidance are split into 7 chapters:

- General management appropriate measures
- Waste pre-acceptance, acceptance and tracking appropriate measures
- Waste storage, segregation and handling appropriate measures
- Waste treatment appropriate measures
- Emissions control appropriate measures
- Emissions monitoring and limits appropriate measures
- Process efficiency appropriate measures

We have set emission limit values (ELVs) and monitoring requirements for relevant substances in line with our technical guidance and the BAT Conclusions for Waste Treatment, unless a tighter, i.e. more stringent, limit was previously imposed and these limits have been carried forward.

The Regulation 61 notice required the operator to confirm whether they could comply the standards described in each of these chapters. Table 1 below provides a summary of the response received and our assessment of it. The overall status of compliance with the standards (appropriate measures) is indicated in the table as:

NA – Not Applicable

CC – Currently Compliant

FC – Compliant in the future (through improvement conditions set in permit)

NC – Not Compliant

In accordance with Article 22(2) of the Industrial Emissions Directive, the Regulation 61 notice asked the operator to provide a soil and groundwater risk assessment, along with a baseline report or summary report confirming the current state of soil and groundwater contamination, where listed activities are

undertaken that involve the use, production or release of relevant hazardous substances.

The Regulation 61 notice also asked the operator to confirm whether they operate a medium combustion plant or specified generator (as per Schedule 25A or 25B of EPR 2016) and whether they had considered how their operations could be affected by climate changes (e.g. through a climate change adaptation plan).

Our assessment of the responses received from the operator regarding soil and groundwater risk assessment, medium combustion plant and specified generators, and consideration of climate change are also summarised in Table 1.

The Regulation 61 notice response from the Operator was received on 29/06/2022.

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 30/05/2024, 08/08/2024 and 06/05/2025 as summarised in the status log of the permit. We made a copy of this information available on our public register.

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

Appropriate measures	Compliance status	Assessment of the installation’s compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
General management appropriate measures	CC	<p>In their Regulation 61 response, the operator stated that the facility is compliant with the requirements of the appropriate measures in this section but recorded several deviations which we have assessed:</p> <ul style="list-style-type: none"> 2.4 The operator stated that there is no firefighting lagoon, sprinklers, suppression systems or automated alarms fitted as there is no significant flammable waste storage. The operator confirmed in conversations with us that they believe fire water would be contained on site in the event of a fire and that the systems in place for preventing accidents are appropriate for the level of risk. We have no reason to consider that the site is not currently compliant with the appropriate measures stated in section 2.4. 2.5 The operator stated that residues after a fire would be evaluated and sent to a suitable recipient. The operator stated that customers are included in waste acceptance dialogue. We have no reason to consider that either of these points will prevent compliance with the appropriate measures stated in 2.5. The operator has confirmed verbally that they comply with the appropriate measures in this sub-section. <p>Continued compliance with this section of the appropriate measures has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Waste pre-acceptance, acceptance and tracking appropriate measures	FC	<p>In their Regulation 61 response, the operator stated that the facility is compliant with the requirements of the appropriate measures in this section but recorded several deviations which we have assessed:</p> <ul style="list-style-type: none"> 3.1.4 and 3.1.6.2. The operator stated that pre-acceptance information cannot always be verified directly with the waste producer. The operator confirmed in a response to a request for information dated 03/04/2024 that whilst pre-acceptance information cannot always be verified, the facility is compliant with the related measure 3.1.6.3 and obtains samples, or analyses accompanied by customer declarations, from new industrial sources. We consider that this is compliant with the measures and should ensure that waste coming onto site is appropriately assessed prior to acceptance. 3.1.8 The operator stated that Material Flow Analysis is not generally applied as it is a small scale, simple, storage and treatment operation. The wording of the appropriate measure does not explicitly require that MFA is carried out but suggests it may be suitable in certain scenarios.

		<p>Given the relatively low hazard profile of the wastes accepted and the treatment employed, we consider that MFA is not likely to be required at the site.</p> <ul style="list-style-type: none"> • 3.3. The operator stated that waste locations are tracked using a range of media (site logs, tank level gauges etc.) and transposed into a real time access system. We understand that the system does not comply with measures 3.3.1 and 3.3.5 as the computerised system does not contain up-to-date records and these are not always accessible off-site in the case of emergency. We have added improvement condition IC5 to the permit to ensure future compliance with these measures. • 3.2.8. The operator stated the waste vehicles are not weighed at receipt. Either they are pre-weighed off-site or sampled by on-site chemists and the density and volume used to calculate space in tanks. The operator stated that due to the density of oil being less than 1, a weight evaluation can lead to over filling. This practice is stated as an acceptable alternative in the wording of the appropriate measure so we consider the operator is compliant with this measure. • 3.2.39 and 3.2.41. The operator stated that sampling is undertaken by qualified chemists using methods listed in their accredited management systems. The appropriate measure 3.2.41 requires that testing must be carried out by a laboratory with suitably recognised test methods. We have not assessed the methods used by the laboratory to determine if these are equivalent but compliance with the measure has been incorporated into the varied permit. We will continue to ensure through our compliance assessments that the operator is carrying out suitable analysis and testing prior to acceptance of waste. <p>The operator stated that the following appropriate measures are not relevant to the site activities based on the types of waste accepted: 3.1.3, 3.1.6, 3.1.6.1, 3.1.6.3, 3.2.10. We agree that these appropriate measures are unlikely to apply currently given the types of waste accepted onto site but could apply in future should waste acceptance criteria change.</p> <p>Compliance with appropriate measures in this section, other than those to which an improvement condition apply, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Waste storage, segregation and handling appropriate measures	FC	<p>In their Regulation 61 response, the operator stated that the facility is compliant with the appropriate measures in this section with the exception of the following:</p> <ul style="list-style-type: none"> • 4.10 The operator stated that packaged wastes are not currently stored under cover. This is not a requirement of all sites, but it is recommended where practical. The wastes currently accepted on to site are unlikely to be overly impacted by changes in temperature/prevaling weather conditions, so we consider this is acceptable for the current operations taking place on site.

		<ul style="list-style-type: none"> • 4.40 The operator stated that all hot work activities are subject to a hot work permit. The operator confirmed in response to a request for information dated 03/04/2024 that hot work activities are always assessed for fire risk and are not carried out in storage areas where a clear fire risk could be substantiated. We consider this is compliant with the measure. • 4.41 and 4.45 The operator stated that bunds do not meet CIRIA C736 requirements. However, the operator confirmed in response to a request for information dated 03/04/2024 that the bunds are compliant with the other requirements of measure 4.45. From previous correspondence, we understand that whilst the bunds were built before C736, they were built to the appropriate standards and are compliant with the requirements of C736. • 4.51 and 4.53 The operator stated that site diagrams are present but not all are in the form of P&IDs and that pipework is not currently colour coded. We understand that systems are in place to ensure that loading, unloading and storage measures in are compliance with the appropriate measures (measure 4.53) but pipes are not currently suitably colour coded. We have added IC4 to the permit to ensure compliance with this measure. • 4.55 The operator stated that wastes may be held in quarantine until acceptance analysis is completed. We consider that this may be an essential practice to enable the necessary acceptance procedures to be carried out and is compliant with the appropriate measure. <p>The operator stated that measures 4.8, 4.9, 4.13, 4.18, 4.30-4.32, 4.34-4.35, 4.46, 4.66-4.68, 4.71-4.77 and 4.90-4.92 are not currently relevant to the operations at the facility. We agree that these appropriate measures are unlikely to apply currently given the types of waste accepted onto site but could apply in future should waste acceptance criteria change.</p> <p>Compliance with appropriate measures in this section, other than those to which an improvement condition apply, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Waste treatment appropriate measures	CC	<p>In their Regulation 61 response, the operator stated that the facility is compliant with the appropriate measures in this section with the exception of the following:</p> <ul style="list-style-type: none"> • 5.14 The operator stated that material flow analysis is not undertaken on site. Given the relatively low hazard profile of the wastes accepted and the treatment employed, we consider that MFA is not required at the site. <p>Continued compliance with this section of the appropriate measures has been incorporated into the</p>

		varied permit through the updated operating techniques listed in Table S1.2.
Emissions control appropriate measures	FC	<p>In their Regulation 61 response, the operator stated that they were not compliant with this section of the appropriate measures however they have since confirmed that they are compliant with the appropriate measures in this section but consider the following measures: 6.2.10, 6.2.11, 6.2.12, 6.2.13 – 6.2.19, 6.3 not relevant to the site operations.</p> <p>We do not agree that all of the measures stated above are not relevant to the activities taking place on site. We have reviewed the operation of the site against the appropriate measures and conclude that the site may not be compliant with the following measures: 6.1.1, 6.1.3, 6.1.4, 6.1.6 and 6.2.14.</p> <p>Compliance with these measures has been addressed through the improvement programme we have included in the permit. This is discussed in full in the emissions to air/ emissions to sewer sub-section below.</p> <p>Compliance with the appropriate measures in this section, other than those to which improvement conditions apply, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Emissions monitoring and limits appropriate measures	CC	<p>In their Regulation 61 response, the operator stated that the facility is compliant with the appropriate measures in this section. We assessed the operator's response, and the conclusions of our assessment can be found under the emissions to air/emissions to sewer sub-section below.</p> <p>Compliance with the appropriate measures in this section, other than those to which improvement conditions apply, has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Process efficiency appropriate measures	CC	<p>In their Regulation 61 response, 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>
Reg 61 requirement	Assessment of response received	

Soil and groundwater risk assessment	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.
Medium combustion plant and specified generators	At the operator's request, we have included early permitting of the Medium Combustion Plant in the permit which is an existing 3MWth boiler fired on gas oil to provide steam for the activities. We have added the standard conditions 2.3.7, 3.1.4 and 4.2.3 to the permit. We have updated the description of the activity AR5 in Table S1.1 and added the restriction on fuel to be used in Table S2.1. We have added the relevant limits and monitoring to emission point A6 – limits apply from 01/01/2030 and monitoring and reporting applies from the date of first acceptance under condition 3.1.4. We have added the relevant definitions in Schedule 6.
Climate change	Submission of climate change risk assessment is no longer an 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	
Other changes made to the permit as a result of our assessment of the Reg 61 response include changes to the permitted activities (Table S1.1), emission points, limits and monitoring (Tables S3.1, S3.2) and reporting (Table S4.1) as explained below.	

Review of permitted activities

Within the scope of the permit review, we have reviewed the activities present on the permit in accordance with RGN 2 'Understanding the meaning of regulated facility' and Appendix 1 of RGN 2 'Interpretation of Schedule 1' and the Waste Framework Directive. The operator stated that there may be treatment activities such as repackaging, physico-chemical treatment and blending/mixing that were intrinsically included under the previous permitted activities. We reviewed the activities that the operator is currently undertaking on site and consider that it is appropriate to add a repackaging activity (Section 5.3 Part A(1)(a)(iv)) to the permit for the bulking of chemically similar wastes. This includes e.g. bulking of chemically similar wastes from 25 litre vessels into IBCs (intermediate bulk containers). The repackaging activity did not exist in the Environmental Permit Regulations when Table S1.1 was last updated, and we agree that it was part of the facilities' permitted operations prior to the review. We do not consider that blending and mixing is taking place on site as the activities described by the operator fit best under the definition of repackaging and not blending or mixing.

The operator has confirmed that the main activity carried out at the facility is treatment of waste oils for the purpose of recovery and re-use. Treatment of waste oils for this purpose may comprise heating, filtration, gravity settlement and centrifugation. Each part of the treatment process may be carried out in isolation but also sequentially depending on the demands upon the treatment process to achieve recovery. We have updated the permit so that this activity is referenced under AR1 and have re-ordered the activities in Table S1.1 according to their relevance.

The solvent recovery activity, AR2, is not operational and the equipment has been removed or is non-operational. We were therefore not able to assess compliance with the appropriate measures and have included pre-operational condition PO1 in the permit requiring the operator to apply to vary their permit to demonstrate compliance with the appropriate measures prior to recommencing this activity.

Activity A6 – 'handling and dispatch of waste' has been removed from the permit as it is included under the other activity definitions such as temporary storage AR4. Activity AR8 has been added to the permit as the operator has stated that containers sent to customers containing product may be returned to site for re-use (or recycling where re-use is not possible). We have added limits to the permit concerning the maximum capacity on site to store waste and the maximum throughputs through the waste treatment activities based on the information provided by the operator in response to our request for information on 03/04/2024.

Review of waste codes

Under the scope of the permit review, we asked the operator to review their permitted list of waste codes and queried waste codes that we deem potentially unsuitable for the permitted activities. We asked the operator to provide separate lists of wastes for each treatment activity as part of a request for information dated 03/04/2024. With the operator's agreement we have removed EWC codes 13 01 09* and 13 03 06* from the treatment activities on the permit. We have reviewed the lists of wastes supplied by the operator and separated them into the appropriate activities on the permit. We accepted the operator's justification for retaining waste code 12 01 06* - mineral based machining oils containing halogens on the permit as the operator provided evidence (including a chemical safety data sheet) demonstrating oils accepted under these waste codes are not CMRs or likely to release CMRs or other hazardous compounds.

Emissions to air

The BAT-AEL of 5-30 mg/Nm³ TVOC (total volatile organic compounds) applies to point source emissions from re-refining of oil, physico-chemical treatment of waste with calorific value and regeneration of spent solvents unless the emission load is below 2kg / hour and no CMR substances are identified as relevant in the waste gas stream.

Under the previous permit, the emission table stating the point source emissions to air from the installation read as follows:



Table 2.21: Emission points to air

Emission point description	reference or Source	Location of emission point
A1	Vent from <u>Luwu</u> plant thermal oxidiser	Sample point A1 <u>on site plan</u>
A2	Scrubber vent, oil processing plant	Sample point A2 on site plan
A3	<u>Raywell</u> plant LEV vent	Sample point A3 <u>on site plan</u>
A4	Drum filling LEV vent	Sample point A4 on site plan
-	Release Point no longer present	-
A6	Boiler flue	Point A6 <u>on site plan</u>
A7	Heated Tank Vent Scrubber Stack	Point A7 on site plan

Emission points A1, A3 and A4 are point source emissions from solvent regeneration activities. Emission points A2 and A7 are point source emissions from oil re-refining activities. Solvent regeneration activities are currently non-operational and emission points A3 and A4 are now redundant and have been removed from the permit as this equipment no longer exists on site. We have added emission points A8-A10 in the permit for emissions from heating tanks used to heat waste oils for the purpose of recovery; channelled to activated carbon filters. We have added emission points for vented storage tanks.

Applicability of BAT 14d, abatement and assessment of environmental impact

There is currently no abatement on emissions from cold storage tanks (A11+). 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) applies to cold storage tanks containing oils/solvents due to the potential for emissions of VOCs/odour. The operator has stated they do not think that the oils stored contain VOCs and have argued that the vapour pressure is below 5 pascals, but the evidence supplied was insufficient. **We have added improvement condition IC2** to the permit requiring the operator to control and minimise emissions from cold storage tanks and to meet the appropriate measures or justify alternatives through submission to us of a risk assessment and cost/benefit analysis. The BAT-AEL (for TVOC) does not apply to cold storage tanks where no treatment takes place.

The operator does not have a satisfactory procedure in place for maintaining their carbon filters serving heated tanks as per appropriate measure 6.1.6. **We have included IC3** which requires the operator to submit a written procedure for our assessment. Ongoing compliance with this procedure is required as per Table S3.3 in the permit.

The operator submitted an environmental risk assessment using our H1 tool for their discharge to sewer but not for emissions to air as required by measure 6.1.3. The operator did supply monitoring data which satisfies measure 6.1.2 in part. However, the monitoring data from emissions from heated tanks should also be included in the assessment. **We have included IC6** in the permit which requires the operator to provide an updated risk assessment for the impact and fate of emissions to air from the facility and further abate emissions or suggest revised emission limits if emissions from the site are found to cause an unacceptable environmental impact.

Applicability of the BAT-AEL and monitoring requirements

The operator stated that the emission load from emission point A2 is less than 2kg/hr and that the emission does not contain CMRs. The operator provided stack monitoring as evidence. The operator has also agreed to the restriction of only accepting wastes for oil re-refining that do not contain CMRs. **We have implemented this restriction through the limits to activity AR1 in Table S1.1 and in Table S2.2. We have added improvement condition IC1** to allow the operator to submit a procedure which will detail the methods used to prevent the acceptance of waste containing CMRs.

We have included the emission limit of 30mg/m³ TVOC in Table S3.1 along with Note 4 for emission point A2 stating that the previous limit of 50 mg/m³ instead of 30mg/Nm³ applies if there are no carcinogenic, mutagenic or toxic for reproduction (CMR) substances present in the emission and the emission load is below 2 kg/h at the emission point. As the acceptance of CMR substances to the

activity is restricted in the permit, providing the emission load is below 2kg/h, the higher limit of 50mg/m³ will apply. If the operator is accepting CMR containing wastes and this is evidenced, e.g. through the emissions, they would need to vary their permit to remove the restriction on CMR containing wastes.

We have similarly included the emission limit of 30mg/m³ TVOC on the emission points from heated tanks A7-A10 along with Note 3 as we consider that the heating of the waste oils is carried out as part of the oil re-refining treatment process. The requirement to monitor emissions from emission points A7-A10 and meet the BAT-AEL is substantiated unless the operator can demonstrate under Note 3 of Table S3.1 that the emission load will never be greater than 2kg/hr in which case we may agree a reduced monitoring frequency as per Note 7 of Table S3.1 in the permit in accordance with the Waste Treatment BAT Conclusions.

Emissions to sewer

The operator has argued that the BAT-AELs for indirect emissions to a water body does not apply and has agreed not to discharge process effluent to foul sewer. The discharge to foul sewer has therefore been limited to emissions of surface water run-off from the site only. We have added the requirement in Table S3.2 that the operator must undertake a visual assessment of the discharge on a daily basis to ensure that it is free of oil and grease. As the emission does not originate from, or is contaminated by, the treatment process, we have agreed that the BAT-AELs do not apply in this instance. The operator has submitted evidence of the discharge route of process effluent from the facility.

Decision Considerations

Confidential information

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

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 facilities at the site in accordance with Appendix 1 of RGN 2 'Interpretation of Schedule 1'. Our decision is summarised in the Key Issues section.

The site

The operator has provided updated site plans which we consider to be satisfactory.

These show the extent of the site of the facility including the emission points.

The plans are 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. We have also reviewed Medium Combustion Plant on site under the Medium Combustion Plant Directive and at the operator's discretion, introduced conditions relating to the 3MWth boiler (AR5) which is a medium combustion plant. Compliance with emission limit values is required by 01/01/2030.

Management plans

We did not review any management plan under the scope of the permit review. Under the conditions of the permit, where we consider that activities are giving rise to pollution in the form of fugitive emissions, we will ask for the submission and implementation of a suitable management plan.

Improvement programme

We have included an improvement programme to ensure continued compliance with the appropriate technical guidance for this facility. Our decision is summarised in the Key Issues section of this document.

Changes to EWC codes

EWC codes 13 01 09* and 13 03 06* have been removed from the treatment activities on the permit. This is explained in the key issues section.

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: Total volatile organic compounds (TVOC). The decision is explained in the Key Issues section.

Emissions limits have been added for indirect emissions to sewer as explained in the key issues section.

Monitoring

Monitoring requirements have been added to the permit for emission points A7 to A10 for TVOCs as per the Waste Treatment BAT Conclusions (e.g. BATC8) and for the monitoring of speciated VOCs in accordance with appropriate measure 6.1.2. Monitoring has been added for emission point A6 in accordance with MCPD requirements.

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

Reporting

We have added reporting requirements in the permit in accordance with the monitoring regime for emission points A6 and A7 to A10.

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.