Permitting Decisions - Environment Agency Initiated Variation

We have decided to issue an Environment Agency initiated variation for **Alexander Building**, **Alexandra Dock 1** operated by **European Metal Recycling Limited** following a review of the permit in accordance with Environmental Permitting (England and Wales) Regulations 2016, regulation 34(1).

The variation number is **EPR/RP3794CG/V010.**

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/RP3794CG/V009.

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 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 Operator (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.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Permit variation application

In addition to implementing the permit review, this variation incorporates an operator led variation EPR/RP3794CG/V009 to cover the re-classification of ASR (Automative Shredder Residue) waste. This waste has previously been treated under the metal recycling activity (AR9) but is now required to be covered under hazardous waste activity S5.3 A(1) (a) (ii). The activity is incorporated to the existing S5.3 A(1) (a) (ii) activity (plastic separation). The wastes themselves are not changing, their classification will be amended from 19 10 04 to 19 10 03*, 19 10 06 to 19 10 05* and 19 12 12 to 19 12 11*. The operator led variation also adds two waste codes (16 02 15* and 17 04 10*) to the metal recycling activity and increases the overall site throughput from 905,000 to 945,000 tonnes by increasing the tonnage of this activity from 370,000 to 410,000 tonnes. There is no change to amount of waste stored at any one time.

The operator led variation initially requested the addition of following two new activities for the treatment of cargo fines (hazardous and non-hazardous).

- Section 5.3 Part A(1) (a) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day (screening and blending of hazardous waste)
- Section 5.3 Part A(1) (a) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day (for the stabilisation of hazardous waste)

Upon review of the information in the application it was determined that there was not enough detail to duly make the application and that it would take too much work to resolve within 10 working days. As such the operator withdrew these aspects of the variation to proceed with the reclassification of 19 10 04, 19 10 06 and 19 12 12 as detailed above.

During the determination it became evident that the proposed screening activity was an existing non-hazardous waste activity. Due to the reclassification of cargo fines as hazardous waste, we added a new S5.3 Part A(1) (a) to the permit to reflect the current waste classification. We also added a DAA to reflect the potential variation in the nature of the waste to cover the treatment of non-hazardous waste.

The waste table S2.9 now reflects that the installation treats hazardous and non-hazardous cargo fines (19 12 11* and 19 12 12) on the same trommel line. The hazardous material is authorised under the added S5.3 A(1) (a) (ii) activity. The

non-hazardous fraction (19 12 12) is treated using the same equipment and environmental controls and is therefore included as a Directly Associated Activity (DAA) to the S5.3 process. This reflects the technical connection between the activities and ensures their regulation as a single, integrated treatment line.

We have incorporated an improvement programme (IC20 a and 20b) to the permit to request the operator to monitor fugitive emissions from the operation of the screener and propose improvements to ensure that the requirements of the Environment Agency guidance 'Treating metal waste in shredders: appropriate measures for permitted facilities' are met. This is specifically in relation to the Section 6.2, fugitive emissions to air.

Although the screening of cargo fines is not strictly a metal shredding activity it is similar to a downstream separation activity at a metal shredder site and therefore the 'Treating metal waste in shredders: appropriate measures for permitted facilities' is the most appropriate guidance.

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.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

Key issues of the decision

The addition of new Schedule 1 activity has been necessitated by a reclassification of waste codes from non-hazardous to hazardous; 19 10 04 is changing to 19 10 03* fluff-light fraction and dust containing hazardous substances, 19 10 06 is changing to 19 10 05* other fractions containing hazardous substances and 19 12 12 is changing to 19 12 11* other wastes (including mixtures of materials) from mechanical treatment of waste containing hazardous substances. Although there are no changes to any of the processes on site or the imported waste materials themselves, new hazardous activities need adding to accommodate the re-classification.

The operator has historically undertaken trommel screening of cargo bottoms under the existing permit on the basis of the former non-hazardous classification. As the underlying treatment activity has not changed, the permit has been updated to reflect the correct regulatory classification of this material.

The screening of 19 12 11* constitutes physico-chemical treatment of hazardous waste and therefore falls within Section 5.3 Part A(1)(a)(ii). The S5.3 activity has been added to the permit to ensure the permit accurately reflects the nature of the waste being treated and the scope of the existing treatment line.

The trommel and its associated mechanical separation equipment process both 19 12 11* and 19 12 12. This takes place within the same stationary technical unit and under the same operational and emission-control arrangements. Treatment of 19 12 12 has therefore been amended to a Directly Associated Activity (DAA) to the S5.3 activity, as it is technically connected and may affect emissions. The DAA has been included to ensure all treatment associated with the trommel line is regulated consistently.

Two improvement conditions (IC20 a and b) have been included requiring the operator to submit an assessment of diffuse dust emissions and a monitoring strategy in accordance with current guidance. These conditions are necessary and proportionate to confirm whether the existing enclosure and control measures achieve BAT for diffuse air emissions. If the assessment demonstrates that additional capture and abatement are required, the operator will be required to implement them. This approach ensures that emission controls are set on the basis of site-specific evidence while allowing the operator to continue existing operations in the interim.

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 guidance includes additional appropriate measures for WTEE (waste temperature exchange equipment).

This technical guidance explains the standards (appropriate measures) that are relevant to regulated facilities with an environmental permit to treat or transfer WEEE (including WTEE) 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 applicable to the permitted activities being varied under this permit review and has been included in the operating techniques table.

Treating Metal Waste in Shredders: appropriate measures for permitted facilities – published October 2021.

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

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 20/04/2022 requiring the Operator to provide information to confirm that the operation of their facility currently meets, or how it will subsequently meet, the standards (appropriate measures) described in our technical guidance.

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

The WTEE appropriate measures guidance, which supplements the WEEE technical guidance, includes an additional chapter on Process monitoring.

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 change (e.g. through a climate change adaptation plan).

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

The Regulation 61 notice response from the Operator was received on 29/08/2022 (Treating metal waste in shredders Appropriate Measures) and 29/08/2023 (WEEE Appropriate Measures).

We considered that the response did not contain sufficient information for us to commence determination of the permit review. We therefore issued a further information request to the Operator.

Although we were able to consider the Regulation 61 notice response generally satisfactory at receipt, we needed more information in order to complete our permit review assessment. We requested this by email and the operator provided further information on (summary of information below) on;

18/08/2924,30/08/2024,24/09/2024,25/10/2025, 28/01/2025,05/02/2025 11/02/2025,19/02/2025, 27/02/2025, 08/04/2025, 24/04/2025, 06/05/2025. We made a copy of this information available on our public register

Summary of additional information received

- Regulation 61 Notice updated details
- Confirmation of the POPs Plastics treatment operation
- Shredder Residues Management Plan
- Confirmation of annual throughput
- Confirmation of the conveyer belts that are covered and alternative measures in place to minimise fugitive dust emissions
- Interim measures for outside storage of non-metallic residues
- Details of the POPs activities carried out
- Confirmation that operator complies with the ELV Appropriate Measures
- Details of non-metallic fractions storage
- Confirmation of the Small Mixed WEEE activities carried out at the site.
- Addition information regarding plastics (POPs) separation process, amount stored and treated
- Flow diagram for plastics separation

Table 1 – Summary of our assessment of the Operator's Reg 61 response

1 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*	**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 2.1 Management System - A Deflagration Management Plan is incorporated within the EMS - An Improvement Condition (IC16) has been added to the permit that requires the operator to update their current plan. 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 electrical and electronic equipment (WEEE): Appropriate Measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2. **ELV: Appropriate Measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Waste pre-acceptance, acceptance and tracking appropriate measures	*CC*	**Treating Metal Waste In Shredders: Appropriate Measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated

		into the varied permit through the updated operating techniques listed in Table S1.2. **<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. 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. **<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.
4 Waste storage, segregation and handling 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 4.1, Point 3 requires the operator to store shredder non-metallic fractions under cover. UFR is not currently stored undercover as the operator has stated they store it for a short time and in low quantity. However, we have included an improvement condition (IC19) which asks the operator to provide alternative measure or comply with the appropriate measures. • Section 4.4, Point 4 relating to battery storage. Batteries are stored upright, in acid proof containers. However, terminals are not taped off or capped. We have included an Improvement Condition (IC15) which asks the operator to provide an alternative measure or comply with the appropriate measure. This has been included in the Improvement Condition programme. Compliance with the other appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.

		Waste electrical and electronic equipment (WEEE): Appropriate Measures The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2. **ELV: Appropriate Measures** The operator confirmed that they currently meet the requirements of 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 due to a concern with increase fire risk. We have included an Improvement Condition (IC15) which asks the operator to provide an alternative measure or comply with the appropriate measure. This has been included in the Improvement Condition programme. Compliance with the other appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
5 Waste treatment 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 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 the shredder is partially enclosed, but full enclosure cannot be adhered to due to the risk of flame events and accessibility required. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction; - Monitoring of ambient air emissions through the requirement of the permit; and

		- The completion of IC 13 which requires the operator to minimise the number of potential diffuse dust and particulate emissions sources, using a combination of techniques. - 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 electrical and electronic equipment (WEEE): Appropriate Measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2. **ELV: Appropriate Measures** The operator confirmed that they currently meet the requirements of all appropriate measures in this section. Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
6 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 the shredder is partially enclosed, but full enclosure cannot be adhered to due to the risk of flame events and accessibility required. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction; - Monitoring of ambient air emissions through the requirement of the permit; and

		- The completion of IC 13 which requires the operator to minimise the number of potential diffuse dust and particulate emissions sources, using a combination of techniques. • Section 6.1, Point 2 which requires the operator to identify the main chemical constituents of the site's point source emissions as part of the site's inventory of emissions to air. We have included an improvement condition (IC12a and IC12b) that requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. • Section 6.1, Point 3 which requires the operator to assess the fate and impact of substances emitted to air. We have included an improvement condition (IC12a and IC12b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. • Section 6.2, Point 8 which requires full enclosure of transfer and storage systems and equipment, including conveyors, hoppers, containers, tanks and skips. The operator advised that all conveyors cannot be fully covered. However, they are covered where it is safe to do so (accounting for safe maintenance, fire risk and H&S). This is under constant review. An improvement condition (IC13) has been in to demonstrate compliance with the appropriate measures. • Section 6.2, Point 9 which recommends the operator to keep enclosed buildings and equipment under adequate negative pressure. The operator has responded to state that negative pressure cannot be achieved as the shredder is not fully enclosed. The operator has carried out a review and the following has been implemented: - A water misting system within the mill to suppress fugitive air emissions; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction; - Monitoring of ambient air emissions through the requirement of the permit; and - The completion of IC 13 which requires the operator to minimise the number of potential diffuse dust and particulate emissions sources, using a combination of techniques. • Section 6.2, Point 10-13 which requires the use of fast-acting airlocks, full enclosure of pre- and post-treatment shredder plant, use of appropriate process interlocks, and the containment and extraction of dust emissions from the shredder plant to an appropriate abatement system. The operator has responded to state that fast acting air lock doors are of no benefit as the enclosed dirt sheds experience constant loading shovel movement in and out of the enclosures. The operator has also stated that where possible, (for full enclosure, process interlocks, and appropriate abatement), these have been fitted. However, full enclosure of the shredder chamber within a building is impractical due to potential flame events. The operator has carried out a review and the following has been implemented:

		- A water misting system within the mill to suppress fugitive air emissions; - The covering and enclosing of all conveyors, transfer points and drop points downstream of the shredder carrying light fraction; - Monitoring of ambient air emissions through the requirement of the permit; and - The completion of IC 13 which requires the operator to minimise the number of potential diffuse dust and particulate emissions sources, using a combination of techniques. • Section 6.2, Point 30 which requires a deflagration management plan. The Operator has provided confirmation that deflagration management plan is incorporated into their EMS. However, BAT 27(a) requires a deflagration reduction programme that identifies the sources of deflagrations. We have concerns over the risk of deflagration events from the shredding of ELVs and have added an Improvement condition (IC16) for the operator to submit to the improvement programme. • Section 6.4, Point 1 which requires the operator to identify the main chemical constituents of the site's point source emissions as part of the site's inventory of emissions to water and sewer. We have included an improvement condition (IC12a and IC12b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to water and sewer. See Improvement Programme for further details. • Section 6.4, Point 2 which requires the operator to assess the fate and impact of substances emitted to water and sewer. We have included an improvement condition (IC12a and IC12b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to water and sewer. • 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 (IC17) 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. **<u>Waste electrical and electronic equipment (WEEE): Appropriate Measures</u>** The operator confirmed that they currently meet the requirements of the appropriate measures with the exception of the following:

		• Section 6.1, Point 1-3 and section 6.4, Point 2 which requires an assessment of the fate and impact of the substances emitted to air and water, following the Environment Agency's air and water emission risk assessment methodology. An Improvement Condition (IC12a and IC12b) has been included for this assessment. This has been included in the Improvement Condition programme. Compliance with the other appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2. **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.
7 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 (IC 12a and IC12b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. See Improvement Programme for further details. 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 electrical and electronic equipment (WEEE): Appropriate Measures The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Section 7.1, Point 1 which requires the operator to have an emissions inventory which characterises the parameters of the point source emissions to air. We have included an improvement condition (IC12a and IC12b) which requires the completion of an emissions inventory and H1 Risk Assessment for the point source emissions to air. See Improvement Programme for further details. **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.
8 Process efficiency appropriate measures	*FC*	**Treating Metal Waste In Shredders: Appropriate Measures** The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Appropriate Measures 1, 2, 3, and 6 of Section 8.3, which requires the operator to review and optimise water use on site. The operator has confirmed that they will meet the requirements within 2 months from the date that the varied permit is issued. An improvement condition (IC18) has been included in the varied permit to address this. 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 electrical and electronic equipment (WEEE): Appropriate Measures**

		The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of: • Appropriate Measures 1, 2, 3, and 6 of Section 8.3, which requires the operator to review and optimise water use on site. The operator has confirmed that they will meet the requirements within 2 months from the date that the varied permit is issued. An improvement condition (IC18) has been included in the varied permit to address this. 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.
Reg 61 requirement	**Assessment of response received**	
Soil and groundwater risk assessment	Not applicable for the review or variation, no change to permitted site area and we have no current concerns.	
Medium combustion plant and specified generators	Not applicable. The Operator has confirmed that no MCP or generators are present on site or permitted under the activities for the site.	
Climate change	Submission of climate change risk assessment is no longer application requirement. It now forms a part of the operator's EMS and will be reviewed within compliance assessment.	
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response		
Change	**Reason for change**	
Changes to Table S1.1	Addition of AR3 We have amended the following activity: • AR3 - S5.3 A(1) (a) (ii) for the Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment. This is for the density separation and segregation of hazardous plastic wastes. The limits of activities table have been added and amended to reflect the plastics activity and control of its associated environmental risks. Removal of A8	

	We have removed the following Directly Associated Activity: • A8 - Site drainage - water collected from roof and surface water collected in drainage gullies and drainage pipes. A8 has been removed because the permit previously listed the site interceptor for surface water runoff as a Directly Associated Activity (DAA). Following a review against our guidance (RGN 2: Understanding the Meaning of Regulated Facility), we have determined that the use of the interceptor does not meet the criteria for DAA. The use of an interceptor is considered a standard pollution control measure rather than a separate activity that is technically connected to and directly associated with the waste treatment operation. It does not process waste or generate emissions itself, but rather provides a passive means of protecting controlled waters from contamination. Therefore, it is more appropriately captured within the emissions control requirements of the permit, particularly within the emissions to water table and relevant infrastructure conditions. The interceptor will continue to be regulated through conditions requiring control of emissions to sewer, and the operator remains responsible for ensuring it is maintained and performs effectively to prevent pollution. <u>Addition of AR4</u> The permit has been updated to include a Section 5.3 Part A(1)(a)(ii) activity for the physico-chemical treatment of hazardous cargo bottoms (19 12 11*). The inclusion of the S5.3 activity ensures that the permit accurately reflects the correct waste classification and the nature of the treatment undertaken within the existing processing line. The S5.3 activity is limited to the physico-chemical treatment (including screening) of hazardous cargo bottoms for the purpose of recovery of constituent parts and materials. The activity takes place within the same processing area and uses equipment already present on site. <u>Addition of AR8</u>

	The treatment of non-hazardous cargo bottoms (19 12 12) has been included as a DAA to the newly added S5.3 activity for the screening of hazardous cargo bottoms. We have added this DAA based on the following considerations: • The screening of both the hazardous and non-hazardous cargo bottoms takes place on the same fixed trommel line within the same stationary technical unit. The trommel exists primarily to support the S5.3 hazardous waste treatment activity, and the non-hazardous material is treated using the same equipment, feed systems and environmental controls. • The 19 12 12 non-hazardous screening is carried out only because the hazardous S5.3 19 12 11* process exists. If the S5.3 activity were not present, the trommel would not be operated independently solely for 19 12 12, and the site would not require this specific treatment line. • Both the hazardous and non-hazardous fractions produce potential emissions and are managed through the same containment, dust control and monitoring arrangements. It is therefore more appropriate to regulate them together within the installation. <u>Addition of AR12</u> We have added a non-hazardous waste operation that includes the shredding of plastic waste. During assessment we identified that the operator is shredding non-hazardous plastic waste in batches. The plastic waste codes were originally within table S2.2, activity AR1 which relates to the shredding of metal waste only. Therefore, an additional waste operation and associated waste code table have been added to correctly reflect the ongoing activities on site.
Changes to the other Tables, Schedule 1 of the permit	• Table S1.2 has been updated to reflect the update to both the Guidance and the documents approved by the Environment Agency as acceptable for site procedures. All superseded guidance and references have been removed and replaced. • We have removed the D15 activity code for the WEEE waste operation (AR10). D15 is only required where waste is accepted for intended disposal. The operator has confirmed that all non-hazardous WEEE processed would be for recovery and there a D15 is no longer required.
EWC Waste Codes, Table 2.2 in Schedule 2 of	The following amendments have been made to Table S2.2 (metal shredding):

permit	The following waste codes have been removed: • 16 02 14 - discarded equipment other than those mentioned in 16 02 09 to 16 02 13; • 16 02 16 - components removed from discarded equipment; • 19 12 04 - plastic and rubber; and • 20 01 39 – plastics. The following waste codes have been added: • 17 04 01 – copper, bronze, brass; • 17 04 03 – lead; • 17 04 04 – zinc; and • 17 04 06 – tin. The following waste codes have been amended: • 20 01 36 – discarded electrical and electronic equipment other than those mentioned in 20 01 21,, 20 01 23 and 20 01 35 (consisting only of carcasses of cookers, washing machines, street light, dishwashers, tumble dryers (excluding heat pump tumble dryers only). The following amendments have been made to Table S2.3 (hazardous waste storage): The following waste code has been added to Table S2.3: • 17 04 11 – cables other than those mentioned in 17 04 10. • 19 10 03* - fluff-light fraction and dust containing hazardous substances; • 19 10 05* - other fractions containing hazardous substances; and • 19 12 11* - other wastes (including mixtures of materials) from mechanical treatment of waste containing hazardous substances.(limited to fractions resulting from the mechanical treatment of ferrous and non-ferrous metal wastes). The following amendments have been made to Table S2.4 (hazardous waste treatment):

	The following waste codes have been added to Table S2.4: • 19 10 03* - fluff-light fraction and dust containing hazardous substances; • 19 10 05* - other fractions containing hazardous substances; and • 19 12 11* - other wastes (including mixtures of materials) from mechanical treatment of wastes containing hazardous substances..(limited to fractions resulting from the mechanical treatment of ferrous and non-ferrous metal wastes). The following amendments have been made to Table S2.5 (ELV waste operation): The following waste codes have been removed from Table S2.5: • 16 01 03 – end-of-life tyres; • 16 01 07* - oil filters; • 16 01 11* - brake pads containing asbestos; • 16 06 01* - lead batteries; and • 16 06 05 – other batteries and accumulators. The following waste code has been added to Table S2.5: • 16 01 19 – plastic. The following amendments have been made to Table S2.6 (WEEE storage and treatment): The following waste codes have been removed from Table S2.6: • 16 06 01* - lead batteries; • 16 06 05 – other batteries and accumulators; • 19 02 04* - premixed wastes composed of at least one hazardous waste; • 19 12 04 – plastic and rubber; and

	• 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. The following amendments have been made to Table S2.7 (metal recycling): The following waste codes have been removed from Table S2.7: • 16 01 06 – end-of-life vehicles, containing neither liquids nor other hazardous components; • 19 12 04 – plastic and rubber The following waste code has been added to Table S2.7: • 16 02 15* - hazardous components removed from discarded equipment; • 16 06 05 – other batteries and accumulators; and • 17 04 10* - cables containing oils, coal tar and other hazardous substances. The following waste code has been amended in Table S2.7: • 19 12 12 - other wastes (including mixture of materials) from mechanical treatment of wastes containing hazardous substances (limited to fractions resulting from the mechanical treatment of ferrous and non-ferrous metal wastes) The following waste code tables has been added • Table S2.8 – to accommodate the physical treatment of non-hazardous plastic waste • Table S2.9 – to accommodate the screening of hazardous and non-hazardous fractions resulting from the mechanical treatment of waste containing ferrous and non-ferrous metals.
Changes to Schedule 3, monitoring and emissions limits in the permit	In Schedule 3, an update was required for the monitoring of emissions to air from the shredding process and water emissions to sewer. This is reflected by the following: • Table S3.1 – Emissions to air has been amended to reflect the requirements of BAT with monitoring and BAT which have been added. • Table S3.3 – Emissions to sewer via emission point S1 has been updated to reflect the requirements of BAT with monitoring and BAT AELs added for individual metals (Arsenic 0.05mg/m^3, Cadmium 0.05mg/m^3, Chromium

	0.15mg/m^3, Copper 0.5mg/m^3, Lead 0.1mg/m^3, Nickel 0.5mg/m^3, Zinc 1.0mg/m^3, Mercury 0.005mg/m^3), Hydrocarbon oil index (10mg/l), PFOA and PFOS (no limit set). • Process Monitoring has been added to permit - Table S3.6.
Update to the Reporting Schedule	• Schedule 4 has been updated to reflect the changes made to Schedule 3 and the way the conditions have been presented has altered slightly.
Updates and amendments to the definitions in Schedule 6 of the permit	• Schedule 6 has been updated to incorporate new definitions present in relation to the requirements of the Activities, Monitoring and Reporting of the permit. Some definitions have been removed in accordance with the change in Guidance to the Appropriate Measures and updates to the Environmental Permitting Regulations 2016.

Variation application made by operator

This section summarises the key issues that we considered in relation to permit variation application EPR/RP3794CG/V009, which was made by the operator on 06/12/2023 and separate to the permit review detailed above.

Decision Considerations

Confidential information

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

Identifying confidential information

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

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

Consultation

Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from UKHSA

Brief summary of issues raised: concern over emissions point on the shredder as there are no details included in the application. The UKHSA requested that we obtain more information regarding this emission point.

Summary of actions taken: the emission point identified by the UKHSA is not changing as part of the operator variation because there are no process changes and as such no further information was requested. In addition, the site will be brought in line with new BAT-AELs as part of the permit review which is included in the notice but did not form part of the consultation as it was not part of the operator led variation.

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

We consulted the Sefton local authority.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Director of Public Health (DPH)/UK Health Security Agency (UKHSA)
- Health and Safety Executive (HSE)

No response was received from the Sefton local authority, HSE or the general public. The comments from the UKHSA and our responses are summarised in the consultation responses section.

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’, guidance on waste recovery plans and permits.

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 plan is included in the permit.

Operating techniques

We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the Operator must use are specified in Table S1.2 in the environmental permit.

Changes to the permit conditions

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

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 Operator 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.

The plan has been incorporated into the operating techniques Table S1.2 of the permit.

Improvement programme

We have included an improvement programme in the Permit, Schedule 1, Table S1.5 that consists of eight improvement conditions. These are to ensure compliance with the Appropriate Measures.

Improvement condition 12a and 12b have been included as new parameters have been introduced into the permit as per the requirements of this permit review

Improvement condition 13 has been added to ensure that the Operator is minimising fugitive emissions from the plant, using an appropriate combination of techniques which is included, but not limited to, the methods set out in the relevant appropriate measures.

Improvement condition 14 requires the Operator to contain the waste treatment process to ensure that process emissions are collected, extracted and directed to an appropriate abatement system for treatment before release, in line with the relevant appropriate measures.

Improvement Condition 15 requires the operator to comply with the taping or capping of lead acid batteries. The operator has confirmed they do not currently comply with these measures, therefore an improvement condition has been imposed to comply with this measure or provide alternative measures which meet an equivalent level of environmental protection.

Improvement Condition 16 requires the Operator to submit a deflagration management plan for assessment and approval in line with the relevant appropriate measures and BAT conclusions.

Improvement Condition 17 requires the operator to review and resubmit their site drainage plan to demonstrate the feasibility of segregating clean and dirty water. The operator has confirmed that this does not currently occur on site, and therefore the feasibility to separate and segregate must be explored in order to meet compliance with BAT 19f.

Improvement Condition 18 requires the operator to complete water mass balances in relation to a water saving plan. The operator confirmed that a water meter is implemented to measure the amount of water injected into the shredder, but has yet to create and complete the mass balance document

Improvement Condition 19 requires the operator to review and update their waste storage procedures to ensure that shredder non-metallic fractions are stored undercover.

Improvement Condition 20a and 20b requires the operator to monitor fugitive emissions from the operation of the screener and propose improvements to ensure that the requirements of the Environment Agency guidance 'Treating metal waste in shredders: appropriate measures for permitted facilities' are met. This is specifically in relation to the Section 6.2, fugitive emissions to air.

Previous Improvement conditions

We have removed improvement conditions IC1 to IC 11 from the permit as these have been completed.

Changes to EWC codes

The following EWC codes have been removed from Table S2.2. Limits in brackets specify the type of waste that can be accepted for shredding under these waste codes.

16	**Wastes not otherwise specified in the list**
16 02	**wastes from electrical and electronic equipment**
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 02 15	hazardous components removed from discarded equipment
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15

The following EWC codes have been removed within Table S2.3. Limits in

16	**Wastes not otherwise specified in the list**
16 01	**end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**
16 01 07*	oil filters
16 01 11*	brake pads containing asbestos

The following waste code has been added to Table S2.5

16 01	**end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**
16 01 19	plastic

The following EWC code have been moved from Table S2.2 to table S2.8 . This is to permit the operator to shred plastics separately.

	OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 12	**wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified**
19 12 04	plastic and rubber
20	**MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS**
20 01	**separately collected fractions (except 15 01)**
20 01 39	plastic

New waste table S2.9 has been added to reflect the hazardous and non-hazardous cargo fines.

Table S2.9 Permitted waste types and quantities for physical treatment of hazardous waste (AR4 & AR8)	
Maximum quantity	**The total quantity of waste accepted at the site for all activities shall not exceed 945,000 tonnes per year**
Waste code	**Description**
19	**WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE**

Table S2.9 Permitted waste types and quantities for physical treatment of hazardous waste (AR4 & AR8)	
Maximum quantity	**The total quantity of waste accepted at the site for all activities shall not exceed 945,000 tonnes per year**
Waste code	**Description**
19 12	**wastes from the mechanical treatment of waste not otherwise specified (for example, sorting, crushing, compacting, pelletising)**
19 12 11*	other wastes (including mixtures of materials) from mechanical treatment of wastes containing hazardous substances (limited to fractions resulting from the mechanical treatment of ferrous and non-ferrous metal wastes)
19 12 12	other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11 (limited to fractions resulting from the mechanical treatment of ferrous and non-ferrous metal wastes)

Emission limits

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

- Dust – 5mg/m^3 at Emission Point A2 (E4 as shown on the Site Plan in Schedule 7 of the permit).

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

- TVOC (No limit)
- Brominated flame retardants
- Dioxin-like PCBs
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Sb, Se, Tl, V)
- Dioxins and furans (PCDD/F)

The above substances, listed under the emission points A1 and A2, have been added in line with the current requirements of BAT.

Emissions limits have been amended for indirect emissions to sewer as a result of this variation based on Best Available Techniques – Achievable Emission Levels (BAT-AELS) for Waste Treatment:

- 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 - 0.0005 mg/l
- PFOA, PFAS, Deca BDE – No limits

The above substances, listed under the emission point S1 in Table S3.2 of the permit, have been added in line with the current requirements of BAT.

Monitoring

We have decided that monitoring should be amended as a result of using the methods detailed and to the frequencies specified:

The following monitoring requirements have been amended:

- Dust – 5mg/m^3 at Emission Point A2 (E4 as shown on the Site Plan in Schedule 7 of the permit).

These monitoring requirements have been included in order to comply with the requirements of the BAT Conclusions for the sector.

We made these decisions in accordance with BAT and the Appropriate Measures.

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 amended reporting in the permit for the following parameters:

Emissions to air

- Dust
- Brominated flame retardants
- Dioxin-like polychlorinated biphenyls (PCBs)
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Sb, Se, Tl, V)
- Dioxins and furans (PCDD/F)
- CFCs
- Total VOCs
- Total VOCs (concentration)
- Total VOCs (mass emission)
- Air flow

Emissions to sewer:

- Hydrocarbon oil index
- Arsenic
- Cadmium
- Chromium
- Copper
- Lead
- Nickel
- Zinc
- Mercury
- PFOA, PFAS, Deca BDE

Process monitoring

- All mechanical treatment of WEEE: Mass balance

We made these decisions in accordance with BAT and the Appropriate Measures 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.

Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

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