Permitting Decisions- Environment Agency Initiated Variation

We have decided to issue an Environment Agency initiated variation for ENICOR Limited operated by ENICOR 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/FB3607HE/V005.

In addition to implementing the permit review, this variation also makes changes to the permit that were applied for by the operator under permit variation application EPR/FB3607HE/V006.

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 Treating metal waste in shredders and End of life vehicles (ELVs), 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/FB3607HE/V006:

Addition of cable waste codes to Table S2.3 (16 01 22 End-of-life vehicle (ELV) cables) and to Table S2.4 (17 04 10*, 17 04 11 construction and demolition cables, 16 02 15*, 16 02 16 WEEE cables). This is to ensure that cable waste codes are dual coded as they often arrive in mixed loads and can contain both hazardous and non-hazardous cables.

16 01 21* was already permitted under the ELV operation and 16 02 15* under the WEEE operation. As the WEEE operation has been removed from the permitted activities in this variation, 16 02 15* has been added to Table S2.4 Metal recycling operation.

There is no treatment of cables by mechanical treatment at this site, and the maximum quantity of hazardous waste stored at the site does not exceed 50 tonnes at any one time.

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; and
- 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

Extraction and abatement of shredders and further processing operations

The activities carried out at ENICOR LIMITED's facility begin with pre-treatment of non-hazardous metal waste consisting of manual and mechanical sorting and segregation, which is then fed into two shredders (Activities AR1 and AR2). Downstream separation is then carried out on the shredded wastes using magnets and picking lines. The Automotive Shredder Residue (ASR) is then further separated in stage 2 using trommels, Eddy Current Separator and

magnets. There are currently no emission points to air or abatement on shredders or further processing operations. Therefore, the site is not currently compliant with Measure 1 of section 6.1 of the Treating metal waste in shredders: appropriate measures for permitted facilities guidance. Measure 1 of section 6.1 of the guidance require the emissions from the treatment plant to be collected, extracted and directed through an appropriate abatement system.

To address this shortfall, we have included an improvement condition IC3 in the permit which requires the operator to review and update their emissions control procedures with regards to shredders (Activities AR1 and AR2) as proposed in Enicor Process Flow diagram referenced in Table S1.2. In shredder one (Activity AR1) the dust extraction will be installed at the first drop point where the material enters the drum magnets from the first conveyor. On shredder 2 (Activity AR2) the old blower system will be decommissioned during the installation of the new dust extraction system. Both shredders have identical systems consisting of extraction point, cyclone and filter abatement from which the emission is discharged to air.

In addition, improvement condition IC4 requires the operator to replace the Shredder Stage 2 downstream separation processes as shown in Enicor Process Flow stage 2 diagram referenced in Table S1.2 with a new ASR Plant (Activity AR3) that meets with the requirements of the Environment Agency's guidance Treating metal waste in shredders: appropriate measures for permitted facilities referred to in Table S1.2 of the permit. In interim, until the ASR plant is fully commissioned and operational requirements determined, the existing wash plant and density separation processes are used to further remove non-metallics, stainless steel, cable, aluminium, copper and brass.

Automotive shredder residue (ASR) plant

The residue arising from the metal shredding process containing most of the lighter, low density materials is known as automotive shredder residue (ASR) (also known as frag fluff or light fraction).

Monitoring and reporting conducted by the BMRA, completed in 2022, demonstrated that over half of the samples of this shredder residue exceeded hazardous waste thresholds. The conclusion is that shredder residue is presumed a hazardous waste.

Currently, the ASR is treated in Stage 2 downstream separation processes under the activity AR5 (Directly associated activity (DAA)) as shown in Enicor Process Flow stage 2 diagram referenced in Table S1.2 of the permit. However, as a result of the reclassification of the shredder residue as hazardous waste, the new ASR plant that replaces the current ASR treatment operations is permitted as S5.3A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment activity (Activity AR3) in the varied permit.

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.

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.

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 for treating waste in metal shredders.

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 18/04/2022 for activities relating to treatment of metal waste in shredders.

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 22/11/2024, 07/03/2025, 14/03/2025, 11/04/2025, 19/08/2025, 01/09/2025 and 22/09/2025. 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	***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 2.1, Point 1 requires the operator to have and follow an up-to-date written management plan incorporating relevant documentation such as fire prevention plan, deflagration management plan, dust management plan. Due to significant changes and improvements to the site operations, the operator is required to review and update the written management system under the IC1 and specifically demonstrate that the following plans/procedures are updated/added to their written management system: - Fire Prevention Plan - Deflagration Management Plan - Dust Management Plan including a procedure for ambient air monitoring In addition, the operator is required to write a procedure for annual inspection and repair of site surfacing. This is to address deterioration of the site surfacing due to the movement of the ground/local geology in the area. 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. **<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.
Waste pre-acceptance, acceptance and tracking appropriate measures	***CC***	**<u>Treating Metal Waste In Shredders: Appropriate Measures</u>** The operator confirmed that they currently meet the requirements of all appropriate measures in this section, in their responses to the Regulation 61 notice for treating metal waste in shredders. 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 4.1, Point 3 requires the operator to store shredder non-metallic fractions under cover. Shredder non-metallic fractions are not currently stored under cover in all locations; therefore, we have included IC2 which requires the operator to comply with the appropriate measures. • Section 4.4, Point 4 relating to battery storage. The operator has confirmed that they currently do not tape/cap the terminals. We have included an Improvement Condition IC7 which requires the operator comply with the appropriate measure or provide an alternative measure. 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. **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 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. We have included an Improvement Condition IC7 which requires the operator comply with the appropriate measure or provide an alternative measure.

		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.
Waste treatment 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 5.5, Point 1-3 which relate to minimising the release of diffuse emissions to air from activities that may create them. The operator has stated that they cannot adhere to full enclosure 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 injection within the mill to suppress fugitive air emissions. Following further measures will be undertaken under the improvement programme: - Fitting of a cyclone/filter house abatement system to both shredders AR1 and AR2 to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs (IC3); - Minimising the number of potential diffuse dust and particulates emission sources, using a combination of the following: limiting the drop height of material, using wind barriers, covering conveyor belts, including enclosure of transfer points, fitting spray nozzles or rubber flaps to the inlet and outlet of the shredder mill, using misting systems and wind barriers in areas with significant dust formation and venting pipe work and ducting to an appropriate abatement system to prevent fugitive emissions (IC3); - Replacing the downstream separation processes with a new ASR Plant (AR3) which meets with the requirements of the Environment Agency's guidance Treating metal waste in shredders: appropriate measures for permitted facilities, dated 20 October 2021 referred to in Table S1.2 (IC4); - Monitoring of ambient air emissions through the requirement of the permit (Table S3.2).

		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. **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.
Emissions control 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 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 they cannot adhere to full enclosure 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 injection within the mill to suppress fugitive air emissions. Following further measures will be undertaken under the improvement programme: - Fitting of a cyclone/filter house abatement system to both shredders AR1 and AR2 to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs (IC3); - Minimising the number of potential diffuse dust and particulates emission sources, using a combination of the following: limiting the drop height of material, using wind barriers, covering conveyor belts, including enclosure of transfer points, fitting spray nozzles or rubber flaps to the inlet and outlet of the shredder mill, using misting systems and wind barriers in areas with significant dust formation and venting pipe work and ducting to an appropriate abatement system to prevent fugitive emissions (IC3); - Replacing the downstream separation processes with a new ASR Plant (AR3) which meets with the requirements of the Environment Agency's guidance Treating metal

		waste in shredders: appropriate measures for permitted facilities, dated 20 October 2021 referred to in Table S1.2 (IC4); - Monitoring of ambient air emissions through the requirement of the permit (Table S3.2). • Section 6.1, Point 2 and Point 3 which require 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 and to assess the fate and impact of substances emitted to air. We have included an improvement condition (IC5) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. • 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 injection within the mill to suppress fugitive air emissions. Following further measures will be undertaken under the improvement programme: - Fitting of a cyclone/filter house abatement system to both shredders AR1 and AR2 to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs (IC3); - Minimising the number of potential diffuse dust and particulates emission sources, using a combination of the following: limiting the drop height of material, using wind barriers, covering conveyor belts, including enclosure of transfer points, fitting spray nozzles or rubber flaps to the inlet and outlet of the shredder mill, using misting systems and wind barriers in areas with significant dust formation and venting pipe work and ducting to an appropriate abatement system to prevent fugitive emissions (IC3); - Replacing the downstream separation processes with a new ASR Plant (AR3) which meets with the requirements of the Environment Agency's guidance Treating metal waste in shredders: appropriate measures for permitted facilities, dated 20 October 2021 referred to in Table S1.2 (IC4). - Monitoring of ambient air emissions through the requirement of the permit (Table S3.2). • 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 carried out a review, and the following has been implemented:

		- A water injection within the mill to suppress fugitive air emissions. Following further measures will be undertaken under the improvement programme: - Fitting of a cyclone/filter house abatement system to both shredders AR1 and AR2 to ensure dust is reduced to at least 5mg/m3 in accordance with the BAT-AELs (IC3); - Minimising the number of potential diffuse dust and particulates emission sources, using a combination of the following: limiting the drop height of material, using wind barriers, covering conveyor belts, including enclosure of transfer points, fitting spray nozzles or rubber flaps to the inlet and outlet of the shredder mill, using misting systems and wind barriers in areas with significant dust formation and venting pipe work and ducting to an appropriate abatement system to prevent fugitive emissions (IC3); - Replacing the downstream separation processes with a new ASR Plant (AR3) which meets with the requirements of the Environment Agency's guidance Treating metal waste in shredders: appropriate measures for permitted facilities, dated 20 October 2021 referred to in Table S1.2 (IC4); - Monitoring of ambient air emissions through the requirement of the permit (Table S3.2). • Section 6.2, Point 30 which requires a deflagration management plan. We have included an improvement condition IC1 which requires the operator to confirm that an updated deflagration management plan which considers the new site operations is incorporated into their EMS. • Section 6.5, Point 4 which requires each water stream generated to be collected and treated separately. 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. We have therefore included an improvement condition (IC6) that requires the operator to review and resubmit their site drainage plan to demonstrate the feasibility of segregating clean and dirty water. 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. **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.
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 (IC5) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. 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. **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.
Process efficiency 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.
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	There has been no requirement for updated risk assessment as a result of the permit review or operator led variation. However, due to ongoing issues with site surfacing, the operator is required to write a procedure for annual inspection and repair of site surfacing. This is to address deterioration of the site surfacing due to the continuing movement of the ground/local geology.	
Medium combustion plant and specified generators	The permit has been updated to include the existing diesel engines that power the shredders and other site operations as a directly associated activity. Compliance with the Medium Combustion Plant (MCP) directive limits and monitoring requirements for existing MCPs (1-5 MWth) is required from 1 January 2030. This will be addressed in a subsequent review.	
Climate change	Submission of climate change risk assessment is no longer an application requirement. It now forms a part of the operator's EMS and will be reviewed within compliance assessment.	
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response		
Change	**Reason for change**	
Changes to main body of permit conditions	• We have amended conditions 1.2.1, 1.3.1 and 4.2.2 to reflect the correct Activity references (AR1 to AR10). • We have amended condition 2.3.5 to reflect the correct waste tables. • We have removed conditions 2.6.1 to 2.6.8 relating to WEEE storage and treatment. These activities are not carried out at the facility. • We have amended condition 2.5.1 that now refers to table S1.3 Waste motor vehicle treatment minimum technical requirements. • We have added condition 2.7.1 - pre-operational condition relating to the commissioning of the Activity AR3. • We have added condition 3.5.1 (c) relating to process monitoring requirements. • We have amended condition 3.5.1 (a) by removing a reference to S3.2. There are no emissions to sewer from this facility.	
Changes to Schedule 1 of the permit		

Table S1.1 Activities	• We have added references Shredder 1 Emission Point A1 and Shredder 2 Emission Point A2 to Activities AR1 and AR2 respectively to identify individual shredders. • We have replaced the existing further processing of shredder residue (AR5 (DAA)) activity with the new S5.3 A(1) (a) (ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment activity due to the reclassification of shredder residue as hazardous waste. The operator decided to invest in a new plant rather than improvements on the existing further separation processes to meet with the requirements of the Environment Agency's guidance Treating metal waste in shredders: appropriate measures for permitted facilities referred to in Table S1.2 of the permit. • We have amended AR4 to include aluminium polishing. This had been omitted previously. • We have added Activities AR9 and AR10 to incorporate the site's combustion plants (diesel engines) into the permit. • We have limited AR12 Metal Recycling activity to storage of cables, there shall not be treatment of cables by mechanical treatment. We have removed Waste Electrical and Electronic Equipment (WEEE) authorised treatment facility waste operation (A10) from the permit to reflect the current site operations. The operator has confirmed that the site does not receive WEEE except Large Domestic Appliances (LDA) for storage or treatment.
Table S1.2, S1.3 and S1.4 Operating techniques	• We have updated Table S1.2 to reflect the latest guidance and the documents approved by the Environment Agency. All superseded guidance and references have been removed and replaced. Non-specific operating techniques have been removed. • We have removed WEEE specific operating techniques (Tables S1.3 and S1.4) to reflect the current site operations. • We have added Table S1.3 waste motor vehicle treatment specific operating techniques.
Table S1.4 Improvement programme requirements	• We have reworded the improvement condition IC1 Management system. This is to reflect partial compliance and the current and new site operations. • We have removed the following improvement conditions: - IC3 as procedure for inspection of baled waste is now in place. - IC5 as ambient air monitoring requirement is incorporated into the permit in Table S3.2 and IC1 requires a submission of updated Dust Management Plan including a procedure for ambient air monitoring. • We have replaced the following improvement conditions: - IC2 with IC6 (Site Drainage) - IC4 and IC6 with IC3 and IC4 respectively (Emission control procedures)

	- IC7 with IC2 (Storage of non-metallic shredder residue) This is to reflect the current and new site operations and update the timescales for compliance. • We have added new improvement conditions IC5 and IC7. IC5 requires the operator to submit an up-to-date emissions inventory and H1 assessment on the emissions to air once the improvements on emissions control procedures have been completed. IC7 requires the operator to ensure that acid lead batteries are stored appropriately and terminals are taped off or capped.
Table S1.5 Pre-operational measures for future development	• We have included pre-operational condition PO1 to require the operator to submit a written commissioning plan including timescales for completion at least 8 weeks before the commencement of the new ASR facility. This is to ensure that potential emissions from the commissioning and switch over from the existing plant are minimised and controlled.
Changes to Schedule 2 of the permit	
Table S2.1 Raw materials and fuels	• We have added gas oil to the list of fuels to reflect the use of diesel engines at the facility. The use is restricted to low sulphur fuel.
Tables S2.2, S2.3 and S2.4 Permitted waste types and quantities	• We have split Table S2.4 Permitted waste types and quantities for Metal Recycling into two distinct waste tables - Table S2.2 Permitted waste types and quantities for metal shredding and Table S2.4 Permitted waste types and quantities for metal recycling to reflect two separate operations authorised in Table S1.1 (Activities AR1, AR2 (metal shredding) and AR12 (metal recycling)). • We have removed the plastic waste codes 15 01 02, 16 01 19, 20 01 39 from all waste tables as these are not suitable for metal recovery operations. We have also removed 19 12 12 from Tables S2.2 and S2.4. This was originally used for ASR but is no longer used for this waste type. • We have restricted the waste code 20 01 36 – discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35 in Tables S2.2 and S2.4 to cookers, washing machines, dishwashers and tumble dryers, excluding heat pump tumble dryers. This is to ensure that acceptance of WEEE is restricted to Large Domestic Appliances (LDA) that are classed as non-hazardous waste and suitable for treatment under activities S5.4 and metal recycling waste operation. • As applied for by the operator, we have added cable waste codes to Table S2.3 (16 01 22 End-of-life vehicle (ELV) cables) and to Table S2.4 (17 04 10*, 17 04 11 construction and demolition cables, 16 02 15*, 16 02 16 WEEE cables). This is to ensure that cable waste codes are dual coded as they often arrive in mixed loads and can contain both hazardous and non-hazardous cables. 16 01 21* was already permitted under the ELV

	operation and 16 02 15* under the WEEE operation. As the WEEE operation has been removed from the permitted activities in this variation, 16 02 15* has been added to Table S2.4 Metal recycling operation. There is no treatment of cables by mechanical treatment at this site, and the maximum quantity of hazardous waste stored at the site does not exceed 50 tonnes at any one time.
Changes to Schedule 3 of the permit	
Tables S3.1, S3.2 and S3.3 **Emission limits and monitoring requirements, ambient air and process monitoring requirements**	• We have amended Table S3.1 to include the relevant BAT AELs from the Best Available Techniques for Waste Treatment. The emissions from the point sources are to be monitored upon the completion of IC3 and IC4. • We have added emission points A3 and A4 to reflect the emission points from the aluminium polishing air extraction and abatement system and the new ASR facility respectively. We have also added emission points A5 to A9 to reflect the site's combustion plant emission points. • We have removed Table S3.2 Point source emissions to sewer from the permit to reflect the site operations. There is no emission to sewer, the site surface water is collected in tanks and recirculated and used in site operations. • We have added a new process monitoring Table S3.3 which requires the operator to carry out an annual assessment of mass balance of all LDA treated.
Changes to Schedule 4 of the permit	
Tables S4.1, S4.2, S4.3 and S4.4 **Reporting of monitoring data, annual production/treatment, performance parameters and reporting forms**	• We have amended Schedule 4 to reflect the additions made to Schedule 3 (Emissions and monitoring) and removed WEEE processed from the annual production/treatment table S4.2. • We have added the Process monitoring reporting form to Table S4.4.
Changes to Schedule 6 of the permit	
Interpretation	• We have updated Schedule 6 to include new and up-to-date definitions.
Changes to Schedule 7 of the permit	
Site Plan	• We have incorporated a new site plan provided by the operator as part of the review. This now includes all emission points to air.

Variation application made by operator

In addition to the permit review detailed above, this section summarises the key issues that we considered in relation to permit variation application EPR/FB3607HE/V006, which was made by the operator on 13/05/2025.

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’, and Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’.

We have replaced the existing further processing of shredder residue (AR5 (DAA)) activity with the new S5.3 A(1) (a) (ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment activity, due to the reclassification of shredder residue as hazardous waste. The operator decided to invest in a new plant rather than improvements on the existing further separation processes to meet with the requirements of the Environment Agency’s guidance Treating metal waste in shredders: appropriate measures for permitted facilities referred to in Table S1.2 of the permit.

The permit has been updated to include the existing diesel engines that power the shredders and other site operations as a directly associated activity. Compliance with the Medium Combustion Plant (MCP) directive limits and monitoring requirements for existing MCPs (1-5 MWth) is required from 1 January 2030. This will be addressed in a subsequent review.

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 a plan which we consider to be satisfactory.

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

The plan is included in the permit.

Environmental risk assessment

We have not reviewed the risk assessment as a result of the permit review or operator led variation. The changes introduced in this variation provide betterment and ensure compliance with the requirements set out in Treating metal waste in shredders appropriate measures guidance.

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.

See the previous section ‘Summary of other changes made to the permit as a result of our assessment of the Reg 61 response’ for further information.

Pre-operational measures

We have included pre-operational condition PO1 to require the operator to submit a written commissioning plan including timescales for completion at least 8 weeks before the commencement of the new ASR facility. This is to ensure that potential emissions from the commissioning and switch over from the existing plant are minimised and controlled.

Changes to EWC codes

We have removed the plastic waste codes 15 01 02, 16 01 19, 20 01 39 from all waste tables as these are not suitable for metal recovery operations. We have also removed 19 12 12 from Tables S2.2 and S2.4. This waste code was originally used for ASR but is no longer needed.

We have restricted the waste code 20 01 36 – discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35 in Tables S2.2 and S2.4 to cookers, washing machines, dishwashers and tumble dryers, excluding heat pump tumble dryers. This is to ensure that acceptance of

WEEE is restricted to Large Domestic Appliances (LDA) that are classed as non-hazardous waste and suitable for treatment under activities S5.4 and the metal recycling waste operation.

As applied for by the operator, we have added cable waste codes to Table S2.3 (16 01 22 End-of-life vehicle (ELV) cables) and to Table S2.4 (17 04 10*, 17 04 11 construction and demolition cables, 16 02 15*, 16 02 16 WEEE cables). This is to ensure that cable waste codes are dual coded as they often arrive in mixed loads and can contain both hazardous and non-hazardous cables.

16 01 21* was already permitted under the ELV operation and 16 02 15* under the WEEE operation. As the WEEE operation has been removed from the permitted activities in this variation, 16 02 15* has been added to Table S2.4 Metal recycling operation.

There is no treatment of cables by mechanical treatment at this site, and the maximum quantity of hazardous waste stored at the site does not exceed 50 tonnes at any one time.

Emission limits

We have decided that emission limits (Emission points A1, A2, A3 and A4 in Table S3.1) subject to Emission Limit Values (ELV's) based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment should be added for the following parameters, using the methods detailed and to the frequencies specified:

- Dust - 5mg/m^3

Monitoring

We have decided that monitoring (Emission points A1, A2, A3 and A4 in Table S3.1) should be added for the following parameters, using the methods detailed and to the frequencies specified:

- 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)

We have decided that monitoring (LDA process stream in Table S3.3) should be added for the following parameters, using the methods detailed and to the frequencies specified:

- Mass balance

We made these decisions in accordance with Best Available Techniques and the Appropriate Measures Guidance for the sector.

Monitoring has not changed as a result of the operator led variation.

Reporting

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

- Emissions to air
- Process monitoring

We made these decisions in accordance with Best Available Techniques and the Appropriate Measures Guidance for the sector.

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.