Permitting Decisions- Environment Agency Initiated Variation

We have issued an Environment Agency initiated variation for EMR Birmingham operated by European Metal Recycling 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/CB3402ML/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 for WEEE treatment and transfer and Treating metal waste in shredders, including 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 20th October 2021 our Treating metal waste in shredders appropriate measures guidance was published on gov.uk. This technical guidance explains the standards that are relevant to regulated facilities with an environmental permit to mechanically treat metal waste in shredders and incorporates the relevant requirements of the BAT Conclusions.

On 13th July 2022 our WEEE (waste electrical and electronic equipment) appropriate measures guidance was published on gov.uk. This technical

guidance explains the standards (appropriate measures) that are relevant to regulated facilities with an environmental permit to treat or transfer WEEE and incorporates 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.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 17/12/2021 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 for treating metal waste in shredders.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 20/04/2022 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 for the treatment of WEEE.

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 of 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 17/04/2022 for activities relating to treatment of metal waste in shredders and 30/08/2022 for activities relating to treatment of WEEE.

We considered that the response contained sufficient information for us to commence determination of the permit review.

Although we were able to consider the Regulation 61 notice response generally satisfactory at receipt, we needed more information in order to complete our permit review assessment. We requested this by email and the operator provided further information on (summary of information) on 01/11/2024, 15/11/2024, 03/12/2024, 26/02/2025, and 26/03/2025. 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	Treating Metal Waste In Shredders: Appropriate Measures 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. WEEE: Appropriate Measures 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. ELV: Appropriate Measures 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	Treating Metal Waste In Shredders: Appropriate Measures 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. WEEE: Appropriate Measures 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.

		ELV: Appropriate Measures 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	Treating Metal Waste In Shredders: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 4.4, Point 4 which states that lead acid batteries must be stored upright with terminals taped off or capped in acid proof containers to prevent leaks and short circuits. The operator has confirmed they currently do not tape/cap the terminals due to a concern with increase fire risk. We have included an Improvement Condition which asks the operator to provide an alternative measure or comply with the appropriate measure. This has been included in the Improvement Condition programme. Compliance with the 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. WEEE: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 4.2, Point 1-18 (WEEE) which relates the additional storage requirements of gas discharge lamps, flat panel display equipment, cathode ray tube equipment, small mixed WEEE, and photovoltaic panels. The operator has confirmed that this is N/A as the installation does not accept, store or treat any of these wastes. ELV: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of:

		• Section 4.4, Point 5 which states that lead acid batteries must be stored upright with terminals taped off or capped in acid proof containers to prevent leaks and short circuits. The operator has confirmed they currently do not tape/cap the terminals due to a concern with increase fire risk. We have included an Improvement Condition which asks the operator to provide an alternative measure or comply with the appropriate measure. This has been included in the Improvement Condition programme.
Waste treatment appropriate measures		<u>Treating Metal Waste In Shredders: Appropriate Measures</u> The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 5.2, Point 6 which requires full characterising and classifying of process solutions and washings from density separation processes. This is N/A as density separation is carried out via a cyclonic process using air. • Section 5.5, Point 1-3 which relate to minimising the release of diffuse emissions to air from activities that may create them. This is achieved by carrying out the activity using enclosed equipment or closed buildings. The operator has stated that they cannot adhere to this due to the risk of flame events within the shredder. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The fitting of a wet scrubber abatement system to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AEL; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction. - Monitoring of ambient air emissions through the requirement of the permit. <u>WEEE: Appropriate Measures</u> The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 5.5, Point 1-14 which sets out the treatment of gas discharge lamps. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type.

		• Section 5.6, Point 1-14 which sets out the treatment of cathode ray tube equipment. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type. • Section 5.7, Point 1-14 which sets out the treatment of flat panel display equipment. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type. • Section 5.8, Point 1-14 which sets out the treatment of small mixed WEEE. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type. • Section 5.9, Point 1-14 which sets out the treatment of IT, telecommunications and business equipment. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type. • Section 5.11, Point 1-14 which sets out the treatment of photovoltaic panels. The operator has confirmed that this is N/A as they do not receive, store, or treat this waste type. • Section 5.12, Point 5 which requires fully characterisation and classification of process solutions and washings from density separation processes before determining suitable disposal options. The operator has confirmed this is N/A as no density separation processes occur on site. <u>ELV: Appropriate Measures</u> 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.
Emissions control appropriate measures	FC	<u>Treating Metal Waste In Shredders: Appropriate Measures</u> The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 6.1, Point 1 which requires the operator to contain the waste treatment plant to make sure process emissions are collected, extracted and directed to an appropriate abatement system for treatment before release. The operator has stated that the shredder is partially enclosed, but full enclosure cannot be adhered to due to the risk of flame events and accessibility required. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The fitting of a wet scrubber abatement system to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs;

		- The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction. - Monitoring of ambient air emissions through the requirement of the permit. • Section 6.1, Point 2 which requires the operator to identify the main chemical constituents of the site's point source emissions as part of the site's inventory of emissions to air. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. See Improvement Programme for further details. • Section 6.1, Point 3 which requires the operator to assess the fate and impact of substances emitted to air. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. • Section 6.2, Point 8 which requires full enclosure of transfer and storage systems and equipment, including conveyors, hoppers, containers, tanks and skips. The operator has four conveyors that are currently not covered. An improvement condition has been retained (IC3) to demonstrate compliance with the appropriate measure. • Section 6.2, Point 9 which recommends the operator to keep enclosed buildings and equipment under adequate negative pressure. The operator has responded to state that negative pressure cannot be achieved as the shredder is not fully enclosed. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The fitting of a wet scrubber abatement system to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction. - Monitoring of ambient air emissions through the requirement of the permit. • Section 6.2, Point 10-13 which requires the use of fast-acting airlocks, full enclosure of pre- and post-treatment shredder plant, use of appropriate process interlocks, and the containment and extraction of dust emissions from the shredder plant to an appropriate abatement system. The operator has responded to state that fast acting air lock doors are of no benefit as the enclosed dirt sheds experience constant loading shovel movement in and out of the enclosures. The operator has also stated that where possible, (for full enclosure, process interlocks, and appropriate abatement), these have been fitted. However, full enclosure of the shredder chamber within a building is impractical due to potential flame events. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions;

		- The fitting of a wet scrubber abatement system to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction. - Monitoring of ambient air emissions through the requirement of the permit. • Section 6.2, Point 31 requires the operator to have either pressure relief dampers or a pre-shredder. The operator has provided a working deflagration management plan which will be used to mitigate the frequency and effects of any deflagrations. In the event that the amount of deflagrations per year is unacceptable, it is likely we will request the operator to comply with this appropriate measure and install one or the other. • Section 6.4, Point 1 which requires the operator to identify the main chemical constituents of the site's point source emissions as part of the site's inventory of emissions to water and sewer. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to water and sewer. See Improvement Programme for further details. • Section 6.4, Point 2 which requires the operator to assess the fate and impact of substances emitted to water and sewer. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to water and sewer. <u>WEEE Appropriate Measures</u> The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 6.1, Point 1-3 and section 6.4, Point 2 which requires an assessment of the fate and impact of the substances emitted to air and water, following the Environment Agency's air and water emission risk assessment methodology. An Improvement Condition has been included for this assessment. This has been included in the Improvement Condition programme. <u>ELV: Appropriate Measures</u> 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.

Emissions monitoring and limits appropriate measures	FC	Treating Metal Waste In Shredders: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 7.1, Point 1 which requires the operator to have an emissions inventory which characterises the parameters of the point source emissions to air. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. See Improvement Programme for further details. WEEE: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 7.1, Point 1 which requires the operator to have an emissions inventory which characterises the parameters of the point source emissions to air. We have included an improvement condition (IC4a and IC4b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. See Improvement Programme for further details.
Process efficiency appropriate measures	FC	Treating Metal Waste In Shredders: Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of Appropriate Measures 1, 3, and 6 of Section 8.3, which requires the operator to optimise water use on site. The operator has confirmed that they will meet the requirements within 2 months from the date that the varied permit is issued. Improvement condition IC 11a and 11b have been included in the varied permit to address this. WEEE: Appropriate Measures

		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 minimisation, recovery, and disposal	CC	ELV: Appropriate Measures 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	Within the Regulation 61 Notice response dated the operator has referenced the document '*Baseline report reference 72670.016 dated June 2018'*, which they have confirmed as previously submitting.	
Medium combustion plant and specified generators	There are no medium combustion plant or specified generators on site.	
Climate change	Submission of climate change risk assessment is no longer application requirement. It now forms a part of the operator's EMS and will be reviewed within compliance assessment.	
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response		
Removal of conditional wording	We have removed the pre-amble wording within Condition 2.2.1: "For the following activities referenced in schedule 1, table S1.1, AR1 to AR6" The permitted activities included within the permit will manage waste to the same standards (appropriate measures), and therefore there is no requirement for distinction. The new condition states: "Waste authorised by this permit shall be clearly distinguished from any other waste on the site."	
Removal of DAAs	The following DAAs have been removed from the permit: • AR3 – Storage of waste excluding temporary storage of hazardous waste under Section 5.6 A(1)(a); and	

	• AR4 – Storage of processed materials, excluding temporary storage of hazardous waste under Section 5.6 A(1)(a). • AR6 – Discharge of site drainage from storage and treatment areas to foul sewer. AR3 has been superseded by the following DAA (AR3) within the permit: • Storage of non-hazardous waste pending treatment. The AR1 activity now has a limit included to confirm the storage of treated waste: "Treated waste (ferrous metal, non-ferrous metal, WEEE, and ELV) shall be stored prior to transfer off-site for no longer than 6 months or as agreed in any approved Fire Prevention Plan". Therefore, AR3 has been removed as it is now redundant. The new AR3 DAA allows for the storage of non-hazardous waste prior to treatment, which supersedes the pre-existing AR3. AR6 has been removed because the permit previously listed the site interceptor for surface water runoff as a Directly Associated Activity (DAA). Following a review against our guidance (RGN 2: Understanding the Meaning of Regulated Facility), we have determined that the use of the interceptor does not meet the criteria for a DAA. The use of an interceptor is considered a standard pollution control measure rather than a separate activity that is technically connected to and directly associated with the waste treatment operation. It does not process waste or generate emissions itself, but rather provides a passive means of protecting controlled waters from contamination. Therefore, it is more appropriately captured within the emissions control requirements of the permit, particularly within the emissions to water table and relevant infrastructure conditions. The interceptor will continue to be regulated through conditions requiring control of emissions to sewer, and the operator remains responsible for ensuring it is maintained and performs effectively to prevent pollution.
Removal of wording within limits for Waste electrical and electronic equipment (authorised treatment) activity	We have removed 'Shredding' and 'Granulation' as part of the treatment operation limits within the WEEE waste operation (now AR6). Shredding and granulation is covered through the S5.4 metal shredding operation and thus was a duplication of treatment. There is no separate shredder dedicated to WEEE only. We have removed 'Screening', 'Baling', 'Shearing', 'Compacting', 'Crushing', and 'Cutting' as part of the treatment operation limits within the WEEE waste operation (now AR6).

	In a response to a request for information dated 27/03/2025, the operator confirmed the WEEE waste operation is only used to accept, sort, grade, dismantle and store WEEE and their components.
Added restriction of waste code	The following waste codes within Table S2.2 relating to the metal shredding process (AR1) has been restricted to the following: • 16 02 14 – discarded equipment other than those mentioned in 16 02 09 to 16 02 13 (cookers, washing machines, street lights, dishwashers and tumble dryers, excluding heat pump tumble dryers) • 16 02 16 – components removed from discarded equipment other than those mentioned in 16 02 15 (ferrous and non-ferrous metal waste only). • 20 01 36 - discarded electrical and electronic equipment other than those mentioned in 20 01 21, • 20 01 23 and 20 01 35 (cookers, washing machines, street lights, dishwashers and tumble dryers, excluding heat pump tumble dryers) These waste codes have been restricted to limit the type of waste that can be accepted under this waste code, in order to make clear the intention of the types of waste that are acceptable to be treated under the metal shredding activity. The operator has provided an updated waste acceptance procedure that ensures that no hazardous material from street lighting will be accepted. The following waste code within Table S2.3 relating to the ELV waste operation (AR7) has been restricted to the following: • hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14 (catalytic converters and wiring looms only) This waste code has been restricted to limit the type of waste that can be accepted under this waste code, in order to make clear the intention of the types of waste that are acceptable to be treated under the ELV waste operation.
Inclusion and removal of waste codes	In an email dated 15/11/2024 and during operator review, the operator confirmed that they do not accept any waste codes except 16 01 21* and 16 01 04* under the ELV waste operation (AR7). We have therefore removed the following waste codes from Table S2.3 which are not accepted as part of the Vehicle storage, depollution and dismantling (authorised treatment) facility (AR7): • 16 01 03 – end of life tyres

	• 16 01 06 – end-of-life vehicles, containing neither liquids nor other hazardous components • 16 01 17 – ferrous metal • 16 01 18 – non-ferrous metal • 16 01 22 – components not otherwise specified • 16 06 01* - lead batteries • 16 06 05 – other batteries and accumulators We have added the following waste code to Table S2.3: • 16 01 19 - plastic This waste code has been added as requested by the operator in an email dated 04/07/2025 to reflect acceptance of ELV bumpers separately. These will be stored for onward movement to EMR's sister company MBA Polymers. As the operator already accepts similar waste and controls the environmental risk through compliance with the appropriate measures and site-specific control measures, there is likely no significant risk associated with this additional waste stream. We have added the following waste codes to table S2.5: • 20 01 33* - batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries • 20 01 34 - batteries and accumulators other than those mentioned in 20 01 33 These waste codes have been added as requested by the operator in an email dated 27/06/2025 to reflect incoming batteries from household waste recycling centres. As the operator already accepts similar waste from ELVs and controls the environmental risk through compliance with the appropriate measures and site specific control measures, there is likely no significant risk associated with this additional waste stream. We have added the following waste code to table S2.5: • 17 04 10* - cables containing oil, coal tar and other hazardous substances. We have identified that 17 04 11 is included on the metal recycling waste code table. EMR have a Regulatory Position Statement in place for the treatment and storage of hazardous cables which will expire. To ensure the operator can still accept this waste, we have included the mirror-hazardous entry so that the waste code can be dual-coded upon acceptance to the site. However, the following limits are included within AR7's limits of activities to reflect the Industrial

	Emissions Directive thresholds: *The maximum quantity of hazardous waste (in aggregate) that can be accepted or stored at the site shall not exceed 50 tonnes at any one time.* As there is no associated S5.3 A(1) (a) (ii) activity within this permit, the IED thresholds remain in place that treatment of hazardous waste shall not exceed 10 tonnes per day.
Removal of D15 code	We have removed the D15 activity code for the WEEE waste operation (AR6). D15 is only required where waste is accepted for intended disposal. The operator has confirmed that all non-hazardous WEEE processed would be for recovery and there a D15 is no longer required.
Removal of condition 3.6.7	We have removed the following condition from the permit: 3.6.7 – The operator shall, without delay, inform the Environment Agency of each confirmed detection of radiation in accordance with this condition and the action taken in accordance with condition 4.3.1. We have removed this condition as the operator has an associated SR 2017 No 1 permit under EPR/TB3996DN which authorises the operator to keep radioactive material and accumulate radioactive waste that is identified by a radiation detection system following its unintentional receipt. Therefore, condition 3.6.7 is superseded by the standard rules permit in place.
Addition of AR8	The operator has requested the following waste code within their permit: • 15 01 02 – plastic packaging We have accepted this additional waste code as this was being accepted adjacently under an S2 exemption. This change allows the operator to accept the waste code for storage and transfer only. The operator has confirmed that this is a single source waste stream from businesses consisting of crates and totes, and has confirmed that these will no contain residue material that may be odorous. As the storage and transfer of this waste code was not suitable for any of those on the previous permit, a non-hazardous waste transfer station has been added to Table S1.1.

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 facility at the site in accordance with RGN2 ‘Understanding the meaning of regulated facility’, Appendix 2 of RGN2 ‘Defining the scope of the installation’, and Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’.

The site

There is no change to the site plan as a result of this variation. 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 is in accordance with the relevant appropriate measures and guidance.

Improvement Condition 9 requires the operator to comply with the taping or capping of lead acid batteries. The operator has confirmed they do not currently comply with this measures, therefore an improvement condition has been

imposed to comply with this measure or provide alternative measures which meet an equivalent level of environmental protection.

Improvement Condition 10a and 10b have been included as new parameters have been introduced into the permit as per the requirements of this permit review.

Improvement Condition 11a requires the operator to submit a plan for the installation, maintenance and operation for the new abatement system (wet scrubber) for the metal shredding plant. This must detail the monitoring measures in place that will optimise and maintain the operation and performance of the wet scrubber.

Improvement Condition 11b requires the operator to review and update their waste storage, segregation and handling procedures following the commissioning of the wet scrubber, specifically relating to Measure 8.3, Point 6-7 of the appropriate measures.

Improvement Condition 12 requires the operator to review and resubmit their site drainage plan to demonstrate the feasibility of segregating clean and dirty water. The operator has confirmed that this does not currently occur on site, and therefore the feasibility to separate and segregate must be explored in order to meet compliance with BAT 19f.

Improvement Condition 13 requires the operator to complete water mass balances in relation to a water saving plan. The operator confirmed that a water mete is implemented to measure the amount of water injected into the shredder, but has yet to create and complete the mass balance document.

Improvement Condition 14 requires the operator to store shredder non-metallic fraction undercover.

Improvement Condition 15a requires the demonstration of covering of conveyors, transfer points and drop points. This improvement condition requires the operator to review their emission control procedures related to the heavy fractions that pass through uncovered conveyors to ensure that no significant fugitive emissions are released, using a combination of techniques as outlined in the appropriate measures. Improvement Condition 15b must be completed after 15a to review the effectiveness of the implemented emission control procedures as well as any further ongoing monitoring where required. Any identified improvements must be proposed and timescales for those proposals implemented.

It should be noted that IC5 has been completed but superseded by IC10a and IC11b as new BAT-AELs have been introduced as part of this permit review.

Improvement condition 16 requires the operator to submit a revised Fire Prevention Plan. The operator requested that waste code 15 01 02 be added to the permit. To accommodate this, a non-hazardous waste transfer station activity has been added to Table S1.1. The operator proposed a maximum storage limit of 10,000 tonnes. This represents a substantial increase in combustible material storage compared to existing permitted activities, and falls outside the scope of assessment for this permit review.

To ensure compliance with the Environment Agency's Fire Prevention Plan guidance and to demonstrate that such volumes can be managed safely, an improvement condition has been included requiring the operator to submit a revised Fire Prevention Plan. This plan must assess and justify the risks associated with the proposed storage capacity, including maximum quantities, pile dimensions, separation distances, fire detection/suppression measures, and containment of firewater.

The operator will therefore be authorised to accept 15 01 02 under the new non-hazardous waste operation, but the maximum storage limit will remain subject to demonstration and approval through the revised Fire Prevention Plan.

We have removed the following improvement conditions from the permit because they have been marked as complete:

Reference	Requirement	Completion date
IC1	The operator shall submit a written procedure to the Environment Agency for approval for the use of Best Available Techniques to trace and inspect baled wastes delivered to the site. This shall include, but not be limited to, detailed monitoring and management of the following: (a) Bale suppliers and processing; (b) Flame events and audible events associated with processing of baled waste; and (c) Concealed items, non-metallic materials, undepolluted End of Life Vehicles, cylinders/sealed containers or heavy non-shreddable items. The procedure shall include risk-based inspection of individual bales which includes pre-shredding, opening or breaking bales as appropriate. The operator shall implement the procedure in accordance with the Environment Agency's written approval.	06/11/2017
IC2	The operator shall submit a written management system to the Environment Agency.	18/09/2017

	The management system must ensure that all Installation Activities (referenced AR1-AR6 in table S1.1) are undertaken in accordance with Best Available Techniques. The Management System shall include the following: (a) A clearly documented and auditable waste acceptance procedure that details: (i) Assessment of potential in-feed, including pre-acceptance checks to ensure that the wastes received are suitable for shredding, (ii) Procedures for the identification, confiscation and repatriation of gas cylinders and other prohibited items, (iii) A dedicated waste reception area with suitably trained staff controlling inspection, reception and validation of wastes (iv) A dedicated quarantine area for wastes that are prohibited, awaiting full inspection, testing or removal; (b) Clearly documented and auditable material handing procedures that ensure emissions including dust and noise from material handling are prevented, or where that is not practicable, minimised; and (c) Clearly documented and auditable procedures for the management of shredder residues to ensure that: (i) All residues are stored on impermeable surface with sealed drainage in a way that prevents, or where that is not practicable, minimises emissions and prevents wind-blown dispersion (ii) All residues are characterised and assessed for appropriate further processing, recovery or disposal. The operator shall implement the management system in accordance with the Environment Agency's written approval.	
IC3	The operator shall submit proposals to the Agency that demonstrate they are preventing, or where that is not practicable, minimising emissions of dust and particulates by the movement and handling of materials by conveyor belt. This should include the following as appropriate: (a) Covering of conveyors transfer points and drop points downstream of the shredder; and (b) Spraying and misting in dry or windy conditions	27/09/2018
IC4	The operator shall submit a written monitoring plan to the Environment Agency for approval that includes proposals to undertake representative monitoring of the surface water discharged from the Emission Point to Foul Sewer as specified in tale S3.2 including the parameters to be	06/12/2017

	monitored frequencies of monitoring and methods to be used. The operator shall carry out the monitoring in accordance with the Environment Agency's written approval.	
IC5	The operator shall submit a written report to the Environment Agency for approval that includes the following: (a) The results of an assessment of the impact of the emissions to surface water from the site using the Environment Agency's 'H1 Environmental Risk Assessment' tool (or equivalent as agreed with the Environment Agency) based on the parameters monitored in IC4 above; and (b) Proposals for appropriate measures to mitigate the impact of any emissions where the assessment determines they have the potential to be significant, including dates for implementation of the individual measures. The operator shall implement the measures in (a) and (b) as approved from the dates stipulated by the Environment Agency.	
IC6	The operator shall submit a written plan to the Environment Agency for approval that includes the following: (a) Proposals to undertake representative monitoring of the air discharged from Emission Point to Air as specified in table S3.1 including the parameters to be monitored, frequencies of monitoring and methods to be used; (b) Confirmation that a written report will be submitted to the Environment Agency for approval that includes the following: i) The results of an assessment of the impact of the emission to air from the site using the Environment Agency's 'H1 Environmental Risk Assessment' tool (or equivalent as agreed with the Environment Agency) based on the parameters monitored in (a) above; and ii) Proposals for appropriate measures to mitigate the impact of the emission where the assessment determines they are significant, including emission limits and monitoring and dates for implementation of individual measures; and iii) Details of appropriate measures for the operation and maintenance of the abatement system to ensure that where emission limits are not required, emissions remain insignificant.	12/01/2018

	The operator shall carry out the monitoring in accordance with the Environment Agency's written approval.	
IC7	The operator shall submit a written proposal to the Environment Agency to carry out tests to determine the size distribution of the particle matter in the exhaust gas emissions to air from Emission Point to Air as specified in table S3.1, identifying the fractions within the PM_{10}, and $PM_{2.5}$ ranges. The proposal shall include a timetable for approval by the Environment Agency to carry out such tests and produce a report on the results. On receipt of written agreement by the Environment Agency to the proposal and the timetable, the operator shall carry out tests and submit to the Environment Agency a report on the results.	12/01/2018
IC8	The operator shall submit a written Fire Prevention Plan to the Environment Agency for approval. The plan shall comply with our guidance 'Fire prevention plans: environmental permits'. The plan shall be implemented as approved, and from the date stipulated by the Environment Agency.	21/11/2018

Changes to EWC codes

The following EWC codes have been modified within Table S2.2. This is following clarification from the operator regarding the Large Domestic Appliances (LDA) that are accepted for shredding. Limits in brackets have been included to specify the type of waste that can be accepted for shredding under these waste codes.

16	**WASTES NOT OTHERWISE SPECIFIED IN THE LIST**
16 02	**discarded equipment and its components**
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13 (cookers, washing machines, dishwashers and tumble dryers, excluding heat pump tumble dryers)
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15 (ferrous and non-ferrous metal waste only)
20	**MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS**
20 01	**separately collected fractions (except 15 01)**
20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35 (cookers, washing machines, dishwashers and tumble dryers, excluding heat pump tumble dryers)

The following waste codes have been removed from Table S2.3 as the operator have confirmed they do not accept them:

16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	**end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**
16 01 07*	oil filters
16 01 11*	brake pads containing asbestos
16 01 12	brake pads other than those mentioned in 16 01 11
16 01 13*	brake fluids
16 01 14*	antifreeze fluids containing hazardous substances
16 01 15	antifreeze fluids other than those mentioned in 16 01 14
16 01 16	tanks for liquefied gas
16 01 17	ferrous metal
16 01 18	non-ferrous metal

The following EWC codes have been modified within Table S2.3. This is following clarification from the operator that only catalytic converters and wiring looms are accepted under the waste code.

16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	**end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**
16 01 21*	hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14 (catalytic converters and wiring looms only)

The following waste code table and associated code has been added to accommodate the addition of AR8 Non-hazardous waste transfer station:

Table S2.6 Permitted Waste types and quantities for non-hazardous waste transfer station (AR8)	
Maximum Quantities	The total quantity of waste accepted under activities AR5, AR6, AR7, and AR8 shall be less than 75,000 tonnes a year.
Exclusions	Wastes having any of the following characteristics shall not be accepted: Wastes that are in a form which is either sludge or liquid
Waste Code	**Description**

15	WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	**packaging (including separately collected municipal packaging waste)**
15 01 02	plastic packaging

Emission limits

Emission Limit Values (ELV's) based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment, have been amended for the following substances:

- Total Suspended Particulates (now ‘Dust’)

This substance, listed under the emission points A1 in Table S3.1 of the permit, has been amended in line with the current requirements of BAT. The AEL for this substance was 20 mg/m3. The revised AEL is 5 mg/m3.

Emission Limit Values (ELV's) based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment, have been added for the following substances:

- Total VOCs
- Brominated flame retardants
- Dioxin-like PCBs
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Sb, Se, Tl, V)
- Dioxins and furans (PCDD/F)

The above substances, listed under the emission points A1, have been added in line with the current requirements of BAT.

Emissions limits have been added for indirect emissions to water (sewer, effluent treatment plant or other transfers off-site) as a result of this variation based on Best Available Techniques – Achievable Emissions Levels (BAT-AELs) for Waste Treatment.

- Hydrocarbon oil index
- Arsenic
- Cadmium
- Chromium
- Copper
- Lead
- Nickel
- Zinc
- Mercury

- PFOA
- PFOS
- Deca BDE

The above substances, listed under the emission points 1, 2 and 3 in Table S3.2 of the permit, have been added in line with the current requirements of BAT.

Monitoring

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

- All mechanical treatment of WEEE by process stream: LDA Total VOCs
- Brominated flame retardants
- Dioxin-like polychlorinated biphenyls (PCBs)
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Sb, Se, Tl, V)
- Dioxins and furans (PCDD/F)
- Hydrocarbon oil index
- Cadmium
- Chromium
- Copper
- Lead
- Nickel
- Zinc
- Mercury
- PFOA
- PFOS
- Deca BDE

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

Reporting

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

- Emissions to water
- Process monitoring

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.