

Permitting Decisions- Variation

We have decided to grant the variation for EMR Newmarket operated by European Metal Recycling Limited.

The variation number is EPR/LB3403FG/V002.

The permit was issued on 08/07/2026.

The variation is for the addition of Schedule 1 activities Section 5.3 Part A(1) (a) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving one or more of the following activities - Physico-chemical treatment and Section 5.6 Part A(1) (a) Underground storage of hazardous waste with a total capacity exceeding 50 tonnes. These activities are being added due to a reclassification of waste codes and now makes the site an installation permit.

In addition, this variation makes changes to the site's discharge points. There are two new emission to air points added for a total of three on site and the water discharge (which has previously been permitted under two water quality discharge permits) is now one discharge point with emission limits set in this permit. The water treatment plant has been added as Directly Associated Activity (DAA) to the installation as this is the principal user of the site.

A small parcel of land coming of the access road to the site is also being added as part of this variation. This land was previously operated under waste exemptions and is now being incorporated into the permit. Waste codes and activities that were covered by the exemptions already form part of the waste operation activities on site so the only change required is to extend the site boundary.

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

Purpose of this document

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

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account

- shows how we have considered the [consultation responses](#)

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

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

Key issues of the decision

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

The application also incorporates existing discharges previously permitted as standalone water quality permits, AN/PR1NF/2058/A and AN/PRCNF05446/003. These discharges are now combined into a single point and permitted as a Directly Associated Activity (DAA). A H1 risk assessment was carried out to assess the incorporation of the discharge point. Most emission limits remain the same as part of this change, but lead (Pb) now has a limit set at 0.1 mg/l in line with Waste Treatment Best Available Technique – Associated Emission Levels (BAT-AELs).

H1 Assessment, emission limits and monitoring requirements – Point Source Emissions to Air

The applicant submitted an assessment which used the tests found in our guidance "[Air emissions risk assessment for your environmental permit](#)" using actual concentrations of total suspended particulates and benzene as measured from the existing discharge point. These figures have been applied to the new points being added as part of this variation. The emissions from the new points should be similar to the existing point and therefore we find this approach to be acceptable.

Total suspended particulates and benzene both pass test 1, i.e. the long-term Process Contribution (PC) is >1% of the EAL and the short-term PC is >10% of the EAL.

H1 Assessment, emission limits and monitoring requirements – Point Source Emissions to Water

The applicant submitted an assessment which used the tests found in our guidance "[Surface Water Pollution Risk Assessment for your Environmental Permit](#)" using actual concentrations of cadmium, copper, lead and zinc as measured from 16 July 2024 to 29 April 2025.

Cadmium, copper and zinc all pass test 2, i.e. the PC is less than 4% of the Environmental Quality Standard (EQS) (both Annual Average (AA) and Maximum Allowable Concentration (MAC)).

Lead passes test 4, i.e. the Predicted Environmental Concentration (PEC) is <EQS (both MAC and AA).

H1 Assessments, summary

Given that the H1 assessments for both air and water pass the screening tests the emissions can be screened out without modelling and can be accepted for the purposes of permitting.

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.

Consultation

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

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- East Cambridgeshire Local Authority
- Director of Public Health / UK Health Security Agency (UKHSA)
- Health and Safety Executive

The comments and our responses are summarised in the [consultation responses](#) section.

The regulated facility

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN2

'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

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

The site

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

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

The plan is included in the permit.

Site condition report

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.

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

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these 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.

As the site already accepts the waste that has been re-classified, we consider that there will be no increased risk.

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 site is upstream of Fenland Special Area of Conservation (SAC) and Chippenham Fen and Snailwell Poor's Fen Site of Special Scientific Interest (SSSI) but given the distance of the discharge point to these sites three will not affect the sites.

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

General 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 table S1.2 in the environmental permit.

Operating techniques for emissions that screen out as insignificant

Emissions of total suspended particulates, cadmium, copper, lead and zinc have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme to ensure that the containment and surfacing on site will allow the operator to be compliant with BAT for storing hazardous waste.

The improvement programme will help to address issues relating to previous performance and form part of the decision to allow the permit to be issued.

Emission limits

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

- Total suspended particulates
- Benzene
- Total Organic Carbon (TOC)
- Chemical Oxygen Demand (COD)
- Total Suspended Solids (TSS)
- Hydrocarbon Oil Index (HOI)
- Arsenic
- Cadmium
- Chromium
- Copper
- Nickel
- Lead
- Zinc
- Mercury
- Perfluorooctanoic acid and perfluorooctanesulphonic acid

Emissions limits have been added as a result of this variation. It is considered that the numeric limits described below will prevent significant deterioration of receiving waters.

We have included these limits based on non-statutory Environmental Quality Standards (EQS).

Monitoring

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

- Total suspended particulates – 5 mg/m³
- Benzene – no parameter set
- TOC – 60mg/l
- COD – 180 mg/l
- TSS – 60mg/l
- HOI – 10mg/l
- Arsenic – 0.5mg/l
- Cadmium – 0.5 mg/l
- Chromium – 0.15mg/l
- Copper – 0.5 mg/l
- Nickel – 0.5mg/l
- Lead – 0.1 mg/l
- Zinc – 1.0 mg/l
- Mercury – 5ug/l
- Perfluorooctanoic acid and perfluorooctanesulphonic acid – no parameter set

These monitoring requirements have been included in order to ensure the BAT-AELs are met.

We made these decisions in accordance with the [BAT Conclusions](#).

Reporting

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

- Total suspended particulates
- Benzene
- Total Organic Carbon (TOC)
- Chemical Oxygen Demand (COD)
- Total Suspended Solids (TSS)
- Hydrocarbon Oil Index (HOI)
- Arsenic
- Cadmium
- Chromium
- Copper
- Nickel
- Lead
- Zinc
- Mercury
- Perfluorooctanoic acid and perfluorooctanesulphonic acid

We made these decisions in accordance with the [BAT Conclusions](#).

Considerations of foul sewer

The facility is in a location where it is not reasonable to connect to the foul sewer.

Management system

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Technical competence

Technical competence is required for activities permitted.

The operator is a member of the CIWM/WAMITAB scheme.

Previous performance

We have assessed operator competence. We have noted the past poor performance of European Metal Recycling Limited.

Taking this into account, we do have concerns about operator competence but we have considered this and on balance we have decided to grant the variation to the permit.

The operator has recently undertaken an action plan and has been working on making improvements throughout the site, particularly in relation to storage and general site operations. Some of these improvements are temporary in nature with long term actions to be completed in the future.

We take compliance with our permits very seriously. We will be monitoring the site, and if performance is poor, then appropriate enforcement action will be taken, and we will reconsider the Operator's suitability to hold a permit.

Financial competence

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

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 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation Responses

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

Responses from organisations listed in the consultation section

Response received from East Cambridgeshire District Council – Environmental Protection

Brief summary of issues raised: Response indicates that given the noise assessment carried out there are no concerns noise will be a nuisance for neighbouring properties and that if there are issues the permit does not confer immunity from action under statutory nuisance.

Summary of actions taken: No actions taken as no issues raised in response to consultation.

Response received from UK Healthy Security Agency (UKHSA)

Brief summary of issues raised: Commented to say that they could not provide any feedback on new point source emissions to air due to no H1 risk assessment.

They have also commented on the application not providing details of the building or the Fire Prevention Plan (FPP).

Summary of actions taken: A H1 risk assessment has been completed as part of the application and the emissions screened out as insignificant as detailed in the Key Decisions section of this document.

The changes made by this variation have not triggered the requirements for providing more detailed information about the site building. The new waste is already accepted on site but has been re-classified to hazardous or is similar in nature to waste already accepted.

There are no changes to the storage arrangements of waste proposed so a FPP has not been required as part of the application.