

Permitting Decisions- Variation

We have decided to grant the variation for Albright Transfer Station operated by Albright Transfer Station Limited

The variation number is EPR/YP3891NY/V012.

The permit was issued on 17/08/2026.

At present, the site is regulated under a bespoke waste environmental permit which allows for the operation of a non-hazardous waste treatment facility. It currently receives non-hazardous waste from construction, house clearances, refurbishment and demolition projects. This variation will introduce the addition of a hazardous waste treatment activity – to enable the operator to receive and treat hazardous construction, demolition and excavation waste. This will change the nature of the facility from a waste operation to an installation.

The following two scheduled hazardous waste activities under the Environmental Permitting (England and Wales) Regulations 2016 will be added:

- Schedule 1, Part 2, Section 5.3 A (1) (a) (vi) recycling or reclamation of inorganic materials other than metals or metal compounds;
- Schedule 1, Part 2, Section 5.6 A (1) (a) – temporary storage of hazardous waste with a total capacity exceeding 50 tonnes.

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 summarises the decision-making process to show how the main relevant factors have been taken into account. We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

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 operator is proposing to treat (via screening and separation) hazardous construction and demolition waste. The operator states the following in the application:

“For all waste that has been screened to remove the stone content, both the soils and stones will be tested to check the hazardous properties. If the stones are classified as non-hazardous, they can be transferred to the onsite wash plant for grading.”

The BREF for treating waste indicates that pre-screening can be a first step for soil treatment to remove oversize material. Therefore, this part of the proposed operation is acceptable.

However, the application also states the following:

“Two grades of soil will be separated ... Both grades will be tested and depending on the outcome will be re-classified and transferred to the appropriate onward facility. For any non-hazardous waste classified, the waste may be treated on site through the wash plant. For any batches that remain hazardous, advice will be sought from the chemist about appropriate action. This could include re-screening the waste, or it will be transferred off site for further treatment or disposal.”

As the hazardous waste has had no treatment other than screening and separation, we believe that it will remain a hazardous waste and therefore will need to go for further appropriate treatment or disposal. We asked the operator to provide justification on why they thought that screening and separation were sufficient treatment methods for treating the type of hazardous waste they had proposed to accept.

The operator responded that “screening will change the homogeneity of the soil”. We do not agree with this assessment and have let the operator know that we do not consider this to be appropriate treatment and that the permit does not allow them to do this. The hazardous waste will need to be appropriately treated to transform the hazardous properties (for example, bioremediation in order to reduce hydrocarbon contamination) before it can be reclassified from hazardous to non-hazardous. Furthermore, the guidance *Chemical waste: appropriate measures for permitted facilities* which is part of the operating techniques table of the permit (Table S1.2) clearly states what is considered to be appropriate treatment. Section 5.1 of the guidance (General waste treatment) states:

- Waste treatment must have a clear and defined benefit. You must fully understand, monitor and optimise the waste treatment process to make sure that you treat waste effectively and efficiently. You must not treat waste to deliberately dilute it. The treated output material must meet your expectations and be suitable for its intended disposal or recovery route. You must identify and characterise emissions from the process, and take appropriate measures to control them at source.

Decision considerations

Confidential information

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

Identifying confidential information

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

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 Health
Local Authority – Planning
Health and Safety Executive
Director of PH/UKHSA

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' and 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.

This shows the extent of the site of the facility.

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 and baseline reporting under the Industrial Emissions Directive.

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 not consulted Natural England. 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.

The operating techniques are in line with the following guidance: Develop a management system, Control and monitor emissions for your environmental permit, Chemical waste: appropriate measures for permitted facilities and the Waste Treatment BAT Conclusions.

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.

Pre-operational conditions

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

We have included a pre-operational condition requiring the operator to submit a commissioning plan/report for approval before commencing operations of the new hazardous waste treatment activity under AR1. This treatment facility has not yet been constructed, and therefore sufficient evidence was not available at the time of permit determination to demonstrate that the final design, construction specifications, containment infrastructure, drainage systems and pollution control measures will operate as proposed. The pre-operational condition will ensure that the completed facility, associated engineering controls and monitoring arrangements are independently verified and approved by the Environment Agency prior to operation, providing confidence that the activity can be carried out without causing pollution of the environment.

Dust management

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

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques table S1.2 of the environmental permit.

Emission limits

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

Monitoring

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

Visual daily dust monitoring.

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.

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.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.

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, our notice on GOV.UK for the public, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from Planning Enforcement at Team at London Borough of Havering Council.

Brief summary of issues raised:

The council commented as follows - "We previously had an enforcement case open at the site for the unauthorised use of the land for scrapping of end of life vehicles. Planning permission was granted for "Continued use of land for the scrapping of end of life vehicles; scrapping of ferrous wastes; sorting and treatment of the above materials; and the retention of two buildings for the depollution of cars and storage of machinery and equipment" Ref P2281.21 P2281.21 was finally approved for the continued use of the land. This time the permission isn't temporary. It's permanent so the enforcement case was closed. No further comments."

Action taken: None.

Response received from UKHSA

Brief summary of issues raised: "The applicant has stated a fire action plan will be implemented should a fire occur on site, however this document has not been provided; the Environmental Agency should satisfy itself that the plan details suitable mitigation for this installation."

Action taken: The wastes being added as part of this variation are not combustible so a fire prevention plan is not required at this time. The permit does contain a condition which requires the operator to take all appropriate measures to prevent fires on site. If required, the Environment Agency can request the submission of a fire prevention plan.