

## Permitting Decisions- Environment Agency Initiated Variation

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We have issued an Environment Agency initiated variation for J & G Transfer Station operated by J & G Environmental 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/RP3931SE/V006.

The permit variation was issued on 25/06/2026.

We consider in reaching this 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 Review

This Environment Agency has a duty, under the Environmental Permitting (England and Wales) Regulations 2016 (EPR), regulation 34(1), to periodically review permits.

Article 21(3) of the Industrial Emissions Directive (IED) also requires the Environment Agency to review conditions in permits to ensure that they deliver compliance with relevant standards, within four years of the publication of updated decisions on Best Available Techniques (BAT) Conclusions.

We have reviewed the permit for this regulated facility and varied the permit to make a number of changes to reflect relevant standards and best practice. These changes principally relate to the implementation of our technical guidance:

- <https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities> and the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance
- [Non-hazardous and inert waste: appropriate measures for permitted facilities - Guidance - GOV.UK](#) and the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance
- [Waste electrical and electronic equipment \(WEEE\): appropriate measures for permitted facilities - Guidance - GOV.UK](#) and the relevant requirements

of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance

In this decision document, we set out the reasoning for the variation notice that we have issued.

It explains how we have reviewed and considered the techniques used by the operator in the operation and control of the plant and activities of the installation (operating techniques) against our technical guidance.

As well as considering the review of the operating techniques used by the operator for the operation of the plant and activities of the installation, the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issue. Where this has not already been done, it also modernises the entire permit to reflect the conditions contained in our current generic permit template.

## Purpose of this document

This decision document provides a record of the decision making process. It:

- explains how the Environment Agency initiated variation has been determined;
- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account;
- highlights [key issues](#) in the determination.

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

### Key issues of the decision

- Staff competence

We have decided to accept the alternative measure proposed as part of the Regulation 61 response (letter entitled “2.2.4 Request to EA - Acceptance Staff Qualifications” submitted as part of the response) – because we consider the proposed measure is proportionate to the nature of operations on site and should provide an equivalent level of environmental protection to the measures in section 2.2 of <https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>

Notwithstanding the original date of this letter (31<sup>st</sup> March 2014), the

Operator confirmed to us (on 03/02/2026, as referenced on page 5 of this Decision Document) that the alternative measures described within the letter remain current and valid.

## **Environment Agency led variation – permit review**

We have carried out an Environment Agency initiated variation to the permit following a permit review as required by legislation to ensure that permit conditions deliver compliance with relevant legislative requirements and appropriate standards to protect the environment and human health.

The Industrial Emissions Directive (IED) came into force on 7 January 2014 with the requirement to implement all relevant Best Available Techniques (BAT) Conclusions as described in the Commission Implementing Decision. Article 21(3) of the IED requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication of updated decisions on Best Available Techniques (BAT) Conclusions.

The BAT Conclusions for Waste Treatment (the BREF) was published on 17 August 2018 following a European Union wide review of BAT, implementing decision (EU) 2018/1147 of 10 August 2018. Relevant existing facilities were expected to be in compliance with the BAT Conclusions within 4 years (i.e. by August 2022).

On 18 November 2020, Chemical Waste: appropriate measures for permitted facilities guidance was published on gov.uk. This technical guidance explains the standards that are relevant to regulated facilities with an environmental permit to treat or transfer chemical waste, providing relevant standards (appropriate measures) for those sites and incorporating the relevant requirements of the BAT Conclusions.

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

- Non-hazardous and inert waste: appropriate measures for permitted facilities - published 12 July 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 26/01/2022 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
- confirms if they intend to cease operating any activity which would be in breach of the relevant new BAT Conclusion (BATC) after the compliance date, and the date by which they intend to cease operation;
- confirms where there is a BAT-Associated Emission Level (BAT-AEL) specified in the BAT conclusion, with which they will not comply with by the compliance date and they wish to continue operating, they should request a derogation.

The standards described in our technical guidance are split into 7 chapters:

- General management appropriate measures
- Waste pre-acceptance, acceptance and tracking appropriate measures
- Waste storage, segregation and handling appropriate measures
- Waste treatment appropriate measures
- Emissions control appropriate measures
- Emissions monitoring and limits appropriate measures
- Process efficiency appropriate measures

We have set emission limit values (ELVs) and monitoring requirements for relevant substances in line with our technical guidance and the BAT Conclusions for Waste Treatment, unless a tighter, i.e. more stringent, limit was previously imposed and these limits have been carried forward.

The Regulation 61 notice required the operator to confirm whether they could comply the standards described in each of these chapters. Table 1 below provides a summary of the response received and our assessment of it. The overall status of compliance with the standards (appropriate measures) is indicated in the table as:

NA – Not Applicable

CC – Currently Compliant

FC – Compliant in the future (through improvement conditions set in permit)

NC – Not Compliant

In accordance with Article 22(2) of the Industrial Emissions Directive, the Regulation 61 notice asked the operator to provide a soil and groundwater risk assessment, along with a baseline report or summary report confirming the

current state of soil and groundwater contamination, where listed activities are undertaken that involve the use, production or release of relevant hazardous substances.

The Regulation 61 notice also asked the operator to confirm whether they operate a medium combustion plant or specified generator (as per Schedule 25A or 25B of EPR 2016) and whether they had considered how their operations could be affected by climate changes (e.g. through a climate change adaptation plan).

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

### **Regulation 61 Response**

The Regulation 61 notice response from the Operator was received on 29/07/2022.

Although we were able to consider the Regulation 61 notice response generally satisfactory at receipt, we needed more information in order to complete our permit review assessment. We requested this by email and the operator provided further information on the activities undertaken, container crushing, site drainage, staff competence and EWC Codes on 03/02/2026. 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
<b>General management appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section, except section 2.2 regarding staff competence. The operator submitted proposals for an alternative measure for this section, which we have decided to accept – as referenced in the “key issues of the decision” section of this decision document.</p> <p>Compliance with the appropriate measures in this section of the guidance (and our acceptance of the above alternative measure) has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section.</p> <p>Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>
<b>Waste storage, segregation and handling appropriate measures</b>	FC	<p>The operator stated that they currently meet the requirements of all appropriate measures in this section, providing additional comments regarding measures 4.42, 4.45 and 4.87.</p> <p>However, during our review of the permit, we identified that the operator is not compliant with the following measures:</p> <ul style="list-style-type: none"> <li>- <i>4.7 – secondary and tertiary containment systems must conform to CIRIA guidance C736 - Containment systems for the prevention of pollution</i></li> </ul> <p style="padding-left: 40px;">The operator has stated in their Regulation 61 response that their secondary containment does not meet the requirements of CIRIA C736.</p> <ul style="list-style-type: none"> <li>- <i>4.41 - which states “where relevant, bulk storage systems must conform to CIRIA guidance, and in particular to:</i> <ul style="list-style-type: none"> <li>o <i>C535 Above ground proprietary prefabricated oil storage tank systems</i></li> <li>o <i>C598 Chemical storage tank systems - good practice</i></li> </ul> </li> </ul>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<ul style="list-style-type: none"> <li>○ <i>C736 Containment systems for the prevention of pollution”</i></li> </ul> <p>The CIRIA guidance which is relevant to activities undertaken on site is C736.</p> <p>The operator has stated in their Regulation 61 response that their secondary containment does not meet the requirements of CIRIA C736.</p> <ul style="list-style-type: none"> <li>- <i>4.43 – you should vent bulk storage tanks and silos through suitable abatement</i></li> </ul> <p>The operator has stated in their Regulation 61 response that their bulk tanks vent to atmosphere.</p> <p>A H1 assessment was submitted as part of the Regulation 61 response - showing these emissions to air to be insignificant.</p> <p>We have not audited the H1 assessment as this is beyond the scope of the permit review.</p> <p>Irrespective of the outcome of the H1, this measure requires venting of bulk storage tanks through suitable abatement – and not directly to atmosphere.</p> <ul style="list-style-type: none"> <li>- <i>4.45 – you must provide bunds for all tanks containing liquids (whether waste or otherwise) which could be harmful to the environment if spilled. Bunds must meet the CIRIA C535 or C736 standard and:</i></li> </ul> <ul style="list-style-type: none"> <li>○ <i>be impermeable, stable and resistant to the stored materials</i></li> <li>○ <i>have no outlet (that is, no drains or taps), and drain to a blind collection point</i></li> <li>○ <i>have pipework routed within bunded areas with no penetration of contained surfaces</i></li> <li>○ <i>be designed to catch leaks from tanks or fittings</i></li> <li>○ <i>have a capacity calculated following the relevant CIRIA guidance</i></li> <li>○ <i>have regular visual inspections – you must pump out or remove any contents under manual control after you have checked for contamination</i></li> <li>○ <i>be fitted with a high level probe and an alarm (as appropriate) if not frequently inspected</i></li> </ul>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<ul style="list-style-type: none"> <li>○ <i>have tanker connection points within the bund where possible – if not possible you must provide adequate containment for spillages or leakage</i></li> <li>○ <i>have programmed engineering inspections (extending to water testing if structural integrity is in doubt)</i></li> <li>○ <i>be emptied of rainwater regularly to maintain the containment capacity</i></li> </ul> <p>The CIRIA guidance which is relevant to activities undertaken on site is C736.</p> <p>The operator has stated in their Regulation 61 response that their secondary containment does not meet the requirements of CIRIA C736.</p> <p>We have therefore decided to insert improvement conditions into the permit to address the above areas of non-compliance.</p> <p>Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2 - and the improvement conditions (IC1, IC4) in Table S1.3.</p>
<b>Waste treatment appropriate measures</b>	N/A	<p>The operator confirmed that they currently meet the requirements of all appropriate measures in this section.</p> <p>However, we consider this section not to be applicable – because the scheduled activities undertaken on site (re-packaging of hazardous wastes, temporary storage of hazardous wastes) are not treatment activities.</p>
<b>Emissions control appropriate measures</b>	FC	<p>The operator stated that they currently meet the requirements of all appropriate measures in this section (except 6.4, which they consider to not be applicable).</p> <p>However - during our review of the permit, we have identified that:</p> <ul style="list-style-type: none"> <li>- 6.4 (point source emissions to water and sewer) does apply. There are point source emissions points to water (which the operator has acknowledged elsewhere in their Regulation 61 response). We have established that these emissions points discharge uncontaminated rainfall from the roof of the building into the underground drain connected to the 2 soakaways GW1</li> </ul>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<p>and GW2. The operator has confirmed in their Regulation 61 response that these emissions points are included in their emissions inventory.</p> <ul style="list-style-type: none"> <li>- the operator does not currently meet the following measure : <ul style="list-style-type: none"> <li>o 6.1.1 – which states “<i>you must contain storage tanks, silos and waste treatment plant (including shredders) to make sure you collect, extract and direct all process emissions to an appropriate abatement system for treatment before release</i>”</li> </ul> </li> </ul> <p>The Regulation 61 response identifies the vent on the blanket wash tank as being a point source emission to air – and states that their bulk tanks vent to atmosphere.</p> <p>A H1 assessment was submitted as part of the Regulation 61 response - showing these emissions to air to be insignificant.</p> <p>We have not audited the H1 assessment as this is beyond the scope of the permit review.</p> <p>Irrespective of the outcome of the H1, this measure clearly requires the collection, extraction and direction of all process emissions to an appropriate abatement system before release. The tanks vent directly to atmosphere which is not compliant with this measure.</p> <p>We have decided that no further actions are necessary in relation to compliance with section 6.4 as the varied permit contains sufficient measures to control the point source emissions to water. However, we have decided to insert an improvement condition into the permit to address non-compliance with section 6.1.1.</p> <p>Compliance with the appropriate measures in this section of the guidance has therefore been incorporated into the varied permit through the updated operating techniques listed in Table S1.2 and the improvement conditions (IC3a, IC3b) in Table S1.3.</p>
<b>Emissions monitoring and</b>	CC	The operator confirmed that they currently meet the requirements of all appropriate measures in this

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
limits appropriate measures		<p>section.</p> <p>Compliance with the appropriate measures in this section of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2, and updated emissions and monitoring requirements in Schedule 3.</p>
Process efficiency appropriate measures	FC	<p>The operator confirmed that they do not currently meet the requirements of all the measures in this section.</p> <p>Specifically, the operator has confirmed they are not compliant with the following measures:</p> <ul style="list-style-type: none"> <li>- 8.1.1 You must create and implement an energy efficiency plan at your facility. This must: <ul style="list-style-type: none"> <li>o define and calculate the specific energy consumption of the activity (or activities) you do and waste stream(s) you treat</li> <li>o set annual key performance indicators – for example, specific energy consumption (expressed in kWh/tonne of waste processed)</li> <li>o plan periodic improvement targets and related actions</li> </ul> </li> <li>- 8.1.2 You must regularly review and update your energy efficiency plan as part of your facility's management system.</li> <li>- 8.1.3 You must have and maintain an energy balance record for your facility. This must provide a breakdown of your energy consumption and generation (including any energy or heat exported) by the type of source (electricity, gas, conventional liquid fuels, conventional solid fuels and waste). You should provide Sankey diagrams or energy balances to show how energy is used in your waste treatment processes.</li> <li>- 8.1.4 You must regularly review and update your energy balance record as part of your facility's management system, alongside the energy efficiency plan.</li> <li>- 8.3.2 Measures you must take include: <ul style="list-style-type: none"> <li>o implementing a water saving plan (involving establishing water efficiency objectives, flow</li> </ul> </li> </ul>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<p><i>diagrams and water mass balances)</i></p> <ul style="list-style-type: none"> <li>○ <i>optimising the use of wash waters (for example, dry cleaning instead of hosing down and using trigger controls on all washing equipment)</i></li> <li>○ <i>recirculating and reusing water streams within the plant or facility, if necessary after treatment</i></li> <li>○ <i>reducing the use of water for vacuum generation (for example, using liquid ring pumps with high boiling point liquids), where relevant</i></li> </ul> <p>- <i>8.3.3 You must review water use (a water efficiency audit) at least every 4 years.</i></p> <p>- <i>8.3.4. You must also:</i></p> <ul style="list-style-type: none"> <li>○ <i>produce flow diagrams and water mass balances for your activities</i></li> <li>○ <i>establish water efficiency objectives and identify constraints on reducing water use beyond a certain level (usually this will be site specific)</i></li> <li>○ <i>identify the opportunities for maximising reuse and minimising use of water</i></li> <li>○ <i>have a timetabled improvement plan for implementing additional water reduction measures</i></li> </ul> <p>- <i>8.3.5 To reduce water use and associated emissions to water, you should apply these general principles in sequence:</i></p> <ul style="list-style-type: none"> <li>○ <i>use water efficient techniques at source where possible</i></li> <li>○ <i>reuse water within the process, by treating it first if necessary – if not practicable, use it in another part of the process or facility that has a lower water quality requirement</i></li> <li>○ <i>if you cannot use uncontaminated roof and surface water in the process, you should keep it separate from other discharge streams – at least until after you have treated the contaminated streams in an effluent treatment system and have carried out final monitoring</i></li> </ul> <p>- <i>8.3.6 You should establish the water quality requirements associated with each activity and identify whether you can substitute water from recycled sources. Where you can, include it in your improvement plan.</i></p> <p>- <i>8.3.7. Where there is scope for reuse (possibly after some form of treatment) you should keep less contaminated water streams, such as cooling waters, separate from more contaminated</i></p>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<p><i>streams.</i></p> <ul style="list-style-type: none"> <li>- 8.3.8. You must minimise the volume of water you use for cleaning and washing down by: <ul style="list-style-type: none"> <li>o vacuuming, scraping or mopping in preference to hosing down</li> <li>o reusing wash water (or recycled water) where practicable</li> <li>o using trigger controls on all hoses, hand lances and washing equipment</li> </ul> </li> <li>- 8.3.9. You must directly measure fresh water consumption and record it regularly at every significant usage point, ideally on a daily basis.</li> </ul> <p>We have therefore decided to insert an improvement condition into the varied permit (IC2) to address these areas of non-compliance.</p> <p>Compliance with the appropriate measures in this section of the guidance has therefore been incorporated into the varied permit through the updated operating techniques listed in Table S1.2, and improvement condition IC2 in Table S1.3</p>
Reg 61 requirement		Assessment of response received
<b>Non-hazardous and inert waste: appropriate measures for permitted facilities.</b>	<p>The operator confirmed that they comply with the appropriate measures.</p> <p>Compliance with the appropriate measures of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>	
<b>Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities</b>	<p>The operator confirmed that they comply with the relevant sections of these appropriate measures as part of their response to a Request for Information (Q6) which was received on 03/02/2026.</p> <p>Compliance with the appropriate measures of the guidance has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.</p>	
<b>Soil and groundwater risk assessment</b>	<p>The operator has included the original site condition report (which accompanied their application in 2005) in their submission. This was not assessed as it was out of the scope of the permit review. The operator is required to submit 5</p>	

Appropriate measures	Compliance status Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
	and 10 yearly monitoring of groundwater and soil contamination as per the conditions in the permit.
<b>Medium combustion plant and specified generators</b>	No existing medium combustion plant or specified generators are present at this facility.
<b>Climate change</b>	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.
<b>Summary of other changes made to the permit as a result of our assessment of the Reg 61 response</b>	
<b>Corrected Status Log</b>	<p>The status log in EPR/RP3139SE/V007 incorrectly states that EPR/RP3139SE/V007 was issued to Cleansing Group Services Limited when it was actually issued to J&amp;G Environmental Limited.</p> <p>This has been rectified in the status log of the permit which will be issued as a result of this permit review.</p>
<b>Renaming of all permitted activities</b>	<p>Within the scope of the permit review, we have reviewed the activities on the permit in accordance with "RGN 2 - Understanding The Meaning of Regulated Facility" and the "Waste Framework Directive".</p> <p>We have decided to make the following changes in relation to how the permitted activities are defined:</p> <ul style="list-style-type: none"> <li>- Activities A1 and A2 have been re-named in the varied permit as AR1 (re-packaging of hazardous wastes) and AR2 (temporary storage of hazardous wastes)</li> <li>- Activity AR3 (Container Crushing – previously permitted as a Waste Operation) has been added as a Directly Associated Activity.</li> </ul> <p>This is because our review of the Regulation 61 Response (and additional information which was provided by the Operator) confirmed that:</p> <ul style="list-style-type: none"> <li>o only containers which have been accepted on site under Activities AR1, AR2, AR4, AR5 or AR6 – are crushed.</li> <li>o in relation to the crushing of containers which have been accepted under Activities AR1 and AR2</li> </ul>

Appropriate measures	Compliance status	Assessment of the installation's compliance with relevant standards (appropriate measures) and any alternative techniques proposed by the operator
		<p>(i.e. hazardous wastes) the site does not have the capacity to crush more than 10 tonnes / day.</p> <ul style="list-style-type: none"> <li>○ in relation to the crushing of containers which have been accepted under Activities AR4, AR5 and AR6 (i.e. non-hazardous wastes), the site does not have the capacity to crush more than 50 tonnes / day.</li> </ul> <p>- Activities AR4, AR5 and AR6 are the non-hazardous waste activities which were previously permitted as a single activity (A3) - as a waste operation.</p> <p>We have decided to separate these into the 3 separate activities to provide greater clarity about the activities undertaken and the associated European Waste Catalogue Codes which relate to each activity.</p>
<p><b>Correcting the location of the point source emissions points to water - and updating associated emissions monitoring requirements</b></p>		<p>During our review of the permit, we identified that the emission points to water had been incorrectly identified as being soakaways GW1 and GW2 which are located beyond the permitted boundary.</p> <p>We have determined that:</p> <ul style="list-style-type: none"> <li>- the point source emissions to water are the 4 points which discharge uncontaminated rainfall from the roof of the building into the underground drain connected to the 2 soakaways GW1 and GW2.</li> <li>- the connections between the downpipes and the underground drains are sealed (as confirmed by the Operator via email on 18/06/2026).</li> </ul> <p>We have therefore decided to:</p> <ul style="list-style-type: none"> <li>- change the references to GW1 and GW2 in Table S3.2 (specifying emissions limits and monitoring requirements) – to W1, W2, W3 and W4.</li> <li>- remove the requirements for monitoring of W1, W2, W3 and W4 from Table S3.2 - because water cannot physically enter the underground drains, other than via the (sealed) downpipes.</li> <li>- add the point source emissions to water W1, W2, W3 and W4 locations to Figure 1 in Schedule 7 of the varied permit.</li> </ul>

## **Decision Considerations**

### **Confidential information**

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

### **Identifying confidential information**

We have not identified information provided as part of the Regulation 61 notice response that we consider to be confidential.

### **The 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 1 of RGN 2 'Interpretation of Schedule 1', and 'Appendix 2 of RGN2 'Defining the scope of the installation'.

### **The site**

The operator provided 2 plans for the site – an "Installation Site Plan" and a "Storage Plan". We have amended the "Installation Site Plan" to add the locations of the point source emissions to water (W1, W2, W3 and W4).

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

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

The plans are included in the permit

### **Operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. 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.

## **Management plans**

We did not review any management plan under the scope of the permit review.

Under the conditions of the permit, where we consider that activities are giving rise to pollution in the form of fugitive emissions, we will ask for the submission and implementation of a suitable management plan.

## **Improvement programme**

We have included an improvement programme to ensure that the permit complies with the appropriate technical guidance for this facility.

Those Improvement Conditions added are referenced in Table 1 of this Decision Document. This has been included in the permit to address potential issues of non-compliance with the “Chemical Waste Appropriate Measures and Non-hazardous and inert waste appropriate measures”.

## **Emission limits**

We have decided to add Emission Limit Values (ELV's) – as Table S3.1 (Point source emissions to air – emissions limits and monitoring requirements) to the permit. The specific details of the applicable parameter(s) and limit(s) will be determined upon completion of improvement condition IC3a, Table S1.3.

We made this decision in accordance with the Waste Treatment BAT Conclusions, and “Chemical Waste: Appropriate Measures for Permitted Facilities”.

## **Monitoring**

We have decided that monitoring should be added to the permit for the point source emission to air referenced in Table S3.1. The specific details of the monitoring requirements will be determined upon completion of improvement condition IC3a, Table S1.3.

We have also decided that monitoring is not required for the point source emissions to water referenced in Table S3.2 – for the reasons cited in Table 1 of this Decision Document.

We made this decision in accordance with the Waste Treatment BAT Conclusions, and “Chemical Waste: Appropriate Measures for Permitted Facilities”.

## **Reporting**

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

- point source emissions to air, every 6 months
- process monitoring, annually

We made this decision in accordance with the Waste Treatment BAT Conclusions, and “Chemical Waste: Appropriate Measures for Permitted Facilities”.

## **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.