

## Permitting Decisions- Variation

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We have decided to grant the variation for Land Adjacent to Parc-an-Chy Mine operated by Rig Scorrier Ltd.

The variation number is EPR/DP3892HD/V005.

The permit was issued on 07/08/2026.

The variation is for the addition of the following activities:

- Section 5.6 Part A(1)(a) - temporary or underground storage of hazardous waste;
- Section 5.3 Part A(1)(a)(ii) - hazardous waste installation – physico-chemical treatment;
- Waste operation - physical and chemical treatment of non-hazardous waste (washing).

The variation has added hazardous waste storage and treatment to the permit as well as adding a waste operation for the physical treatment of non-hazardous waste, via the washing of non-hazardous soils and aggregates. A 5.3 Part A(1)(a)(ii) physico-chemical treatment activity has been added to the permit to facilitate the recovery of hazardous waste through washing. A 5.6 Part A(1)(a) activity has been added to the permit to enable the storage and transfer of hazardous waste including asbestos wastes.

The main features of the permit are as follows.

The environmental permit allows for the operation of a hazardous and non-hazardous waste physico-chemical treatment facility. Treatment comprises of the washing of soil, aggregate and stones wastes as well as their physical treatment through sorting, screening and separation. The site accepts and treats a number of hazardous and non-hazardous, construction, aggregate and soil-based waste streams for processing through the soil washing plant for recovery. Additionally, the site is permitted to accept metal wastes for manual sorting and transfer as well as the acceptance, storage and transfer of asbestos wastes. The facility is permitted to accept 350,000 tonnes of hazardous waste and non-hazardous waste per year collectively of which 104,400 can be hazardous.

The site activities are as follows:

### Installation and directly associated activities

- Section 5.3 Part A (1)(a)(ii) - Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment.
- Section 5.6 Part A(1)(a) - Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes.
- Pre-treatment – crushing hazardous wastes.
- Raw material handling and storage.
- Collection and storage of contaminated surface and process water from hazardous waste treatment.
- Storage of recovered wastes.

### Waste Operations

- Physical treatment of non-hazardous waste
- Metal Recycling
- Physical and chemical treatment of non-hazardous waste
- Collection and storage of process and surface water from non-hazardous waste treatment.

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

## Noise impact assessment

The impact of noise has been assessed as part of the variation application. The initial submission required revisions. The final submitted noise impact assessment identified two receptors where adverse or significant adverse impacts were predicted. As such mitigation measures needed to be proposed by the applicant in order to reduce the noise impact at these receptors.

The operator has proposed to install a number of localised barriers i.e. echo barriers/portable acoustic barrier to mitigate the noise impact at the receptors. It has been anticipated that these barriers would provide attenuation of 5dB – 10dB. This would reduce the impact to an acceptable level. These measures have not yet been installed so they are the subject of a pre-operational condition see below:

**PO1** - Prior to the commissioning of the wash plant, activities AR1-AR6 and AR9, the operator shall submit a written report to the Environment Agency for assessment and written approval.

The report must contain:

- Confirmation that localised barriers (portable acoustic barrier) have been installed around the plant in line with the proposals detailed in “*Noise Impact Assessment – Permit Application, version 3.0, 14/04/26*” Appendix A, to mitigate the noise impact on residential receptors ESR1 and ESR2 identified within “*Noise Impact Assessment 1.0 Final, 02/04/2026*”.
- Confirmation of the resulting noise impact levels at receptors ESR1 and ESR2 (undertaken to BS4142 standards) following installation of the localised barriers, including comparison with predicted and acceptable noise levels.
- A Noise Impact Assessment (NIA) detailing measurements undertaken along with a BS 4142 assessment of the impact at surrounding Noise Sensitive Receptors (NSRs).
- An updated Noise Management Plan which detailed the final location of the localised barriers (portable acoustic barrier).
- Further to confirmation of the noise impact levels at receptors ESR1 and ESR2, details of any further mitigation required, including justification, proposed design measures, and implementation timescales, where applicable.

The operator shall implement all mitigation measures approved by the Environment Agency in writing, in full and within the approved timescales, and shall not commence commissioning or operation of the wash plant (with the exception of operation for noise monitoring data collection with prior Environment Agency agreement) until such measures have been implemented and no

significant impact is observed, unless otherwise agreed in writing by the Environment Agency.

#### Dust and emissions management – External crushing activity

The site operates a crusher for the treatment of non-hazardous waste and following the variation the pre-treatment of hazardous waste oversize prior to washing. The crusher therefore needs to comply with BAT as it is a component of the installation treatment activity. Currently the crusher is not enclosed, nor will it be operated in an enclosed building. BAT14d requires the use of enclosed equipment or buildings to contain, collect and treat diffuse emissions. In order to address this, Improvement Condition 2 (IC2) requires the operator to review the activities taking place outside including the crushing and detail how this operation complies with BAT. Where it does not the operator must propose improvements and under IC3 implement the agreed improvements.

#### Emission to surface water

The operator is making changes to the site drainage alongside the variation and new activities. A non-hazardous wash water and surface water holding attenuation lagoon is being installed. Waters from this lagoon will be recirculated through the plant when washing non-hazardous waste.

Within the application it was detailed that the operator also wishes to emit from this lagoon into surface water/groundwater. No technical assessment of this discharge was provided during the application process. As the proposed emission is only associated with the waste operation for washing of waste and not with the hazardous waste installation activity. The discharge of surface water does not meet the limb test to be associated with the scheduled activity and will be permitted as a scheduled activity in its own right.

As currently described the proposed emission to water would be classified as a Schedule 21 water discharge activity under the Environmental Permitting Regulations. This will require the operator to prepare and submit a permit variation in order to get the discharge authorised.

This proposed discharge has not been permitted as part of this variation and no point source emissions are permitted by the permit.

## **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:

- Local Authority – Environmental Protection Department
- The UK Health Security Agency (UKHSA)
- Director of Public Health

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.

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

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.

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 consulted Natural England on our Habitats Regulation assessments. This was sent for information only.

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.

## **Operating techniques**

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

## **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.

## **Noise and vibration management**

We have reviewed the noise and vibration management plan in accordance with our guidance on noise assessment and control.

We consider that the activities carried out at the site have the potential to cause noise and/or vibration that might cause pollution outside the site and consider it appropriate to include specific measures.

These measures are detailed within the key issues section of this decision document and include the addition of a pre-operational condition to be completed prior to operation.

## **Fire prevention plan**

We have assessed the fire prevention plan and are satisfied that it meets the measures and objectives set out in the Fire Prevention Plan guidance.

## **Dust management**

We have reviewed the dust and emission management plan (DEMP) in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory to enable the issuing of the permit however, an improvement condition (IC) has been included within the permit. This IC requires the operator to review their DEMP and propose monitoring methods, trigger levels and actions to be taken if dust trigger levels are met. The DEMP shall take into account the appropriate measures for dust control specified in the [Non-hazardous and inert waste: appropriate measures for permitted facilities - Guidance - GOV.UK](#) and [Control and monitor emissions for your environmental permit - GOV.UK](#).

## **Raw materials**

We have specified limits and controls on the use of raw materials and fuels.

## **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.

We have excluded the following wastes for the following reasons

- 01 04 10 – removed in agreement with the applicant/operator.

## **Pre-operational conditions**

Based on the information in the application, we consider that we need to include pre-operational conditions.

A pre-operational condition for the assessment of noise emissions from the waste washing plant and the applied mitigation techniques has been included within the permit. This has been covered within the Key Issues section of this document.

## **Improvement programme**

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

We have included an improvement programme to ensure that:

- The waste crusher is operated in accordance with BAT and any required improvements to this operation are made.
- That a Dust Management Plan is correctly implemented including the monitoring of fugitive dust emissions.
- The site containment systems are compliant with CIRIA 736.

## **Emission limits**

No emission limits have been added, amended or deleted as a result of this variation.

There are no point source emissions to air from the operations.



All waste waters will be captured and removed from site where necessary. There are no point source emissions to sewer or water from the operations.

## **Monitoring**

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

- Deposited dust
- Visual dust
- Soil wash waters:
  - Metals;
  - Hydrocarbons.

These monitoring requirements have been included in order to meet the standards outlined in the Waste Treatment Best Available Techniques.

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

## **Reporting**

We have added reporting requirements for ambient air monitoring and process monitoring.

We made these decisions in accordance with Industrial Emissions Directive (IED).

## **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.

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points.

A full review of the management system is undertaken during compliance checks.

## **Technical competence**

Technical competence is required for activities permitted.

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

We are satisfied that the operator is technically competent.

## **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 Cornwall Council.

Brief summary of issues raised: Cornwall Council raised concerns around noise monitoring and mitigation.

Summary of actions taken: We took the Council's concerns into consideration when assessed the proposed noise monitoring and mitigation plans. Noise has been a serious consideration of the application and details of the assessment can be seen above.

Response received from UKHSA.

Brief summary of issues raised: Noted that the biggest risk was from fugitive emissions of dust. Went on to note that this would be managed in like with the Dust and Emissions Management Plan. UKHSA has no significant concerns.

Summary of actions taken: None.

## Representations from individual members of the public

Brief summary of issues raised:

- Lack of consultation
- Health concerns
- Current odour – smell of solvents
- Noise issues including identification of receptors, heavy machinery operations and operation of plant
- Current dust impacts and levels.
- Traffic concerns
- Landscape Impact
- Current waste throughput

Summary of actions taken:

The Environment Agency undertakes consultation on environmental permit applications in line with our statutory consultation policy ([Environmental permits: when and how we consult - GOV.UK](#)). For this application, the consultation was published on the Environment Agency's online consultation platform, allowing

interested parties to review the application and submit representations.

Where concerns relate specifically to human health, these fall outside the Environment Agency's remit. Public health matters are the responsibility of the UK Health Security Agency (UKHSA), formerly Public Health England.

The issues identified relating to current or ongoing issues. These issues fall within the remit of the Environment Agency area compliance teams to regulate.

As part of this variation application Noise, Dust and Odour have been assessed for impact through review of the application Environmental Risk Assessment and through assessment of specific documents, Dust and Emissions Management plan, Noise Impact Assessment and Noise Management Plan. Where required mitigation requirements have been put in place within the permit.

A noise impact assessment has been conducted by the applicant. This has been reviewed by the Environment Agency. Receptors are identified by the applicant and cross referenced by the Environment Agency. If further assessments require inclusion this is requested by the Environment Agency and the NIA is updated/reconducted. In this instance this did occur and an updated NIA assessment was submitted and reviewed. This document was assessed as a satisfactory assessment of the noise risk.

Mitigation has been proposed by the operator, and a summary is found in the key issues section of this decision document.

Machinery noise has been covered within the Noise Management Plan. Controls are in place including "*Reverse warning indicators for site vehicles should be directional i.e. white noise*" and the site is operational between 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays. There should be no nighttime operations.

The earthwork bund and the effect on the natural landscape falls into the remit of the local authority. The Environment Agency is unable to comment on planning issues.

The permit includes conditions to prevent the pollution of the environment from odour, noise and dust. These conditions enable compliance to monitor these areas and if issues are identified then further measures and controls can be requested and enforced by compliance teams.

The waste operation permitted the treatment of 75,000 tonnes of non-hazardous waste per annum. This has remained the case until the issue of this variation which increases the annual throughput to 350,000 tonnes. Any exceedance of the 75,000 tonnes is dealt with as a compliance issue and not part of the permitting process.