Permitting Decisions- Environment Agency Initiated Variation

We have decided to issue an Environment Agency initiated variation for Tenax Road operated by S.Norton & Co 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/XP3792CT/V005.

In addition to implementing the permit review, this variation also makes the following changes to the permit that were applied for by the operator under permit variation application EPR/XP3792CT/V004.

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.

Permit variation application

In addition to implementing the permit review, this variation also makes the following changes to the permit that were applied for by the operator under permit variation application EPR/XP3792CT/V004:

Changes made under the substantial variation:

- Addition of a new scheduled activity for the operation of a stand-alone sensor-based sorting (SBS) plant.
- An increase in the annual tonnage from 300,000 to 750,000.
- The addition of a wet separation process.
- Extension of the permitted boundary to include the building labelled 'Tenax' on the site plan (Schedule 7 in the permit) and a small parcel of land to the south.
- The addition of 3 new waste codes 17 04 10*, 19 02 04*, 19 12 11*.
- Additional activity to accommodate the existing Eddy Current Separator (ECS).
- Changing the location of a sewer discharge point to more accurately reflect its location.

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

Fire Prevention Plan

As part of the substantial variation application we assessed the operators Fire Prevention Plan (FPP) against the relevant guidance (here). The aim of any FPP is to ensure the following 3 objectives are met:

1. Minimise the likelihood of a fire happening.
2. Aim for a fire to be extinguished within 4 hours.

3. Minimise the spread of fire within the site and to neighbouring sites.

For the following sections of the guidance, the operator has applied for deviations from operating techniques we would expect to see as standard and provided justifications as to how their alternative measures ensure the 3 objectives are met.

9.2 – Maximum pile sizes

The guidance outlines that the maximum pile size for waste electrical and electronic equipment (WEEE) is 450m^3 and for other metals is between 450m^3 and 750 m^3 depending on the size of the stored fractions. Maximum pile height is 4 metres and length is 20 metres. A range of proposed waste pile sizes exceed these limits, the largest of which is light iron at 10m height, 31m length, and 42m width with a volume of 13,020 m^3.

16 – Water supply

The guidance outlines that, if no other action is taken, for a 300 cubic metre pile of combustible material, you must have a water supply of at least 2,000 litres a minute for a minimum of 3 hours. In this scenario, with no active firefighting intervention, we would expect a water supply of 86,000 litres a minute for the largest on-site waste pile (light iron).

The following measures have been proposed by the operator to ensure that the large pile sizes and water supply are managed in accordance with the 3 main objectives.

1) Combustible waste piles will be stored for no longer than 1 week.
2) An automated fire shield fire detection and suppression system covers the light iron, oversize small mixed WEEE (SMW), and shredder light fraction piles. The trigger temperatures for the thermal imaging camera system are 250 and 300^{o}C. Flame detection is also present, which will trigger the alarm regardless of temperature.
3) Zorba (mixed non-ferrous material) is non-combustible and will be stored for no longer than 1 month. Non-confirming combustible material is handpicked from the stockpile. Weekly sampling is carried out on this pile.
4) Twice daily monitoring of light iron and SMW using handheld thermal monitors.
5) Water supply on site has been increased to 540,000 litres through the installation of two on-site water storage tanks (140,000 and 400,000 litres each).
6) There are 2 loading shovel operatives on site at all times. There are also 2 material handler (grab crane) operatives on site during working hours, and outside of working ours 2 material handler operatives can be on site within 20 minutes. Loading shovels can move between 5 and 10 tonnes of waste a minute and the material handler can move between 3 and 8 tonnes of

waste per minute. two material handlers and two loading shovels can be used on an ignited pile at once to aid in isolating ignited material. Typically, this can be achieved within 10 minutes. Separation of the ignited material will reduce the water supply requirements to a suitable level.

7) At all times, at least one member of on-site staff will be fully competent in the fire management and response procedures.

We are satisfied that the above measures will allow for effective fire risk management and will ensure the 3 objectives are met. We have concluded this because the alternative measures proposed will: ensure early detection of any abnormal increases in pile temperature, will enable the timely isolation of any ignited material within a pile to prevent fire spreading, and will allow for any fire event to be extinguished within a 4-hour window.

Additional wording in AR1 limits.

S. Norton has requested that the following wording be added (those in italics) to the existing limit for activity AR1 in Table S1.1. Treatment consisting only of pre-shredding and shredding of waste containing ferrous and non-ferrous metals for recovery '*and segregation into light and heavy fractions for further treatment).*

However, this is not suitable or necessary. AR13 – Directly associated activity has been included in the permit for the physical treatment for the purpose of recycling the outputs of AR1. This covers sorting separation and grading of wastes produces from the shredder.

Inclusion of 'trommelling'

S. Norton has requested the use of 'trommelling' under the limits section of both AR9 and AR13. We have deemed this unnecessary as trommelling would fall under the description of sorting, separation, and grading.

Removal of oil from radiators

S. Norton has requested an additional limit included in the permit which permits the removal of oil from radiators. However, we have deemed this unnecessary. Under activity AR10, the following limit is included which permits the depollution of oil filled radiators 'The following shall be removed from small mixed WEEE before any shredding or other form of mechanical treatment: Any WEEE or component containing a fluid, such as oil filled radiators'.

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 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.

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.

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.

Non-hazardous and inert waste: appropriate measures for permitted facilities - published 12 July 2021.

End of life vehicles (ELVs): appropriate measures for permitted facilities – published 19 October 2023.

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.

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 WEEE Regulation 61 notice response from the Operator was received on 29/08/2022. The Metal shredding Regulation 61 notice response from the operator was received on the 21/11/2022.

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 treatment operations and relevant scheduled activities, waste codes, and appropriate measure compliance on 18/02/2025, 21/05/2025, and 25/07/2025. 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 and N/A	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section except for point 2.5.3 as no end-of-waste material is produced at this facility. **Treating Metal waste in shredders: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **Non-Hazardous and inert waste: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures** The operator has 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 for all of the above appropriate measures.
Waste pre-acceptance, acceptance and tracking appropriate measures	CC	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. **Treating Metal waste in shredders: appropriate measures**

		The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **<u>Non-Hazardous and inert waste: appropriate measures</u>** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **<u>End of life vehicles (ELVs): appropriate measures</u>** The operator has 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 for all of the above appropriate measures.
Waste storage, segregation and handling appropriate measures	CC and AM	**<u>Waste electrical and electronic equipment (WEEE): appropriate measures</u>** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. **<u>Treating Metal waste in shredders: appropriate measures</u>** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section except the measure below where an alternative measure has been agreed. 4.2.3 – *You must not accumulate waste. You must treat wastes, or remove them from the site, as soon as possible. Generally, all wastes must be removed within a maximum of 6 months of receipt. If you have a shorter time period as a permit condition, you must comply with that condition for that waste.* The operator requested that for particular types of clean non-combustible, non-ferrous materials, the 6 months storage limit be removed and replaced by a 3-year limit instead. The operator confirmed the following points as part of our decision-making process:

		• This waste will be stored undercover in the building labelled 'tenax' shown in schedule 7 on the site plan in the permit. • Metals to be stored in this way are Copper, brass, gun metal, lead and stainless steel which are relatively low risk clean metals for storage. • These materials are not outputs from the shredder and arrive on-site as discrete loads. • There is negligible pollution and fire risk due to the nature and storage arrangements of the waste. • There is no residual accumulated waste. • All waste on site is tracked by RECY system – as outlined in BAT operating techniques document. We have determined that the risk of this alternative measure is low and that sufficient measures are in place to ensure this remains the case. The agreed 3-year limit is limited to specific types of waste and the 6-month limit will remain in place for other wastes on-site. **Non-Hazardous and inert waste: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures** The operator has 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 for all of the above appropriate measures.
Waste treatment appropriate measures	CC and N/A	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section other than those which are not applicable: • 5.5.1 – 5.5.14

		• 5.6.1 – 5.6.10 • 5.7.1 – 5.7.10 • 5.9.1 – 5.9.4 • 5.11.1 – 5.11.3 The site is not-permitted to accept or treat the wastes these appropriate measures are relevant to. **Treating Metal waste in shredders: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **Non-Hazardous and inert waste: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures** The operator has 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 for all of the above appropriate measures.
Emissions control appropriate measures	N/A and FC	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section except for: • Appropriate measure 3 of section 6.3, which requires a noise management plan. Improvement condition 6 has been included in the varied permit to reflect this. • Appropriate measures 2 and 3 of section 6.1 and Appropriate measures 1 and 2 of section 6.4, which requires an emissions inventory and assessment of discharges to air and sewer from

		emission points. Improvement conditions 8a and 8b have been included in the varied permit to reflect this. • Appropriate measure 6 of section 6.2, which requires a dust management plan. Improvement condition 9 has been included in the varied permit to reflect this. • Appropriate measures 2 and 3 of section 6.5, which requires high integrity infrastructure across the whole site. Improvement condition 10 has been included in the varied permit to reflect this. **Treating Metal waste in shredders: appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section except for: • Appropriate measure 30 of section 6.2, which requires a deflagration management plan. Improvement condition 7 has been included in the varied permit to reflect this. • Appropriate measure 3 of section 6.3, which requires a noise management plan. Improvement condition 6 has been included in the varied permit to reflect this. • Appropriate measures 2 and 3 of section 6.1 and Appropriate measures 1 and 2 of section 6.4, which requires an emissions inventory and assessment of discharges to air and sewer from emission points. Improvement conditions 8a and 8b have been included in the varied permit to reflect this. • Appropriate measure 16 of section 6.2, which requires a dust management plan. Improvement condition 9 has been included in the varied permit to reflect this. • Appropriate measure 2 of section 6.5, which requires high integrity infrastructure across the whole site. Improvement condition 10 has been included in the varied permit to reflect this. • Appropriate measure 3 and 4 of section 6.2 which requires the minimisation of potential diffuse dust emissions and suitable abatement if necessary. Improvement conditions 11a and 11b have been included in the varied permit to reflect this. **Non-Hazardous and inert waste: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures**

		The operator has confirmed that they currently meet the requirements of all appropriate measures in this section except for: • Appropriate measure 9 of section 6.3, which requires a noise management plan. Improvement condition 6 has been included in the varied permit to reflect this. • Appropriate measures 2 of section 6.2 and Appropriate measures 1 and 2 of section 6.4, which requires an emissions inventory and assessment of discharges to air and sewer from emission points. Improvement conditions 8a and 8b have been included in the varied permit to reflect this. • Appropriate measure 5 of section 6.3, which requires a dust management plan. Improvement condition 9 has been included in the varied permit to reflect this. • Appropriate measure 2 of section 6.5, which requires high integrity infrastructure across the whole site. Improvement condition 10 has been included in the varied permit to reflect this. 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 for all of the above appropriate measures.
Emissions monitoring and limits appropriate measures	FC	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. **Treating Metal waste in shredders: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section with the exception of point 2 of section 7 of the appropriate measures, which requires an emission inventory for the facilities point source emission to air and water. Improvement conditions 8a and 8b have been included in the varied permit to address the need for an emissions inventory for emissions to air and sewer. 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 1.2 **Non-Hazardous and inert waste: appropriate measures**

		The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures** The operator has 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 for all of the above appropriate measures.
Process efficiency appropriate measures	CC	**Waste electrical and electronic equipment (WEEE): appropriate measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. **Treating Metal waste in shredders: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **Non-Hazardous and inert waste: appropriate measures** The operator has confirmed that they currently meet the requirements of all appropriate measures in this section. **End of life vehicles (ELVs): appropriate measures** The operator has 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 for all of the above appropriate measures.

Reg 61 requirement	Assessment of response received
Soil and groundwater risk assessment	*The operator has submitted a Site Condition Report as part of the operator-led variation application. We have assessed and approved this as part of our assessment.*
Medium Combustion plant and specified generators	None on site
Climate change	Submission of climate change risk assessment is no longer application requirement. It now forms part of the operator's EMS and will be reviewed with a compliance assessment.
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response	
The addition of an S5.3 A(1) (a) (ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment.	We have added this separate S5.3 activity to accommodate the granulation of cable wastes on site. This has been included under AR3 and AR4 in the previous permit iteration (V003). It is more appropriate to include this as its own scheduled activity, therefore has been added to ensure the permit accurately reflects the activities happening on-site.
The removal of the existing AR3 S5.4 A(1) (b) (iv) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.	This activity covered the treatment of non-hazardous residues within the downstream SWAPP residue treatment plant. Due to the reclassification of residues as hazardous wastes, this activity no longer has any relevant waste codes and so will no longer be used on-site. Therefore, we have removed this activity to ensure the permit accurately reflects the activities happening on site.

The addition of AR9 – Physical treatment for the purpose of recycling DAA.	This DAA has been added to reflect the pre-treatment of materials destined for processing under AR1. This pre-existing activity has not been accurately represented on previous permit iterations.
The addition of AR10 – Physical treatment for the purpose of recycling as a DAA to reflect the appropriate manual treatment of SMW expected to appropriately prepare it for mechanical processing.	This DAA has been added **to** reflect the appropriate manual treatment of SMW to remove non-compliant components prior to mechanical treatment within the shredder as is expected as part of the WEEE appropriate measures.
The removal of the DAA labelled as AR9 on the permit – 'storage of processed non-hazardous materials'.	This DAA has been removed alongside the removal of AR3 as no non-hazardous waste is now produced by on-site activities due to the reclassification of shredder residues as hazardous wastes.
Addition of AR14 – delamination of cable waste directly associated activity.	This DAA has been added to the permit as part of the permit review as it is more suitable to separate the cable shredding process from the delamination mill process as the delamination mill can accept in-feed from both AR5 (SWAPP) and AR6 (Cable shredder). This activity was previously permitted under the cable granulation activity.
Addition of AR16 – metal recycling waste operation	This waste operation has been added to more accurately reflect pre-existing activities on site. The treatment of non-hazardous waste which does not fall under a scheduled activity was not properly represented on this permit. This waste operations has been added to resolve this.
Removal of waste codes	A range of waste codes have been removed from the permit due to them being unsuitable for the permitted activities or not required for the activities that are being undertaken on site. **Codes removed from permit originally in Table S2.2 (vehicle depollution):** • 16 01 07* - oil filters • 16 01 21* - hazardous components other than those mentioned in 16 01 07 and 16 01 11 and 16 01 13 and 16 01 14 • 16 06 01* - lead batteries • 16 06 05 – gases in pressure containers other than those mentioned in 16 05 04

	Codes removed from permit originally in table S2.3 (WEEE treatment facility) • 16 02 09* - transformers and capacitors containing PCBs • 16 02 10* - Discarded equipment containing or contaminated by PCB's other than those mentioned in 16 02 09 • 16 06 02* - Ni-Cd batteries • 16 06 03* - mercury-containing batteries • 16 06 04 – alkaline batteries (except 16 06 03) • 16 06 05 – other batteries and accumulators • 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 **Codes removed from permit originally in table S2.4 (Metal recycling/metal shredding)** • 10 08 11 – dross and skimmings other than those mentioned in 09 01 11 • 10 09 05* - casting cores and moulds which have not undergone pouring containing dangerous substances • 10 09 07* - casting cores and moulds which have undergone pouring containing dangerous substances • 10 10 05* casting cores and moulds which have not undergone pouring, containing dangerous substances • 10 10 07* - casting cores and moulds which have undergone pouring. Containing dangerous substances • 11 05 01 – hard zinc • 11 05 02 – zinc ash • 12 01 02 – ferrous metal dust and particles • 12 01 04 – non-ferrous metal dust and particles • 15 01 02 – plastic packaging • 15 01 06 – mixed packaging • 17 06 04 – insulation materials other than those mentioned in 17 06 01 and 17 06 03 • 19 10 04 – fluff-light fraction and dust other than those mentioned in 19 10 03 • 19 10 06 – other fractions other than those mentioned in 19 10 05 • 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.

Table S2.3	Table S2.3 includes both hazardous and non-hazardous waste codes for small mixed WEEE (SMW) items. These wastes are a co-mingled waste stream and therefore are not easily distinguished. To show this, both the non-hazardous and hazardous waste codes have been included.

Variation application made by operator

This section summarises the key issues that we considered in relation to permit variation application EPR/XP3792CT/V004, which was made by the operator on 05/10/2023 and separate to the permit review detailed above.

Decision Considerations

Confidential information

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

The decision was taken in accordance with our guidance on confidentiality.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

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’.

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

The site

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

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

The plans show the location of the part of the installation to which this permit applies on that site.

The plan is included in the permit.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is not within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat

designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England

The decision was taken in accordance with our guidance.

Environmental risk assessment

We have reviewed the risk assessment which we previously carried out on behalf of the operator.

The assessment shows that the risk from the activity remains the same. Although the throughput of the site is increasing considerably, the use of abatement techniques in accordance with BAT and the relevant appropriate measure: Treating metal waste in shredders and Waste electrical and electronic equipment (WEEE) ensures that these risks are controlled and reduced to suitable levels. The exception for this case is AR3 and AR4 where the operator has stated both the eddy-current separator (ECS) and the Sensor-based sorting plant (SBS) incorporate a number of dust suppression techniques to ensure compliance with BAT without the need for channelled and abated emission points to air.

Sensor-based-sorting plant techniques:

- Sealed transfer points/chutes on conveyors
- Conveyor covers on belt conveyors
- Additional dust suppression techniques at specific points of the process including atomized fog canons
- Weather-tight enclosure

Eddy current-separator techniques

- Sealed transfer points/chutes on conveyors
- Conveyor covers on belt conveyors
- Dust canopies on feed hoppers
- Additional dust suppression techniques deployed at specific points in the process, including atomized fog canons/nozzles.

However, we have included improvement condition IC 11(a) and (b) to validate the operator's justifications.

The total tonnage of waste stored on site at any one time is not increasing to accommodate the increase in throughput, rather the rate of processing is increasing through the implementation of improved machinery and equipment.

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.

Fire Prevention plan

We have assessed the fire prevention plan and are satisfied that it sets out alternative measures that we consider meet the objectives of the Fire Prevention Plan guidance.

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

Improvement programme

We have included an improvement programme to ensure that operations are compliant with relevant guidance, including the Metal shredding and WEEE appropriate measures and BAT conclusions. Detailed below are the included improvement conditions and explanations as to why these have been included in the permit as part of this variation and permit review.

The existing IC's 1-5 have been superseded by updated IC's included as part of this permit review.

- IC1 – superseded by IC 8a and 8b
- IC2 – superseded by IC 8a and 8b
- IC3 – superseded by IC 8a and 8b
- IC4 – superseded by IC 8a and 8b
- IC5 – superseded by IC6

IC6 – Noise Management Plan

This improvement condition requires the operator to produce a suitable noise management plan and submit it to the Environment Agency for approval. This improvement condition (originally IC5) was included as part of the previous

permit variation (V003) but has been updated to reflect current guidance and therefore, has been appropriately updated in this table.

IC7 – Deflagration Management Plan

This improvement condition requires the operator to produce a suitable deflagration management plan (DMP) and submit it to the Environment Agency for approval. To be compliant with Metal shredding appropriate measures points 6.2.30 and 6.2.31 and BAT 27(a), a suitable deflagration management plan should be in place. Currently the site does not have a deflagration management plan. Deflagration management plans are important to ensure operators have suitable procedures in place to reduce the risk of explosions and fire that can occur when operating a metal shredder, and that suitable response mechanisms are in place should an explosion occur.

IC8 – Emissions inventory and H1 risk assessment for discharges to air and sewer

This improvement condition requires the operator to produce a comprehensive inventory of emissions to air and sewer from emission points A1, A2, A3, W1, and W2 and undertake a suitable H1 assessment on these emissions and submit them to the Environment Agency for assessment. This improvement condition has been included to ensure all emissions are compliant with BAT-AELs and appropriate measures guidance and that abatement techniques in place are sufficient to ensure this compliance. If the results of this assessment show abatement is insufficient and BAT-AELs are not being met, the operator must submit proposals to upgrade abatement or alter operation procedures to ensure limits will be met.

IC9 - Dust management plan

This improvement condition requires the operator to produce a suitable dust management plan (DMP) and submit it to the Environment Agency for approval. The criteria for sites that are required to develop and maintain a dust management plan are outlined in our guidance, along with guidance on producing a suitable DMP: Control and monitor emissions for your environmental permit. S.Norton's Trafford Park site fulfils these requirements. The aim of this improvement condition is to ensure dust emissions are appropriately managed to minimise any risks of emissions.

IC10 – Site surface and drainage integrity according with CIRIA 736

This improvement condition requires the operator to produce a site surfacing and drainage plan and submit it to the Environment Agency for approval. This improvement condition has been included to help us better understand the condition of the site surfacing across the site, its integrity and whether it is 'impermeable', and what potential risks there are to the groundwater and land.

IC11a and IC11b – Diffuse emissions monitoring

These joint improvement conditions require the operator to submit a written report detailing a monitoring programme, results of this monitoring programme, and where necessary proposals for any improvements needed to control diffuse emissions such as a channelled and abated air emission point. Particular focus in this report should be around the sensor-based sorting plant, eddy-current separator. Currently the operator utilises a selection of preventative measures on this machinery including sealed transfer points and covered conveyors, dust canopies, and additional dust suppression techniques at selective parts of the process including atomized fog cannons. To date, no quantitative evidence has been provided to prove that these measures are sufficient to minimise dust emissions. The aim of this improvement condition is to ensure that techniques currently employed by the operator are sufficient to minimise diffuse emissions of dust to acceptable levels and that risks are minimised. If current measures are not sufficient, these ICs ensure that suitable measures are implemented (such as a channelled and abated air extraction system) to control dust emissions.

The cable shredder has been included as a location for monitoring as part of this improvement condition. The operator has confirmed that currently, this treatment process does not have a channelled emission point to air and is not abated. To date, no quantitative evidence has been provided to prove that measures in place are sufficient to minimise dust emissions. The aim of this improvement condition is to ensure that techniques currently employed by the operator are sufficient to minimise diffuse emissions of dust to acceptable levels and that risks are minimised. If current measures are not sufficient, these ICs ensure that suitable measures are implemented (such as a channelled and abated air extraction system) to control dust emissions

We have used our discretion to determine that due to the relatively low-risk nature of the sensor-based-sorting plant and eddy-current separator, we are willing to accept alternative dust suppression measures if the operator can prove that there are effective and sufficient.

IC12 – Site Condition Report, baseline reference data

This improvement condition requires the operator to submit a written report detailing a procedure for the collection of site baseline reference data. The data must be collected that covers the entirety of the site. The aim of this improvement condition is to ensure the collection of representative reference data that covers the entirety of the site to ensure appropriate comparison can be made at permit surrender.

Pre-operational conditions

PO1 – Permit boundary expansion CIRIA 736 compliance

This pre-operational condition stipulates that prior to the commencement of operations within the permitted area added as part of the substantial variation ref EPR/XP3792CT/V004, the operator shall submit a written ‘site surfacing and drainage plan’ detailing the condition of the surfacing and drainage in the newly permitted area including its integrity, physical condition, and any improvements necessary to the structure. The inclusion of this pre-operational condition is to ensure this newly permitted area is of a suitable standard to facilitate the storage of waste without risking contamination to groundwater or land.

PO2 – Permit boundary expansion waste storage appropriate measure compliance

This pre-operational condition stipulates that prior the commencement of operations within the permitted area added as part of the substantial variation ref EPR/XP3792CT/V004, the operator shall submit a report to the environment agency evidencing that waste storage areas proposed in this newly permitted area are compliant with appropriate measure guidance. The inclusion of this pre-operational condition is to ensure this newly permitted area is operated in such a manner that minimises risk and prevents any contamination of rainwater and suitable measures are taken to reduce the chance of other emissions, such as dust.

Emission limits

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

For emission points A1, A2, and A3, we have included the BAT-AEL value for dust to ensure channelled emissions produced on site are compliant with relevant legislation. The limit is as follows:

- Dust – 5mg/m^3

Emissions limits have been added/amended as a result of this variation. It is considered that the numeric limits described below will prevent significant deterioration of receiving waters. The below limits apply for discharges from emission points W1 and W3

- Hydrocarbon oil index – 10 mg/l
- Arsenic – 0.05 mg/l
- Cadmium – 0.05 mg/l
- Chromium – 0.15 mg/l
- Copper – 0.5 mg/l
- Lead – 0.3 mg/l
- Nickel – 0.5 mg/l

- Zinc – 2.0 mg/l
- Mercury – 0.005 mg/l

We have included these limits based on BAT conclusions

Monitoring

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

- Dust
- Total VOCs
- Brominated flame retardants
- Dioxin-like polychlorinated biphenyls (PCBs)
- Dioxins and furans
- Hydrocarbon oil index
- Arsenic
- Cadmium
- Chromium
- Copper
- Lead
- Nickel
- Zinc
- Mercury
- PFOA
- PFOS
- Deca BDE
- Ambient air conditions
- Various Process monitoring requirements as outlined in the permit.

These monitoring requirements have been included in order to ensure compliance with BAT-AELs outlined within BAT conclusions for waste treatment.

We made these decisions in accordance with The Environmental Permitting (England and Wales) Regulations 2016 and BAT conclusions for waste treatment.

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

Reporting

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

- Ambient air
- Emissions to air
- Emissions to water
- Process monitoring

Table S4.1 Reporting of monitoring data			
Parameter	**Emission or monitoring point/reference**	**Reporting period**	**Period begins**
Ambient Air monitoring Parameters as required by condition 3.5.1	As agreed in writing by the Environment Agency.	Quarterly or as agreed in writing by the Environment Agency.	1 January
Emissions to Air Parameters as required by condition 3.5.1	Points A1 to A5	Every 6 months, or as agreed in writing by the Environment Agency.	1 January, 1 July
Emissions to water Parameters as required by condition 3.5.1	W1, W2	Every 6 months, or as agreed in writing by the Environment Agency.	1 January, 1 July
Process monitoring Parameters as required by condition 3.5.1	As agreed in writing by the Environment Agency.	Annually, or as agreed in writing by the Environment Agency.	1 January

We made these decisions in accordance with The Environmental Permitting (England and Wales) Regulations 2016.

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.

Consultation Responses

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations:

Response received from UK Health Security Agency

Brief summary of issues raised: Expressed that the main emission of potential concern is PM_{10}. However, with the mitigation techniques provided, no significant impacts are expected.

Summary of actions taken: Mitigation measures are included as part of operating techniques of permit.

Representations from local MPs, assembly members, councillors and parish/town community councils

Response received from Trafford Council.

Brief summary of issues raised: Requested the Environment Agency consider requiring S. Norton to update their air quality assessment to utilise data from 2015-2019 to more accurately predict current conditions.

Summary of actions taken: Updated air emissions risk assessment provided from S. Norton in response to the second Schedule 5. More recent data was used in this updated version as requested.

Representations from community and other organisations

No responses received

Representations from individual members of the public

No responses received