

## Permitting Decisions- Environment Agency Initiated Variation

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We have issued an Environment Agency initiated variation for South Fen Road operated by Enva Plastics 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/GP3697SV/V007.

The permit variation was issued on 29/06/2026.

### 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 for [WEEE treatment and transfer](#), including the relevant requirements of the [BAT Conclusions for Waste Treatment](#) which have been incorporated into our guidance.

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

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

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

# 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

### 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.

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 for treatment of WEEE.

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

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

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

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

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

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

NA – Not Applicable

CC – Currently Compliant

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

NC – Not Compliant

In accordance with Article 22(2) of the Industrial Emissions Directive, the Regulation 61 notice asked the operator to provide a soil and groundwater risk assessment, along with a baseline report or summary report confirming the current state of soil and groundwater contamination, where listed activities are undertaken that involve the use, production 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.

The Regulation 61 notice response from the Operator was received on 29/08/2022 for activities relating to treatment of WEEE.

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 17/04/2026, 11/05/2026, 13/05/2026, 14/05/2026, and 18/05/2026. 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 the appropriate measures in this section.</p> <p>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.</p>
<b>Waste pre-acceptance, acceptance and tracking appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section.</p> <p>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.</p>
<b>Waste storage, segregation and handling appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section.</p> <p>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.</p>
<b>Waste treatment appropriate measures</b>	CC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section.</p> <p>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</p>
<b>Emissions control appropriate measures</b>	FC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of:</p> <ul style="list-style-type: none"> <li>• Measure 6.1, Point 3 relating to the fate and impact of substances emitted to air.</li> </ul> <p>We have included an improvement condition to address these areas and complete the requirements of the related measures within the appropriate measures guidance.</p>

		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.
<b>Emissions monitoring and limits appropriate measures</b>	FC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of:</p> <ul style="list-style-type: none"> <li>• Measure 7.1, Point 1 - 4 relating to the emissions inventory to air.</li> </ul> <p>We have included an improvement condition to address these areas and complete the requirements of the related measures within the appropriate measures guidance.</p> <p>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.</p>
<b>Process efficiency appropriate measures</b>	FC	<p>The operator confirmed that they currently meet the requirements of the appropriate measures in this section with the exception of:</p> <ul style="list-style-type: none"> <li>• Measure 8.1 – Energy efficiency</li> <li>• Measure 8.2 – Raw materials</li> <li>• Measure 8.3 – Water use</li> <li>• Measure 8.4 – Waste minimisation, recovery and disposal</li> </ul> <p>We have included an improvement condition to address these areas and complete the requirements of the related measures within the appropriate measures guidance.</p> <p>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.</p>
<b>Reg 61 requirement</b>	<b>Assessment of response received</b>	
<b>Soil and groundwater risk assessment</b>	The operator has confirmed that a soil and groundwater risk assessment is held within the Environmental Risk Assessment, with a site investigation report carried out by Geo Matters on 17/05/2019 (Ref: DC/GML19155/L1.	

<b>Medium combustion plant and specified generators</b>	<p>The operator has provided confirmation that there are two diesel generators on site. One with an input of 1.92MWth and the other of 0.66MWth. The operator has confirmed that these are existing generators that pre-date 2018.</p> <p>The operator has confirmed they will delay confirmation of sign-up to the MCP Regulations until 2030. Therefore, we have not included the relevant emission limits in this variation.</p>
<b>Climate change</b>	<p>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.</p>
<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>Removal of DAA - AR3</b>	<p>We have removed the following DAA from the permit '<i>AR3 - Storage of processed materials, excluding temporary storage of hazardous waste under Section 5.6 A(1)(a)</i>' which allowed for the storage of hazardous and non-hazardous fractions following treatment.</p> <p>AR1 now includes the following wording "<i>From treatment of waste by density separation using a sink-float tank to storage of treated waste</i>", which allows for the storage of all treated waste, making AR3 redundant.</p>
<b>Addition of DAA – AR4, AR8 and AR9</b>	<p>We have added '<i>AR4 – Density separation via sink-float tank</i>' to Schedule 1.</p> <p>The operations on site include two sink-float tanks, one which separates hazardous plastic and non-hazardous plastic, and the other which sorts non-hazardous plastic by density prior to granulation. We have included AR5 to correctly reflect a Directly Associated Activity to AR1, whereby density separated non-hazardous waste is further separated after density separation of hazardous waste. This was previously incorrectly permitted as there was no distinction between the two sink-floats.</p> <p>We have added '<i>AR8 – Electrical power supply from operation of a Schedule 25A Medium Combustion Plant</i>'.</p> <p>Within the updated Regulation 61 Notice response, the operator confirmed that an existing MCP exceeding 1MWth was present on the site. This was previously included under 'AR4' but was not accurate within the permit, referencing 3 generators on site with incorrect thermal inputs. We have amended this to correctly reflect site operations.</p> <p>We have added '<i>AR9 – Electrical power supply</i>'.</p>

	<p>Within the updated Regulation 61 Notice response, the operator confirmed that an existing diesel-fired generator with a net thermal input of less than 1MW was present on the site. This was previously included under 'AR4' but was not accurate within the permit, referencing 3 generators on site with incorrect thermal inputs. We have amended this to correctly reflect site operations.</p>
<b>Amendment of DAA – AR6 and AR7</b>	<p>The previous permit referenced '<i>AR5 - surface water collection and storage</i>', as well as '<i>AR6 - process water filtration</i>'. This has been amended to AR6 and AR7, with additional information for the amount and capacity of water tanks on site for each DAA.</p>
<b>Removal of waste operation</b>	<p>We have removed '<i>AR9 – WEEE storage and treatment</i>' from the permit.</p> <p>In an updated Regulation 61 Notice Response dated 17/04/2026, the operator confirmed on Page 17 that they no longer treat WEEE at the site. Therefore, the associated activity has been removed from the permit.</p>
<b>Removal of Limit</b>	<p>We have removed the following limit from AR10:</p> <p>“The maximum permitted storage time for the following waste codes: 16 01 19, and 20 01 39 is 3 months.”.</p> <p>The approved Fire Prevention Plan has superseded this limit, setting out the maximum storage duration of plastic waste, with measures in place to reduce the risk of fire in the scenario waste exceeds 3 months.</p>
<b>Removal of waste codes</b>	<p>The following waste codes have been removed from the permit as confirmed in a Request For Information (RFI) response submitted on 11/05/2026 and 18/05/2026:</p> <p><b>Table S2.2 - Permitted Waste types and quantities for treatment of hazardous waste</b></p> <ul style="list-style-type: none"> <li>• 19 10 03* - Fluff-light fraction and dust containing hazardous substances</li> </ul> <p><b>Table S2.3 - Permitted Waste types and quantities for hazardous waste storage</b></p> <ul style="list-style-type: none"> <li>• 16 02 11* - Discarded equipment containing chlorofluorocarbons, HCFC, HFC</li> <li>• 16 02 12* - Discarded equipment containing free asbestos</li> <li>• 16 02 13* - Discarded equipment containing hazardous components other than those mentioned in 16 02 09 to 16 02 12</li> <li>• 16 06 01* - Lead batteries</li> </ul>

	<ul style="list-style-type: none"> <li>• 20 01 21* - Fluorescent tubes and other mercury-containing waste</li> <li>• 20 01 23* - Discarded equipment containing chlorofluorocarbons</li> <li>• 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</li> </ul> <p><b>Table S2.4 – Permitted Waste types and quantities for treatment and storage of non-hazardous waste</b></p> <ul style="list-style-type: none"> <li>• 19 10 04 – Fluff-light fraction and dust other than those mentioned in 19 10 03</li> <li>• 19 12 02 – Ferrous metal</li> <li>• 19 12 03 – Non-ferrous metal</li> <li>• 20 01 36 - Discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35</li> <li>• 20 01 40 – Metals</li> </ul> <p>These waste codes were identified as either not suitable for the activities carried out on site or confirmed as no longer relevant by the operator.</p>
<b>Non-inclusion of Table S1.5</b>	<p>We have not included Table S1.5 ‘Specified treatment methods and standards for the treatment of WEEE and components of WEEE’ as the operator is only accepting hazardous plastic for shredding, density separation (wet process) and granulation.</p>
<b>Emission Points</b>	<p>The operator has provided an updated site plan (Ref: EP05a_Site Plan_05-03-2026 submitted on 11/05/2026) which confirms the addition of the following emission points:</p> <ul style="list-style-type: none"> <li>• EP01/PSE4 – Diesel Generator</li> <li>• EP02 – Diesel Generator</li> <li>• PSE1 – Granulator</li> <li>• PSE2 – Granulator</li> <li>• PSE3 – Granulator</li> <li>• PSE5 – Emission point from zig-zag separator from the plastic shredder</li> </ul> <p>These additional point source emissions have been added to Table S3.1 along with their associated BAT-AELs.</p>

<b>Process monitoring</b>	<p>We have added Table S3.2 – Process monitoring requirements to the permit.</p> <p>This ensures that the operator is monitoring the relevant parameters in line with the Waste Treatment BAT conclusions.</p>
<b>Schedule 7</b>	<p>We have updated the site plan within Schedule 7 to correctly reflect the additional emission points identified through this review.</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 RGN 2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

### **Operating techniques**

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

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

### **Changes to the permit conditions**

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

### **Improvement programme**

We have removed IP1 – IP5. IP1 – IP4 required the plan, approval, report and implementation of procedures to investigate the presence of pbde POPs, tetrabromobisphenol A and antimony in surface drainage and process water. The operator does not discharge to surface water or foul sewer and therefore these improvement conditions are no longer relevant.

IP5 requires the demonstration of the effectiveness of the process in separating plastic containing BFR from that which does not. This now forms part of the process monitoring within the permit.

We have added the following improvement conditions to the permit:

- IC6 requires the operator to update their process efficiency procedures in relation to Measure 8.1 - 8.4 of the WEEE: appropriate measures. The operator confirmed that this has not yet been completed, therefore an improvement condition has been set for the operator to submit confirmation of compliance.
- IC7 requires the operator to submit an emissions inventory and H1 risk assessment in relation to Table S3.1 of the permit. This is required by Measure 6.1 and 7.1 of the WEEE: appropriate measures.

## **Changes to EWC codes**

The operator has confirmed on 11/05/2026 and 18/05/2026 the waste codes that are relevant for activities on site. See 'Removal of waste codes' section above for further detail.

## **Emission limits**

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

- Dust - 5mg/m<sup>3</sup>
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Se, Tl, V) – No limit
- Dioxin-like polychlorinated biphenyls (PCBs) – No limit
- Dioxins and furans (PCDD/F) – No limit
- Total VOCs – No limit
- Brominated flame retardants – No limit
- Antimony – No limit

These substances, listed under the emission points PSE 1 – PSE 5 in Table S3.1 of the permit, have been amended in line with the current requirements of BAT.

## Monitoring

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

- Dust – 6 monthly
- Metals (As, Cd, Co, Cr, Cu, Mn, Ni, Pb, Se, Tl, V) – Annually
- Dioxin-like polychlorinated biphenyls (PCBs) – Annually
- Dioxins and furans (PCDD/F) – Annually
- Total VOCs – 6 monthly
- Brominated flame retardants - Annually
- Antimony – Annually

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

In addition, we have added Table S3.2 – Process monitoring requirements, using the methods detailed and to the frequencies specified:

- Each output stream not described as POPs waste for each discrete plastic input stream for Total bromine, Antimony, Lead, and Zinc.
- Each output stream (e.g. light, medium heavy, sludge, dust) for each discrete plastic input stream for Total bromine, Antimony, Lead, and Zinc.
- Each output stream (e.g. light, medium heavy, sludge, dust) for each discrete plastic input stream for Brominated Flame Retardants.
- Process separation efficiency calculation for all outputs from each plastic input stream.

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

## Reporting

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

- Emissions to air
- Process monitoring – WEEE plastics process efficiency separation
- Process monitoring – WEEE (chemical analysis)

We made these decisions in accordance with Best Available Techniques for Waste Treatment.

## 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.