

Permitting Decisions- Environment Agency Initiated Variation

We have issued an Environment Agency initiated variation for Nest Road Waste Treatment, Recovery and Transfer Facility operated by Enva Scotland 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/PP3633TC/V004.

The permit variation was issued on 14/08/2026.

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:

- <https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities> 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 - 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.

- 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.

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

Emissions to Air

We have included emission limits in the permit relating to point source emissions to air from the treatment tank vents on site. The operator has confirmed that treatment tanks PV01 and PV02 are used to recover the waste oil from oil contaminated waste and treat the hazardous sludges and liquid waste. The associated channelled emission points are A2 and A3.

The primary waste treatment activities undertaken specifically involve the treatment of water-based liquid wastes which are subject to the Best Available Techniques (BAT) Conclusions for Waste Treatment, published in 2018. The

compliance deadline for existing facilities was four years from publication and has now passed. As such, the Environment Agency is required to apply the relevant BAT-AELs (Associated Emission Levels) in the permit where appropriate.

We have therefore included the applicable emission limits in Table S3.1 of the permit for treatment of water-based waste. These limits take effect upon issue of the permit and are subject to the accompanying notes and Permit Condition 3.5.1. Compliance will be assessed by the Environment Agency.

Activity Classification and BAT-AEL Application

Based on the information provided by the operator, the hazardous waste treatment activity (AR1 - treatment of hazardous sludges and aqueous waste for disposal (D9)) is the primary treatment activity of the water-based liquid waste stream. Treatment of oily wastes (AR2) is undertaken prior to AR1 to remove the oil content, facilitate disposal of the water based liquid waste and recover the oil. In addition to these, the facility also carries out treatment of non-hazardous sludges and liquid wastes received off-site and on-site for disposal (D9), which was already included in the previous permit.

We therefore consider that the emission limits identified in BAT 53, Table 6.10 of the Waste Treatment BAT Conclusions for the treatment of water-based liquid waste apply to emission points A2 and A3. Monitoring requirements follow those outlined in BAT 8 and shall be applied according to the activity being undertaken at the time of emission. We have therefore added these to the permit in Schedule 3, Tables S3.1. This ensures accurate compliance assessment and alignment with Best Available Techniques.

Emissions to Sewer

We have included emission limits in the permit relating to the emission of treated process effluent to sewer. The operator has confirmed that effluent released to sewer comes from the treatment of aqueous waste process effluent from the water-based liquid waste treatment activities. The effluent from this process is discharged to foul sewer via emission point, S1. The discharge from the installation is treated by Howden Sewage Treatment Works prior to discharge to surface water.

Waste treatment activities are required to comply with the BAT Conclusions for waste treatment. The BAT Conclusions were published in 2018. The expected date of BAT-AELs compliance for existing sites has now passed (4 years after publication of the BAT Conclusions). On this basis the Environment Agency is required to insert the BAT-AELs outlined in the BAT Conclusions into a permit where it is determined they are appropriate and the BAT-AELs will apply on issue of a permit as the timescale for existing site compliance has passed. We have produced RPS 371 to mitigate its impact for 12 months.

We have therefore inserted the relevant emission limits into the permit in Table S3.2 which apply on issue of this permit. The emission limits derived from the BAT-AELs are subject to the notes accompanying the Table and permit condition 3.5.1.

Activity Classification and BAT-AEL Application

Based on the information provided by the operator, the hazardous waste treatment activity listed as AR1 (treatment of hazardous sludges and aqueous waste for disposal (D9)) is the primary treatment activity for the treatment of water-based liquid waste. In addition to this, the facility also carries out treatment of non-hazardous aqueous waste for disposal (D9), which was already included in the previous permit.

Therefore, the relevant BAT-AELs in BAT 20, Table 6.2, and the monitoring requirements in BAT 7 of the Waste Treatment BAT Conclusions apply to the treatment of water-based liquid waste. We have therefore added these to the permit in Schedule 3, Tables S3.2.

As the process effluent from these activities is discharged indirectly to sewer, in line with BAT requirements, we are required to apply the relevant BAT-AELs and monitoring frequencies for this discharge.

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.

We issued a notice under regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 18 November 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

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 change (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 29 April 2022.

We considered that the response did not contain sufficient information for us to commence determination of the permit review. We therefore issued a further information request to the operator. Suitable further information was provided by the operator on 25 June 2026 and 02 July 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
General management appropriate measures	FC	The operator confirmed that they do not currently meet the requirements of some of the appropriate measures in this section for all the relevant guidance. Specifically, the operation was not compliant with appropriate measure 2.3, 2.4 and 2.6 (Accident management, fire prevention and plant decommissioning plan). Improvement condition IC7 has been included in the varied permit to address the gaps. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Waste pre-acceptance, acceptance and tracking appropriate measures	FC	The operator confirmed that they do not currently meet the requirements of some of the appropriate measures in this section for all the relevant guidance. Specifically, the operation was not compliant with appropriate measure 3.2.8 and 3.3.1 - 3.3.6. Improvement condition IC8 has been included in the varied permit to address the gaps. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.

Waste storage, segregation and handling appropriate measures	FC	The operator confirmed that they do not currently meet the requirements of some of the appropriate measures in this section for all the relevant guidance. Specifically, the operation was not compliant with appropriate measure 4.8, 4.10, 4.18, 4.34, 4.53 and 4.61. Improvement condition IC9 has been included in the varied permit to address the gaps. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Waste treatment appropriate measures	FC	The operator confirmed that they do not currently meet the requirements of some of the appropriate measures in this section for all the relevant guidance. Specifically, the operator has not demonstrated compliance with the requirements of section 5.1.2, 5.1.6, 5.1.7 and 5.1.10 of this part of the appropriate measures. Improvement condition IC10 has been included in the varied permit to address the gaps. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Emissions control appropriate measures	FC	The appropriate measures require that Activity AR3 (repackaging) is undertaken with emissions control measures (LEV with abatement) to address the risk of diffuse emissions to air from the activity. During the determination of the permit, it was identified that the emission control measures on site did not meet the appropriate standards. Specifically, the operation was not compliant with appropriate measure 6.2.3: "To make sure fugitive emissions

		are collected and directed to appropriate abatement, your treatment plant must use high integrity components (for example, seals or gaskets). Your treatment plant must be fully enclosed, with air extraction systems located close to emission sources where possible”. The operator has not assessed the fate and impact of their emissions to air upon the receiving environment in line with section 6.1 of the Chemical waste: appropriate measures for permitted facilities and they have not provided evidence that adequately demonstrates that emissions control measures or an equivalent technique of abatement is not required for the emissions from the drum/container washing areas (activity AR4, drum/container crushing area (activity AR8), and the repackaging areas (activity AR3) in line with section 6.1 of the Chemical waste: appropriate measures for permitted facilities based on the risks posed. We have therefore included improvement conditions IC10, IC11 and IC13 which require the operator to review its emission inventory and provide an up-to-date assessment of the risk of diffuse emissions to air from emission point A6. emission control measures or an equivalent technique must be implemented in accordance with IC14a and IC14b. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Emissions monitoring and limits appropriate measures	FC	The operator has not provided evidence that adequately demonstrates that they meet all the requirements of section 7.1 and 7.2 appropriate measures in this section. We have included IC13 in the permit to ensure that the operator provides us with an emissions inventory, detailing the emissions to air, and emissions to water from the site’s operations, in line with section 7 of the Chemical waste: appropriate measures

		for permitted facilities. Compliance with the rest of the appropriate measures in this section of the guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Process efficiency appropriate measures	FC	The operator confirmed that they do not currently meet the requirements of some of the appropriate measures in this section for all the relevant guidance. Specifically, the operation was not compliant with appropriate measure 8.1.1, 8.1.7, 8.3.1, 8.3.9, 8.4.1 and 8.4.3. Improvement condition IC12 has been included in the varied permit to ensure the operator complies with the appropriate measures. Compliance with the rest of the appropriate measures in this section of all the relevant guidance to which the improvement programme does not apply has been incorporated into the varied permit through the updated operating techniques listed in Table S1.2.
Reg 61 requirement	Assessment of response received	
Soil and groundwater risk assessment	The operator has not included a site condition report in their submission. This was not required as part of the application as it was out of the scope of the permit review. The operator is required to submit 5 and 10 yearly monitoring of groundwater and soil contamination as per the conditions in the permit.	
Medium combustion plant and specified generators	The site had one medium combustion plant (MCP) unit permitted which was used to provide heat to the treatment process on site. The operator confirmed that the existing boiler has been removed, but a capital expenditure (CapEx) request for a replacement boiler has been submitted. The operator proposed to still retain the MCP in the installation with a pre-operational measure for future development within the updated permit upon recommencement of the operation. The MCP is a boiler fuelled on gas oil MCP, directly associated activity (DAA) AR11, Emission point	

	A5 with a greater than 1 MWth and less than 5 MWth capacity. We have included limits in the permit for medium combustion plant (MCP) less than 5 MWth. Under the Medium Combustion Plant Directive 2015, new MCPs with a rated thermal input equal to or greater than 1 MWth and less than or equal to 5 MWth must comply with their MCPD permit requirements and existing MCPs with a rated thermal input equal to or greater than 1 MWth and less than or equal to 5 MWth must comply with their MCPD permit requirements by 1 January 2030. We have included conditions 2.3.7, 3.5.5, 3.5.6, and 4.2.2 (c) in the permit and the relevant emission limit values in the permit under Table S3.1. Pre-operational measure (POFD1) has been added into the varied permit mandating the operator to provide full details and supporting information about the MCP as required under Annex I of MCPD to the Environment Agency upon recommencing the operation. The MCP will be monitored as per the details in Schedule 3 Table S3.1 of the permit with the appropriate MCPD emission values. Additional detail and limits are included in Table S1.1, as the boiler is covered by the Activity.
Climate change	Submission of a climate change risk assessment is no longer an application requirement. It now forms part of the operator's EMS and will be reviewed through compliance assessment.
Summary of other changes made to the permit as a result of our assessment of the Reg 61 response	
Change to Activities Table S1.1	The activities present in Table S1.1 of the permit have all been updated to reflect the requirements of the Appropriate Measures and to a level of detail required to ensure adequate management of the risks posed by each activity at the installation and waste operation. There are multiple changes to Table S1.1 Permitted activities as a result of the review. Updates include: • Additional detail in the limits of each activity to list treatment and storage vessels, their capacities and where appropriate their composition.

	• Waste quantities and limits to each storage/treatment Activity have been added where possible to reflect procedures and capacities at the Installation. • As part of this permit review, we have now reviewed the permitted recovery and disposal codes for the waste treatment activity in AR1 S5.3 A (1) a) (ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes involving physical-chemical treatment. The disposal code (D9) is allocated to AR1 the primary treatment activity to cover the treatment of the hazardous sludge for disposal while the recovery code (R3) was allocated to the secondary treatment activity (AR2) for recovery of waste oil. • As part of this permit review, we have now consolidated the treatment of non-hazardous sludges/liquid waste received from off-site and the treatment non-hazardous process effluent generated onsite into activity (AR6), Section 5.4 Part A (1)(a)(ii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment. • As part of this permit review, we have included directly associated activities for Abatement system operation and Surface and process water collection and storage (AR12 and AR10).
Change to Operating Techniques Table S1.2	The Operating Techniques for the site have been amended in line with the Installation activities confirming compliance with the Chemical waste: appropriate measures for permitted facilities Version published 18 November 2020.
Addition of Table S1.3	New Improvement Conditions have been added to the permit.
Change to Schedule 2 Table for EWC Codes accepted at site	The permitted EWC hazardous and non-hazardous waste codes have been separated and assigned to the relevant installation activities in Table S2.2 to S2.6.
Changes to Table S3.1 Emissions to Air	We have included point source emissions to air from the VOCs handling areas for repackaging, washing and crushing of volatile hazardous waste along with the sources from the treatment tanks and waste storage tanks on site as a result of this review and emission limits and monitoring requirements have been added. BAT-AELs have been assigned to the emissions points to Air.

	The following are now in place: • Point A1 and A4 – Hazardous liquid waste/sludge and waste oil storage tank vents (T57 and OT01) - No parameter and no BAT-AELs. • Point A2 and A3 - Hazardous liquid waste/sludge and waste oil treatment tank vents (PV01 and PV02) - TVOCs (20mg/m³), HCl (5mg/m³) for physico-chemical treatment of water-based liquid wastes • Point A5 - Existing medium combustion plant other than engines and gas turbines fuelled on gas oil, less than 5MW thermal input (Boiler) - Oxides of Nitrogen (NO and NO₂ expressed as NO₂) (200mg/Nm³) • Point A6 - LEV from repackaging, washing and crushing of volatile hazardous materials - No parameter and no BAT-AELs Ammonia (NH₃) inserted for monitoring and Carbon monoxide (CO) inserted for monitoring. Table S3.1 also has footnotes added and additional parameter conditions present regarding the requirements for monitoring.
Changes to Schedule 3 Table S3.2 Emissions to sewer	Discharge of aqueous effluent from the waste oil treatment process to sewer. We have included new parameters, limits, monitoring frequency and monitoring standards to the emission to sewer (S1) in line with the requirements of BAT and the Appropriate Measures.
Addition of Table S3.3	Table S3.3 Process monitoring requirements has now been added to the permit, requiring a demonstration of abatement process efficiency in line with the requirements of BAT and the Appropriate Measures.
Changes to Table S4.1	Table S4.1 Reporting of monitoring data has now been added to the permit for emissions to air, emissions to sewer and process monitoring, in line with the requirements of BAT and the Appropriate Measures.

Changes to Table S4.2 Formerly Table S4.1 in the existing permit	Annual treatment and production Table S4.2 has been updated with additional rows, in line with the requirements of BAT and the Appropriate Measures.
Changes to Table S4.3 Formerly Table S4.2 in the existing permit	Performance parameters Table S4.3 has been updated with an additional row for Total raw materials used in line with the requirements of BAT and the Appropriate Measures.
Changes to Table S4.4 Formerly Table S4.3 in the existing permit	Reporting forms Table S4.4 has had an additional row included for emissions to air, emissions to sewer and process monitoring in line with the requirements of BAT and the Appropriate Measures.
Schedule 7	Added an updated site plan

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 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.

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, Chemical waste: appropriate measures for permitted facilities and all other relevant appropriate measures for permitted facilities. See Table 1.

Emission limits

Emissions limits have been added for emission points to air and sewer as part of this agency-initiated variation based on Best Available Techniques – Associated Emission Levels (BAT-AELs) for Waste Treatment. This is explained in full in the key issues section of this document.

Emission Limit Values (ELVs), based on Best Available Techniques – Associated Emission Levels (BAT-AELs) for Waste Treatment, have been added for the following substances:

Emissions point to air (A2 and A3) – TVOCs from the oily waste treatment tank vents – 20mg/m³.

Emissions point to air (A2 and A3) – Hydrogen Chloride (HCl) from the oily waste treatment plant – 5mg/m³.

Emissions point to air (A5) – Oxides of Nitrogen (NO and NO₂ expressed as NO₂) from the MCP stacks – 200mg/Nm³.

Emissions point to sewer (S1) arising from the treatment of effluent from water-based liquid waste treatment activity;

- Arsenic (As), 0.1 mg/l
- Cadmium (Cd), 0.1 mg/l
- Chromium (Cr), 0.3 mg/l
- Hexavalent chromium (Cr (VI)), 0.1 mg/l
- Copper (Cu), 0.5 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
- Free cyanide (CN⁻), 0.1 mg/l
- Adsorbable organically bound halogens (AOX), 1 mg/l
- Manganese, Benzene, toluene, ethylbenzene, xylene (BTEX), PFOA and PFOS have no limit set

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

Monitoring

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

- Table S3.1 point source emissions to air – emission limits and monitoring requirements for the Hazardous liquid waste/sludge and waste oil treatment tanks, storage tanks, and repackaging areas, drum/container washing and crushing areas and medium combustion plant have been updated in line with the requirements of BAT and the Appropriate Measures using the methods detailed and to the frequencies specified for:
 - Total Volatile Organic Compounds (TVOCs)
 - Hydrogen Chloride (HCl)
 - Ammonia (NH₃).
 - Oxides of Nitrogen (NO and NO₂ expressed as NO₂)
 - Carbon monoxide (CO)
- Table S3.2 point source emissions to sewer, effluent treatment plant or other transfers off-site – emission limits and monitoring requirements have been updated in line with the requirements of BAT and the Appropriate Measures, using the methods detailed and to the frequencies specified:
 - Arsenic (As)
 - Benzene, toluene, ethylbenzene, xylene (BTEX)
 - Cadmium (Cd)
 - Chromium (Cr)
 - Hexavalent chromium
 - Copper (Cu)
 - Hydrocarbon oil index (HOI)
 - Lead (Pb)
 - Manganese (Mn)

- Mercury (Hg)
 - Nickel (Ni)
 - PFOA
 - PFOS
 - Zinc (Zn)
 - Free cyanide (CN⁻)
 - Adsorbable organically bound halogens (AOX).
- Table S3.3 process monitoring - abatement efficiency assessment.

These monitoring requirements have been included in order to comply with Chemical waste: appropriate measures for permitted facilities.

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

Reporting

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

- emissions to air specified in Table S3.1.
- emissions to sewer specified in Table S3.2.
- process monitoring specified in Table S3.3.

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.