

## Permitting Decisions- Environment Agency Initiated Variation

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We have decided to issue an Environment Agency initiated variation for Marchwood Treatment Works operated by Veolia ES (UK) 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/NP3833UE/C008 and V009

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

In addition to implementing the permit review, this variation also makes the following changes to the permit that were applied for by the operator under permit variation application EPR/NP3833UE/V009.

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

The 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:

- [Chemical 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
- [Biological waste treatment: 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
- [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
- [Healthcare waste: appropriate measures for permitted facilities](#) 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.

### **Permit variation application**

In addition to implementing the permit review, this variation also makes the following changes to the permit that were applied for by the operator under permit variation application EPR/NP3833UE/V009.

This variation is to change the permit boundary to incorporate an additional area of land approximately 150m to the east of the current site linked by private road, Oceanic Drive. This area will be used primarily for the waste transfer operation currently carried out within the existing site. There is no increase in waste throughput or changes to the transfer station or treatment activities being undertaken.

## **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

### Key issues

#### Multi permit consolidation.

A waste management licence was issued on 20/04/1993 as EAWML 19917 later allocated permit number EPR/FP3392HC. This was modified three times before the activities were transferred to a new permit EAWML 10225 on 30/05/2002. The original licence EPR/FP3392HC (EAWML 19917) however remained active. EAWML 10225 was modified on two occasions and was allocated permit number EPR/DP3495HA.

EPR/NP3833UE was issued on 27/09/2007 to Veolia ES (UK) Limited. The permit was later updated to become an installation permit in line with the changes made to the Environmental Permitting Regulations (EPR) under IED.

The three permits above have been consolidated as part of the statutory review process. The permit number of the new consolidated permit is EPR/NP3833UE.

#### Co treatment of hazardous waste and non-hazardous wastes.

The operator's previous permit EPR/NP3833UE/V007 contained both hazardous and non-hazardous waste codes in tables assigned to the following two scheduled hazardous waste activities.

S5.3 A(1)(a)(ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment. Treatment of hazardous aqueous waste by gravity separation and filtration, and

S5.3 A(1)(a)(i) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving biological treatment. Treatment of hazardous aqueous waste by biological treatment.

Chemical waste appropriate measures Section 4.83 - Waste storage, segregation and handling appropriate measures, states 'You must have a permit that

specifically allows you to mix hazardous waste with any non-hazardous waste, hazardous waste in a different category or non-waste'

In a response to a request for further information dated 07/11/2025, The operator provided justification for the co-treatment of hazardous and non-hazardous oily aqueous waste, stating that the treatment process treats all applicable hazardous waste parameters alongside the matching parameters for non-hazardous waste. Therefore, the process will not result in the dilution of hazardous properties as they are all targeted by the process. We have accepted this justification.

Three separate non-hazardous activities, S5.4 A(1)(a)(i) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving biological treatment and two S5.4 A(1)(a)(ii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment have been created and a separate table S2.3 has been added for non-hazardous waste codes for inclusion in activity AR3 and AR4. These non-hazardous activities were previously carried out on site (as explained above) but were not accurately reflected in the previous permit.

Waste tables were scrutinised and with the operator's agreement, the following waste codes were removed from activities AR1 to AR4 and permitted for storage only as they are not in line with the above Co-treatment process.

01 04 07\* wastes containing hazardous substances from physical and chemical processing of non-metalliferous minerals  
05 07 01\* wastes containing mercury  
05 07 02 wastes containing sulphur  
08 01 11\* waste paint and varnish containing organic solvents or other hazardous substances  
08 01 15\* aqueous sludges containing paint or varnish containing organic solvents or other hazardous substances  
08 01 19\* aqueous suspensions containing paint or varnish containing organic solvents or other hazardous substances 08 01 21\*  
08 03 12\* waste ink containing hazardous substances  
08 04 09\* waste adhesives and sealants containing organic solvents or other hazardous substances  
08 04 11\* adhesive and sealant sludges containing organic solvents or other hazardous substances  
08 04 13\* aqueous sludges containing adhesives or sealants containing organic solvents or other hazardous substances  
08 04 15\* aqueous liquid waste containing adhesives or sealants containing organic solvents or other hazardous substances  
09 01 05\* bleach solutions and bleach fixer solutions  
09 01 13\* aqueous liquid waste from on-site reclamation of silver other than those mentioned in 09 01 06  
10 01 18\* wastes from gas cleaning containing hazardous substances  
10 02 07\* solid wastes from gas treatment containing hazardous substances 12  
01 12\* spent waxes and fats

16 01 14\* antifreeze fluids containing hazardous substances  
16 03 03\* inorganic wastes containing hazardous substances  
16 03 05\* organic wastes containing hazardous substances  
18 01 06\* chemicals consisting of or containing hazardous substances  
19 01 06\* aqueous liquid wastes from gas treatment and other aqueous liquid wastes  
19 02 08\* liquid combustible wastes containing hazardous substances  
19 08 07\* solutions and sludges from regeneration of ion exchangers  
20 01 27\* paint, inks, adhesives and resins containing hazardous substances

Further to this, exclusions of no inorganic waste or wastes above the non-hazardous threshold have been added to table S2.2. This has been added to prevent the dilution of metals within the waste stream of AR1 and 2.

**BAT-associated emission levels (BAT-AELs) for indirect discharges to a receiving water body arising from the treatment of water-based liquid waste.**

Waste treatment activities including activity 'treatment of water-based liquid waste' are required to comply with the BAT Conclusions for waste treatment.

The BAT Conclusions were published in 2018, the implementation dates for BAT AEL compliance for existing sites has now passed (4 years after issue publication of BAT Conclusions).

Our regulatory approach to indirect discharges to water is not specific to the waste treatment sector; we follow this approach when permitting any type of installation that indirectly releases polluting substances into water, following the guidance 'UK Cross-Cutting Interpretation Guidance and Permitting Advice on the Best Available Techniques (BAT) Conclusions published under the Industrial Emissions Directive (IED) Version 2 – July 2024'.

On this basis the Environment Agency is required to insert the BAT AELs set out in the BAT Conclusions into a permit where it is determined they are appropriate. This is in line with the requirements set out in Defra's guidance 'Industrial emissions Directive EPR Guidance on Part A installations' and specifically 'Setting ELVs where Article 15(3) applies'. The BAT AEL apply on issue of a permit as the timescale of existing site compliance has passed. We have produced RPS 371 to mitigate its impact for 12 months.

We have therefore included BAT AELs into the permit in Table S3.3 which apply on issue of this permit.

These BAT AELs are subject to tables notes, condition 3.5.1 and improvement condition reference IC16. Compliance will be assessed by the Environment Agency in line with RPS 371.

## **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.

- Healthcare waste: appropriate measures for permitted facilities - published 13 July 2020.
- 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 13 July 2022.
- Biological waste treatment: appropriate measures for permitted facilities – published September 2022.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 15/11/2021 requiring the operator to provide information to confirm that the operation of their facility currently meets, or how it will subsequently meet, the standards (appropriate measures) described in our technical guidance.

The notice required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented to ensure operations meet the relevant standards and by when, or
- Explains why they are not applicable to the facility in question, or
- Justifies why an alternative technique is appropriate and will achieve an equivalent level of environmental protection to the standards described in our guidance
- 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 with 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 28/02/2022.

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

Although we were able to consider the Regulation 61 notice response generally satisfactory at receipt, we needed more information in order to complete our permit review assessment. We requested this by email and the operator provided suitable further information on 29/08/2025, 26/09/2025, 24/10/2025, 21/11/2025 and 08/01/2026, 16/2/2026 and 06/03/2026. 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	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.
<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	CC	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.
<b>Waste storage, segregation and handling appropriate measures</b>	FC	<p>During determination of the permit, we identified that waste storage, segregation and handling measures did not meet appropriate measures. Specifically, the operation was not compliant with appropriate measure:</p> <ul style="list-style-type: none"> <li>• You should vent bulk storage tanks and silos through suitable abatement (measure 4.43).</li> <li>• Repackaging or mixing must only take place in a dedicated area or store which has the plant and equipment needed to deal with the specific risks of that process. For example, this could include abatement or local exhaust ventilation (measure 4.86).</li> </ul> <p>The operator states that VOCs are prevented by bulking low vapour pressure liquids only. Additional information is required as evidence of this and as such Improvement condition IC13 and IC17 has been included in the varied permit.</p>
<b>Waste treatment appropriate measures</b>	FC	<p>During determination of the permit, we identified that waste treatment measures did not meet appropriate measures. Specifically, the operation was not compliant with appropriate measure:</p> <ul style="list-style-type: none"> <li>• Where an emission is expected, all treatment or reactor vessels must be enclosed. Only vent them to the atmosphere via an appropriate scrubbing and abatement system (subject to explosion relief) (measure 5.1.10).</li> </ul> <p>The operator has confirmed through the combination of the Regulation 61 Notice response and dialogue during the determination process that biological, oil and water treatment processes are all conducted in open air or vented to atmosphere tanks, though the processes are all adequately described by the Operator and the processes are generally</p>

		<p>compliant with the Appropriate Measures, additional information is needed by way of updated Risk Assessments and possible enclosure of processes. Improvement Conditions have been added to Table S1.3 to ensure that the information is provided and that the risks are addressed to be compliant with the requirements of BAT and the Appropriate Measures</p> <p>Improvement condition IC14 has been included in the varied permit to ensure future compliance with this measure.</p>
<b>Emissions control appropriate measures</b>	FC	<p>During determination of the permit, we identified that emissions control measures did not meet appropriate measures. The operator has not provided evidence that adequately demonstrates that emissions control measures are not required for their activity, based on the risks posed.</p> <p>Specifically, the operation was not compliant with chemical waste appropriate measure:</p> <ul style="list-style-type: none"> <li>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 (measure 6.1.1).</li> </ul> <p>Or</p> <p>Section 11.1 and 11.6 of biological waste treatment: appropriate measures for permitted facilities.</p> <p>The Operator confirmed via the Regulation 61 response and requests for further information that the oil/water treatment and storage vessels are not currently abated where they vent to atmosphere. The aeration tanks are open topped.</p> <p>The Operator has confirmed they are exploring the options for abatement and enclosure of these vessels and are comfortable with an Improvement Programme being installed in the permit to cover the requirements to ensure compliance with the Appropriate Measures for these operations.</p> <p>Improvement conditions IC15, IC16, IC17a and IC17b have been included in the varied permit to ensure future compliance with this measure.</p>
<b>Emissions monitoring and limits appropriate measures</b>	FC	<p>During determination of the permit, we identified that emissions monitoring measures did not meet appropriate measures. The operator has not provided evidence that adequately demonstrates that emissions monitoring measures are not required for their activity, based on the risks posed.</p> <p>Improvement conditions IC16 has been included in the varied permit to ensure future compliance with this measure.</p>
<b>Process efficiency appropriate</b>	CC	<p>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</p>

<b>measures</b>		
<b>Reg 61 requirement</b>	<b>Assessment of response received</b>	
<b>Soil and groundwater risk assessment</b>	The operator has included a site condition report in their submission for the variation V009. This was required and assessed as part of the application. The operator is required to submit 5 and 10 yearly monitoring of groundwater and soil contamination as per the conditions in the permit.	
<b>Medium combustion plant and specified generators</b>	The site has replaced its existing MCP, which was a 1.8MW gas oil fired boiler, with a boiler with a thermal capacity less than 1MW and as such this now falls outside of the Medium Combustion Plant Directive 2015. This is permitted as a DAA AR10.	
<b>Climate change</b>	Submission of climate change risk assessment is no longer an application requirement. It now forms a part of the operator's EMS and will be reviewed within compliance assessment.	
<b>Summary of other changes made to the permit as a result of our assessment of the Reg 61 response</b>		
<b>Change</b>	<b>Reason for change</b>	
<b>Multi permit consolidation</b>	Consolidation of permit EPR/FP3392HC (EAWML 19917) and EPR/DP3495HA (EAWML 10225) into EPR/NP3833UE. Activities under EAWML10225 have been incorporated into Table S1.1.  EPR/FP3392HC (EAWML19917) and EPR/DP3495HA (EAWML 10225) will cease to exist.	
<b>Improvement conditions.</b>	Improvement conditions reference IC1 to IC12 have been completed by the operator and removed from the permit. Improvement conditions reference IC13 to IC18 have been added to the permit to ensure that the permit meets the requirements of the Environment Agency's guidance, Chemical waste: appropriate measures for permitted facilities.	
<b>Addition of EWC codes</b>	There has been an addition of waste codes to reflect the activities formerly aligned with WML 10225. This permit was reviewed, there were no waste codes listed. The operator provided a list of codes that they processed under WML 10225. We have reviewed those codes and are satisfied that they are appropriate to add to the consolidated permit.	

	<p>In addition, the operator requested the following EWC codes to be added to their hazardous storage activity only. We considered their request having regard to the fact that this is a consolidation, review and variation of the permit. They have demonstrated that there is no greater environmental risk, have control measures in place to mitigate any spills and that they already have similar waste codes on their permit, we have decided to allow these additions as a site-specific request only.</p> <p>01 03 10* red mud from alumina production containing hazardous substances other than the wastes mentioned in 01 03 07  16 03 07* metallic mercury  19 03 08* partly stabilised mercury</p>
<p><b>Removal of EWC codes</b></p>	<p>The operator has reviewed the EWC tables and has agreed to the removal of 18 02 02* as they do not receive waste under this code and have no plans to do so.</p> <p>The operator has confirmed that they no longer accept asbestos and have no plans to do so and agree to the removal of the following: -</p> <p>06 07 01* wastes containing asbestos from electrolysis  06 13 04* wastes from asbestos processing  10 13 09* wastes from asbestos-cement manufacture containing asbestos  10 13 10 wastes from asbestos-cement manufacture other than those mentioned in 10 13 09  16 01 11* brake pads containing asbestos  16 02 12* discarded equipment containing free asbestos  17 06 01* insulation materials containing asbestos  17 06 05* construction materials containing asbestos</p>
<p><b>Point source emissions to Air</b></p>	<p>Emissions to air may arise from the site as a result of storage and treatment of waste oils and oil/waters. The site contains storage and treatment tanks which are vented to atmosphere.</p> <p>The operator did not submit an up-to-date emissions inventory for the point source emissions to air in their Regulation 61 response in accordance with measure 7.1.1 of the chemical waste: appropriate measures for your permitted facility.</p> <p>The oil, oil/water and biological treatment processes and storage tanks have been scrutinised as part of this review by the Environment Agency and Improvement Conditions have been added to the permit in Table S1.3 to gather more information and evidence from the Operator on the requirement to enclose and abate the aeration tanks, which are currently not compliant with the Chemical Waste Appropriate Measures and Biological Waste Appropriate measures.</p> <p>The Improvement Conditions IC16 (for the submission of an updated H1 Assessment to assess the emissions from the treatment and storage tanks), and IC17a and IC17b (for the enclosure and abatement of the treatment and storage tanks – if required by outcomes of IC16 and installation of abatement, respectively) have been added as part of the review.</p>

	<p>Schedule 3, Table S3.1 has been updated to include BAT-associated emission levels (BAT-AELs) for emissions to air arising from physico-chemical treatment of water-based liquid waste and biological treatment of liquid waste.</p> <p>A3 – gas oil fired boiler 0.97 MWth is below the requirement for MCPD specifications.</p>
<b>Point source emissions to water</b>	<p>Schedule 3, Table S3.2 has been updated to include descriptive limits on oil and grease (W1) to include a new emission point (W2) to serve the new waste transfer station</p>
<b>Point source emissions to sewer</b>	<p>Waste treatment activities including ‘treatment of water-based liquid wastes’, are required to comply with the BAT Conclusions for waste treatment. The site must therefore comply with any relevant BAT-AELs upon issue of the permit. The emission limits derived from the BAT AELs are subject to the notes accompanying the tables and permit condition 3.5.1.</p> <p>Schedule 3, Table S3.3 has been updated to include BAT-associated emission levels (BAT-AELs) for emissions to water arising from treatment of water-based liquid waste.</p>
<b>Process monitoring requirements.</b>	<p>Process monitoring requirements, Table S3.4 has been added to the permit to facilitate efficiency assessments of abatement filters.</p>
<b>Site plan</b>	<p>The site infrastructure plan has been updated in schedule 7 to reflect the incorporation of an additional area of land for use as the waste transfer station. An improvement condition IC18 has been inserted to the permit to include abatement on the completion of IC17a/b.</p>
<b>Addition of Industrial Heating Oil to fuel the Boiler</b>	<p>The operator requested to add industrial heating oil as an accepted fuel for the 0.97MW boiler. However, they did not provide enough information to demonstrate that using this fuel would not increase the risk to the environment. We have considered the request and included pre-operational condition PO2 in the permit. This requires the operator to provide the necessary information and obtain written approval before industrial heating oil can be used as a fuel for the boiler.</p>

## **Decision Considerations**

### **Confidential information**

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

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

### **Identifying confidential information**

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

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

### **The regulated facility**

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN2 'Defining the scope of the installation', and Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

### **The site**

The operator has provided plan/s which we consider to be satisfactory.

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

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 and we consider them to represent appropriate techniques for the facility.

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

### **Updating permit conditions during consolidation**

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permits.

## 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. They have been included in the permit to address issues of non-compliance with the Chemical waste and Biological waste Appropriate Measures.

## Changes to EWC codes

Changes to EWC codes and tables are referenced in Table 1 of this decision document

## Emission limits

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

Section 3 of the BAT conclusions states 'unless otherwise stated, the BAT conclusions presented in section 3 apply to the biological treatment of waste, and in addition to the general BAT conclusions in Section 1. The BAT conclusions in section 3 do not apply to the treatment of water based liquid waste'

Therefore, only the physico-chemical treatment of water-based liquid BAT conclusions have been applied.

Emissions to air arising from the physico-chemical treatment of water-based liquid.

- Total Volatile Organic Compounds (TVOCs), 20 mg/m<sup>3</sup>
- Hydrogen Chloride (HCl) 5 mg/m<sup>3</sup>

Emissions to sewer (S1) arising from the physico-chemical treatment of water-based liquid.

- Adsorbable organically bound halogens (AOX), 1 mg/l
- Arsenic (As), 0.1 mg/l
- Cadmium (Cd), 0.1 mg/l
- Chromium (Cr), 0.3 mg/l
- Copper (Cu), 0.5 mg/l
- Free cyanide (CN<sup>-</sup>), 0.1 mg/l
- Hexavalent chromium (Cr(VI)), 0.1 mg/l
- Hydrocarbon oil index (HOI), 10 mg/l
- Lead (Pb), 0.3 mg/l
- Mercury (Hg), 10 µg/l
- Nickel (Ni), 1 mg/l
- Zinc (Zn), 2 mg/l

For rainfall runoff from non-process areas (W1 and W2) of waste storage/treatment (e.g. roofs and car parks). We have included descriptive limits on oil and grease.

We made these decisions in accordance with Waste Treatment BAT Conclusions, Chemical Waste: Appropriate Measures for Permitted Facilities.

## Monitoring

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

- Total Volatile Organic Compounds (TVOCs)
- Hydrogen Chloride (HCl)
- Ammonia (NH<sub>3</sub>)

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

- Adsorbable organically bound halogens (AOX)
- Arsenic (As)
- Benzene, toluene, ethylbenzene, xylene (BTEX)
- Cadmium (Cd)
- Chromium (Cr)
- Copper (Cu)

- Free cyanide (CN-)
- Hexavalent chromium (Cr(VI))
- Hydrocarbon oil index (HOI)
- Lead (Pb)
- Manganese (Mn)
- Mercury (Hg)
- Nickel (Ni)
- PFOA
- PFOS
- Zinc (Zn)

We made these decisions in accordance with [Waste Treatment BAT Conclusions, Chemical Waste: Appropriate Measures for Permitted Facilities](#)

## Reporting

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

- Emissions to air, every 6 months.
- Emissions to water, annually
- Emissions to sewer, annually.
- Process monitoring, annually.

We made these decisions in accordance with [Waste Treatment BAT Conclusions, 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.

## **Variation application made by operator**

This section summarises the key issues that we considered in relation to permit variation application EPR/NP3833UE/V009, which was made by the operator on 02/05/2025 and separate to the permit review detailed above.

## **Decision Considerations**

### **Confidential information**

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

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

### **Identifying confidential information**

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

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

### **The regulated facility**

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN2 'Defining the scope of the installation', and Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

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

### **The site**

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

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

The plan is included in the permit.

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

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

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

We have not consulted Natural England

The decision was taken in accordance with our guidance.

## **Operating techniques**

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

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

## **Updating permit conditions during consolidation**

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permits.

## **Changes to the permit conditions**

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

## **Pre-operational measures**

We have included a pre-operational measure to ensure that suitable construction and integrity of impermeable surfacing and secondary containment are agreed with the Environment Agency at least 8 weeks prior to the commencement of site operations on the newly permitted area

## **Emission limits**

There are no emission limits other than

For rainfall runoff from non-process areas (W2) of waste storage/treatment (e.g. roofs and carparks). We have included descriptive limits on oil and grease.

## Monitoring

We have decided that monitoring of uncontaminated site source water from roofs and non-operational areas should be daily by visual assessment.

## Reporting

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

- Emissions to water, annually

We made these decisions in accordance with [Waste Treatment BAT Conclusions, 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.