

Permitting Decisions- Environment Agency Initiated Variation

We have issued an Environment Agency initiated variation for Kilnhurst Waste Oil Recovery Facility operated by Rotherham Waste Oils 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/KP3732KJ/V003.

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.

The following Appropriate Measures guidance is also applicable to the permitted activities being varied under this permit review and has been included in the operating techniques table:

Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities - published 13 July 2022.

We issued a notice, dated 15/11/2021, under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 17/11/2021 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 16/02/2022.

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:

22/02/2021 – regarding activities on site and waste codes accepted

19/06/2024 – confirmation that all tanks have vents to air with no abatement installed.

11/07/2024 – provision of tank cleaning procedure, further information on waste codes accepted, information on environmental management system and updated site infrastructure plan.

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	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.
Waste pre-acceptance, acceptance and tracking appropriate measures	CC	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.
Waste storage, segregation and handling appropriate measures	FC	<p>In their Regulation 61 response the operator confirmed that they currently meet the requirements of all appropriate measures in this section.</p> <p>However, Waste pre-acceptance, acceptance and tracking appropriate measure 9 of the Chemical Waste: Appropriate Measures guidance requires that wastes that have the potential for self-heating or self-reactivity are stored in sealed metal containers under cover and that the containers are monitored for heat build-up.</p> <p>Appropriate measure 86 states that repackaging must only take place in a dedicated area or store which has the plant and equipment needed to deal with the specific risks of that process.</p> <p>In their email of 11/07/2024 the operator stated that they do not bring onto site any waste that has a potential for self-heating or self-reactivity but provides no evidence to support this. Appropriate measure 9 provides specific examples of such wastes, which include rags and filter materials contaminated with low boiling point oils. The existing permit includes the following waste codes:</p> <p>15 02 02* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by hazardous substances – oily rags</p> <p>16 01 07* oil filters</p> <p>The operator's email of 22/02/2024 states that oily rags and filters are '<i>brought onto site in 205 litre drums with lids, bulked into IBCs and sent off site</i>'. No further information is provided on the</p>

		<p>specification of the IBCs.</p> <p>It is therefore not clear at this stage whether the operator's control measures and procedures meet the appropriate measures.</p> <p>We have therefore included improvement condition IC12 that requires the operator to submit to the Environment Agency the relevant section of their environmental management system to demonstrate that their control measures and procedures meet the appropriate measures. Where improvements are required to meet the appropriate measures, a written report shall also be submitted for approval detailing the proposed improvements and timescales for implementation.</p> <p>The operator confirmed via email (22/02/2024) that there are now no open tanks or containers on site (open tanks and an open shaker unit previously referred to in the introductory note of the existing permit).</p> <p>Waste storage, segregation and handling appropriate measure 21 of the WEEE: Appropriate Measures guidance states that batteries must be stored in leakproof containers to prevent leakage and spillage. Containers must be closed or stored under cover to prevent the accumulation of rainwater.</p> <p>Whilst the operator did not specifically refer to the WEEE: Appropriate Measures guidance, the operator's email of 22/02/2024 confirms that lead batteries are transferred into sealed battery boxes.</p> <p>Compliance with the appropriate measures in these sections of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Waste treatment appropriate measures	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
Emissions control appropriate measures	FC	<p>In their Regulation 61 response the operator confirmed that they currently meet the requirements of all appropriate measures in this section.</p> <p>However, Emissions control appropriate measures 1 to 6 of the Chemical Waste: Appropriate Measures guidance require that waste storage and treatment tanks are suitably abated. An inventory of point source emissions is also required, together with an assessment of impacts from those emissions.</p>

	<p>The operator did not provide an inventory or an assessment of point source emissions to air with their Regulation 61 response, instead asserting that there are no point source emissions from the installation (email 22/02/2024). This is despite the existing permit already including emission points to air (A1 to A9) at tanks referred to as oil tanks 5, 9, 10, 12, 13, 15, A, B and C. The operator has confirmed that all tanks on site are used flexibly for either storage or treatment (email 19/12/2024) and that all tanks vent to air unabated (email 19/06/2024). We requested a justification from the operator of why abatement and monitoring is not required on the tanks. The operator responded (email 11/07/2024), only stating that emissions cannot be generated because heat is not used in the process. However, evidence was not provided to support this assertion, such as demonstrating that the wastes are not volatile organic compounds (VOC) and therefore cannot give rise to emissions of VOCs under the conditions of storage (such as exposure to direct sunlight) and that the operator has appropriate waste pre-acceptance and acceptance procedures in place to ensure only these wastes are stored/treated in the tanks.</p> <p>It is therefore not clear at this stage whether the operator's control measures and procedures meet the appropriate measures.</p> <p>We have therefore included improvement conditions IC13 – IC16, that require the operator, subject to Environment Agency approval, to characterise emissions from vents on tanks W2, F1 – F4, 5, 6, 9 – 13, 15 – 19 and A – D . And to either demonstrate with evidence that monitoring of emissions cannot be undertaken and/or that there are no VOCs in the wastes accepted, therefore there will no VOC emissions from the tanks. Or, using the emission data provided under IC13, to provide an assessment of the impacts of the emissions and to outline proposals for any ongoing monitoring and/or further assessment.</p> <p>If the assessment indicates the potential for emissions from emission points A1 – A10 and A13 – A23 either due to VOC being present in the waste accepted at the site and/or due to emissions being detected via monitoring, the operator is required to install and operate appropriate abatement and to maintain it in accordance with an abatement plan. The abatement plan is incorporated into Table S3.3 Process monitoring requirements.</p> <p>The operator's Regulation 61 response (clarified in email dated 22/02/2021) confirms that there are no process water discharges to sewer or surface water. All process water is collected and stored prior to removal off-site for disposal. The operator confirmed by email (07/02/2025) that all site surface water run-off runs into interceptors on site and is collected for disposal off-site.</p> <p>Compliance with the appropriate measures in this section of the guidance has been incorporated into</p>
--	--

		the varied permit through the updated operating techniques listed in Table S1.2.
Emissions monitoring and limits appropriate measures	FC	<p>Waste treatment activities including Physico-chemical treatment of waste with calorific value and Treatment of water-based liquid wastes are required to comply with the BAT Conclusions for waste treatment.</p> <p>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).</p> <p>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.</p> <p>In their Regulation 61 response the operator confirmed that they currently meet the requirements of all appropriate measures in this section.</p> <p>However, Emissions monitoring and limits appropriate measure 7.1 of the Chemical Waste: Appropriate Measures guidance, together with the Waste Treatment BAT Conclusions, sets the BAT-AELs and monitoring requirements for the treatment of wastes with calorific value. The inventory of point source emissions must include information about the relevant characteristics of point source emissions to air.</p> <p>As described above, it is not clear at this stage whether the operator's control measures and procedures meet the appropriate measures and BAT Conclusions.</p> <p>We have therefore included improvement conditions IC13 – IC16, that require the operator, subject to Environment Agency approval, to characterise emissions from vents on tanks W2, F1 – F4, 5, 6, 9 – 13, 15 – 19 and A – D . And to either demonstrate with evidence that monitoring of emissions cannot be undertaken and/or that there are no VOCs in the wastes accepted, therefore there will no VOC emissions from the tanks. Or, using the emission data provided under IC13, to provide an assessment of the impacts of the emissions and to outline proposals for any ongoing monitoring and/or further assessment.</p> <p>We have set BAT-AELs, which apply on issue of this permit for all relevant parameters for emissions to air in Table S3.1 of the permit in accordance with BATC 20, 45, 53 and our most recent permit template as listed in the Emission Limits section below. These BAT-AEL are subject to tables notes and</p>

		<p>condition 3.5.1 and compliance will be determined by the Environment Agency. The emission limits apply unless otherwise agreed with the Environment Agency.</p> <p>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>
Process efficiency appropriate measures	CC	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.
Reg 61 requirement Assessment of response received		
Soil and groundwater risk assessment	<p>As well as the BAT review, we took the opportunity via the Regulation 61 notice to request a report containing information necessary to determine the current state of soil and groundwater contamination at the site. The operator did not provide this as part of their Regulation 61 response, and we have no record of it previously having been submitted.</p> <p>We have therefore included IC17 that requires the operator to submit, for assessment and written approval by the Environment Agency, an up-to-date Site Condition Report, in accordance with the Environment Agency's guidance: H5 Site condition report – guidance and templates, to ensure Article 22 of the Industrial Emissions Directive is complied with.</p>	
Medium combustion plant and specified generators	The operator confirmed that there is no combustion plant associated with the permitted activity. The 0.7 MWth boiler, previously used to raise steam to heat the oil treatment tanks to promote water removal, referred to in the introductory note of the existing permit has now been removed from site. The permit has been amended to reflect this.	
Climate change	The operator has not completed a climate change assessment. Climate Change adaption will be delivered through the Environmental Management System condition.	
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response		
Change	Reason for change	
Inclusion of activities already undertaken at the site in Table	Following a review of the activities on site, Table S1.1 (activities) has been updated to present the permitted activities in accordance with the current permit template. The following activities have been added to Table S1.1:	

S1.1 (activities) of the permit	<ul style="list-style-type: none"> • Section 5.3 Part A (1)(a)(ii) – washing of metal and plastic containers containing hazardous residues, nominally empty after repackaging on site • Section 5.3 Part A (1)(a)(iv) - repackaging of hazardous waste (wastes listed in Table S2.2) <p>These activities are already undertaken at the site and have been included in Table S1.1 for completeness.</p> <ul style="list-style-type: none"> • Directly associated activity – storage of non-hazardous waste (waste listed in Table S2.4) – this specifically relates to the storage of non-hazardous waste anti-freeze only (EWC code: 16 01 15). <p>The existing permit includes EWC codes 16 01 14* and 16 01 15 (hazardous and non-hazardous anti-freeze) in Table S3.2. We do not consider these waste types to be appropriate wastes type for the oil treatment activity (AR1). During determination, we reviewed the operator's quarterly returns of waste accepted at the site. Whilst 16 01 14* is accepted regularly at the site, 16 01 15 is rarely accepted. During discussions, the operator confirmed that there is no treatment of either waste type at the site.</p> <p>Relatively small quantities are permitted (up to 2,500 litres per year, in aggregate with hazardous anti-freeze). Taking these factors into account we have included a directly associated activity for the storage only of non-hazardous anti-freeze. Repackaging of non-hazardous anti-freeze is not undertaken at the site. This avoids the need for a separate waste operation for this single waste code that is rarely accepted.</p> <p>Storage and repackaging of hazardous anti-freeze (16 01 14*) is permitted under activities AR3 and AR4.</p>
Inclusion of tanks and emission points	<p>The site infrastructure plan submitted by the operator (11/07/2024) included several oil tanks that are not shown in the existing permit. We have accepted the site infrastructure plan on the basis that the annual throughput is not increasing and the operator has confirmed that all bulk storage tanks comply with relevant appropriate measures. As previously mentioned above, the operator confirmed that all bulk tanks on site are used flexibly for either storage or treatment and that all tanks vent to air unabated. We have therefore included the operator's updated site infrastructure plan at Schedule 7 of the varied permit showing the emission points (A1 – A0 and A13 – A23) from these tanks in Table S3.1, with the associated emission limit values and monitoring requirements as described above.</p>
Removal of reference to acceptance of hazardous	<p>The introductory note of the existing permit references the treatment of imported hazardous aqueous waste. The operator confirmed via their email responses, and clarified during telephone discussions with the Environment Agency,</p>

aqueous imported wastes	that the only aqueous treatment activity undertaken on site is ultrafiltration of the aqueous output from the oil treatment process. Aqueous wastes are not imported from off-site for treatment. The reference to the acceptance of hazardous aqueous imported wastes is therefore removed from the permit.
Removal of reference to equipment now removed from site	The operator confirmed via email (22/02/2024) that the shaker unit previously referred to in the introductory note of the existing permit has been removed from site. The reference to this unit and the associated emission point in Table S3.1 has therefore been removed from the permit.
Deletion of condition 2.5 and Table S1.4 Pre-operational measures for future development	The operator's quarterly waste returns show that oily rags and oil filters are routinely accepted at the site. Handling of oil filters and oily rags are subject to improvement condition IC12 (see above). We have concluded that the operators for battery handling are in accordance with the appropriate measures. We have therefore removed condition 2.5 and Table S1.4 from the permit.

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.

Operator details

As of 10 January 2019, the registered office address of Rotherham Waste Oils Limited, registered with Companies House under company number 05090217, changed from Kilnhurst Road, Kilnhurst Rotherham South Yorkshire S62 5TC to Quarry Oil Depot Kilnhurst Road Kilnhurst Mexborough S64 5TL. The legal entity, identified by the company number remains the same, therefore this change is noted within this variation as a change of fact only.

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'.

Following a review of the activities on site, Table S1.1 (activities) has been updated to present the permitted activities in accordance with the current permit template.

The site

The operator has provided a plan which we consider to be satisfactory. This shows the extent of the site of the facility including the discharge 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.

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.

Changes to the permit conditions

We have varied the permit as stated in the variation notice.

We include our standard template fire prevention permit condition in all instances for activities that include storage of non-hazardous combustible waste, regardless of the quantities involved. The operator is currently permitted to accept the following EWC coded wastes, for storage and transfer, which we consider to be potentially combustible:

15 02 02 absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by hazardous substances – oily rags*

16 01 07 oil filters*

16 06 01 lead batteries*

The primary purpose of the site is to recover waste oils. The waste codes listed above represent a relatively small proportion of the quantities of the wastes accepted at the site. Indeed a review of the annual waste returns submitted by the operator shows that EWC 16 06 01* has not been accepted at all during the last five years. We therefore consider the risk of fire from these waste types to be low and we have not required a Fire Prevention Plan during permit review. However, the condition enables us to ask for one if we notice fire risk-related problems on site, or immediately following a fire.

Improvement programme

Based on the information in the operator's Regulation 61 notice response, and our own records of the capability and performance of the installation at this site, we consider that we need to set improvement conditions so that the outcome of the techniques detailed in the Waste Treatment BAT Conclusions and Chemical Wastes: appropriate measures for permitted sites are achieved by the installation. These improvement conditions are included in Table S1.3 of the permit and are summarised below. The reasons for their inclusion are explained in more detail in Table 1 above.

Improvement conditions IC1–IC11 have been removed from the permit through variation EPR/KP3732KJ/V003 as they are complete.

IC12 – environmental management system - requires the operator to review and update their written management system to ensure it meets the requirements of the Chemical waste: appropriate measures guidance with regard to:

- the storage and repackaging of EWC codes 15 02 02* (oily rags) and 16 01 07* (oil filters)
- the implementation of appropriate areas, plant and equipment used for repackaging of wastes.

IC13 – characterisation of point source emissions to air – requires the operator to characterise and assess all point source emissions to air (vents on tanks W2, F1 – F4, 5, 6, 9 – 13, 15 – 19 and A – D) to determine the applicability of the emission limit values (BAT-AELs) stated in Table S3.1. The emission limits apply unless otherwise agreed with the Environment Agency.

IC14 – emissions inventory and H1 assessment (air and water) - requires the operator to propose and implement a monitoring programme to characterise and assess the facility's point source emissions to air.

IC15 – abatement system – requires the operator, where deemed necessary following the completion of conditions IC13 and IC14, to install appropriate emissions abatement on the oil treatment tanks.

IC16 – site abatement plan - requires the submission of an abatement plan for the site, detailing monitoring measures for optimising and maintaining the abatement system, where deemed necessary. The monitoring is incorporated into Table S3.4 Process monitoring requirements.

IC17 – site condition report – requires the operator to submit an up-to-date Site Condition Report.

Changes to EWC codes

With the operator's agreement (email 22/02/2022) we have updated the wastes the installation is permitted to accept for oil treatment. The following EWC codes, which were included in Table S3.3 (Permitted waste types and quantities) of the existing permit are now deleted from the permit. Table S2.2 (Permitted waste types and quantities for storage, repackaging and physico-chemical treatment of hazardous waste (activities AR1, AR3 and AR4)) of the varied permit is updated accordingly.

- 10 02 12 wastes from cooling water treatment other than those mentioned in 10 02 11
- 10 03 28 wastes from cooling water treatment other than those mentioned in 10 03 27
- 10 04 10 wastes from cooling water treatment other than those mentioned in 10 04 09
- 10 05 09 wastes from cooling water treatment other than those mentioned in 10 05 08
- 10 06 10 wastes from cooling water treatment other than those mentioned in 10 06 09
- 10 07 08 wastes from cooling water treatment other than those mentioned in 10 07 07
- 10 08 20 wastes from cooling water treatment other than those mentioned in 10 08 19
- 11 01 11* (previously incorrectly coded as 11 01 01*) Aqueous rinsing liquids containing dangerous substances
- 11 01 12 Aqueous rinsing liquids other than those mentioned in 11 01 11
- 19 02 03 Premixed wastes composed only of non-hazardous wastes
- 19 02 04* Premixed wastes composed of at least one hazardous waste

In their email of 11/07/2024 the operator subsequently also agreed to remove the following waste codes from the permit. We have therefore further updated Table S2.2 to reflect the wastes the installation is permitted to accept for oil treatment.

- 10 03 27* Wastes from cooling-water treatment containing oil
- 10 04 09* Wastes from cooling-water treatment containing oil
- 10 05 08* Wastes from cooling-water treatment containing oil
- 10 06 09* Wastes from cooling-water treatment containing oil
- 10 07 07* Wastes from cooling-water treatment containing oil
- 10 08 19* Wastes from cooling-water treatment containing oil
- 12 01 08* Machining emulsions and solutions containing halogens
- 12 01 09* Machining emulsions and solutions free of halogens
- 12 01 12* Spent waxes and fats
- 12 03 01* Aqueous rinsing liquids
- 12 03 02* Steam degreasing wastes
- 13 01 01* Hydraulic oils, containing PCBs (up to the limit specified in the existing WML or Directive 96/59 whichever is greater)
- 13 01 04* Chlorinated emulsions
- 13 01 09* Mineral-based chlorinated hydraulic oils
- 13 02 04* Mineral-based chlorinated engine, gear and lubricating oils
- 13 03 01* Insulating or heat transmission oils containing <50ppm PCBs (to be kept segregated from all other waste oils at the installation at all times)
- 13 03 06* Mineral-based chlorinated insulating and heat transmission oils other than those mentioned in 13 03 01

- 13 05 01* Solids from grit chambers and oil/water separators
- 13 08 01* Desalter sludges or emulsions

The EWC contains some waste codes ending in “99”; commonly described as ‘wastes not otherwise specified’, which are only suitable for use if it can be justified that no other suitable six-digit code can be found in the EWC. The operator did not provide justification during permit review, therefore we have also removed the following waste code from the permit:

- 13 08 99* Mixtures of waste oils which fall under chapter 13, (excluding the following – mixtures of chlorinated and non-chlorinated entries together, and mixtures of PCB contaminated entries with uncontaminated entries.

The following waste codes, which are not accepted for oil recovery, but which were included in the existing permit, are retained in Table S2.3 for storage, repackaging and onward transfer only:

- 12 01 09* Machining emulsions and solutions free of halogens
- 13 02 04* Mineral-based chlorinated engine, gear and lubricating oils
- 15 02 02* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by hazardous substances – oily rags
- 16 01 07* oil filters
- 16 06 01* lead batteries (previously incorreced coded as 16 07 01*).

We have retained EWC code 16 01 14* Antifreeze fluids containing hazardous substances for repackaging and storage only. We have retained EWC code 16 01 15 Antifreeze fluids other than those mentioned in 16 01 14 for storage only. See Table 1 above for further explanation.

Emission limits

Emission Limit Values (ELVs) based on Best Available Techniques – Associated Emission Levels (BAT-AELS) for physico-chemical treatment of waste with calorific value, have been added to Table S3.1 for emissions to air of the following substances:

- Total volatile organic compounds 30 mg/m³

This emission limit value is applicable to any tank that is used for oil treatment in accordance with BATC 45.

The operator confirmed by telephone and subsequently confirmed by email (11/07/2024) that all tanks on site can be used flexibly for the purposes of either treatment (activity AR1) or storage (AR4) of waste oils.

In accordance with our current permit template we have also included a requirement for speciated VOC monitoring (applicable to both oil and aqueous waste treatment). This enables identification of specific VOCs and assessment of characteristics and hazards (e.g. carcinogenicity, mutagenicity and/or reprotoxicity).

Monitoring

We have decided that monitoring should be added for all parameters listed in the section above, using the methods detailed and to the frequencies specified in Tables S3.1 of the permit, in accordance with Best Available Techniques for Waste Treatment.

Reporting

We have added reporting in the permit for added for all parameters listed in the section above. 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.