

Our ref: JER9144

6-7 Lovers Walk
Brighton, East Sussex BN1
6AH

Date: 08 March 2022

T +44 1273 546 800

Environment Agency Permitting Support Centre
Environmental Permitting Team
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Dear Sir/Madam,

EPR/ZP3032WF – APPLICATION TO VARY AN INSTALLATION PERMIT FOR THE SITE AT RABONE LANE, SMETHWICK

The Rabone Lane site is currently permitted for the recovery or a mix or recovery and disposal of greater than 75 tonnes per day involving treatment in shredders of non-hazardous metal waste, including WEEE and ELV and their components. The acceptable waste codes include EWC code 16 02 14, 16 02 16, 19 12 12 and 20 01 36 for example. Due to the recent Environment Agency reclassification of some WEEE waste and their components waste currently accepted are now being deemed potentially hazardous under EWC code 16 02 15*, 19 02 04*, 19 12 11* and 20 01 35* and in order for the facility to transition to compliance, there is a need to include 16 02 15*, 19 02 04*, 19 12 11* in this permit in addition to the codes already in the permit. To continue to accept and treat these wastes we request that EWC code 16 02 15*, 19 02 04*, 19 12 11* are added to the list of wastes which the site is permitted to accept. The total quantity of waste falling under these categories will remain similar to the total quantity of waste currently accepted under aforementioned EWC's. No increase in permitted tonnage of waste will occur. 20 01 35* is already included in the permit, however due to the reclassification for this waste and the other wastes referenced the treatment capacity for hazardous waste exceeds 10 tonnes per day and therefore the following activity will need to be included in the permit:

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:

(ii) physico-chemical treatment

The site will store up to 500 tonnes of the hazardous waste. Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes can trigger a Section 5.6 activity where it is subsequently landfilled, incinerated/co-incinerated or disposed or recovered by any of the following activities:

(i) biological treatment;

(ii) physico-chemical treatment;

(iii) blending or mixing prior to submission to any of the other activities listed in this section of section

5.1;

(iv) repackaging prior to submissions to any of the other activities in this section or in section 5.1;

(v) solvent reclamation or regeneration;

Our ref: JER9144

- (vi) recycling or reclamation of inorganic materials other than metals or metal compounds;
- (vii) regeneration of acids or basis;
- (viii) recovery of components used for pollution abatement;
- (ix) recovery of components from catalysts;
- (x) oil refining or other re-uses of oil;
- (xi) surface impoundment.

The proposed treatment of the hazardous waste is classified as a physico-chemical treatment process and therefore a Section 5.6 Part A(1) (a) activity also needs to be included in the permit.

Reference to hazardous waste in the remainder of this document refers to waste falling under EWC code 16 02 15*.

1 WASTE ACCEPTANCE AND STORAGE OF HAZARDOUS WASTE

The wastes falling under EWC code 16 02 15*, 19 02 04*, 19 12 11* and 20 01 35* will be the same wastes that have previously been accepted under EWC code 16 02 14, 16 02 16, 19 12 12, 20 01 36. Waste pre-acceptance procedures are already in place for the permitted EWC codes and the same procedures will be applied to wastes falling under the hazardous waste code.

Waste will be delivered to the site in bulker trucks. All waste accepted must be accompanied by a hazardous waste consignment note with all relevant fields completed. Documentation will be checked on arrival at the site and prior to accepting the waste. Waste acceptance procedures (including waste rejection) currently applied to the permitted wastes will be applied to the hazardous waste.

Procedures already identify the requirement for hazardous wastes to be accompanied by a relevant hazardous waste consignment note and that this is checked prior to waste being accepted on the site. The waste acceptance procedure already forms part of the Operating Techniques for the site.

A dedicated storage bay or area for material falling under these waste code will be provided and all waste assigned with these hazardous waste codes, once accepted on to the site, will be stored in this area prior to processing. The storage area for this hazardous waste will be shown on the updated site layout plan included as appendix A. A maximum of 500 tonnes of hazardous material can be stored, albeit routinely storage volumes are expected to be well below this maximum.

The hazardous waste storage bay will be on impermeable pavement.

2 WASTE TREATMENT OF HAZARDOUS WASTE

Treatment of hazardous waste will remain the same as the treatment of non hazardous waste. The treatment process is batch fed allowing batches of hazardous waste to be processed separately to batches of non-hazardous waste.

Each batch will be treated within the shredder to reduce the size of the delivered waste. After shredding, the metal will be recovered by magnets and remaining waste streams will be sent to Sims Long Marston for further treatment and refining.

The metallic waste is removed off-site for recycling.

Article 7 of the Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (the POPs regulation) requires that any POPs in waste plastic is destroyed or irreversibly transformed. Destruction of POPs in the waste plastic fraction is achieved by off-site third-party facilities that accept this residue and destruction of POPs will be achieved by incineration, consumed/ destroyed in the metal smelting process or pyrolysis.

3 ENVIRONMENTAL RISKS

The proposal to include EWC code 16 02 15*, 19 02 04* and 19 12 11* will not introduce new point source emissions to air, water or land. There will be no change to the potential for odour or noise emissions from the site as the odour potential for the hazardous waste is considered similar to that for existing wastes accepted at the site and no new or changes to existing noise sources will be introduced by processing this material. There will be no change to the potential for dust due to the inclusion of the additional waste codes.

Our ref: JER9144

The storage and processing of the additional waste codes does not increase the fire risk at the site and the current fire prevention measures as set out in the Fire Prevention Plan are considered appropriate. There are no new or increased accident risks associated with storing and treating the hazardous waste.

The proposed hazardous waste codes introduces a new hazardous material that will be stored and processed at the site. Hazards associated with this waste code relate to contamination of plastic components with persistent organic pollutants. The potential for contamination of ground and groundwater is minimised by the following:

- The material will be stored only in the designated storage area which is underlain with impermeable pavement.
- A sealed drainage system is in place on the site.
- The incoming hazardous waste and separated fractions are solid, any spillage would be cleared up immediately using dry techniques.

Although a hazardous waste, due to the pollutant potential being part of a solid material the potential for contamination of ground or groundwater is extremely limited.

The Continuing Competence Certificate for Oliver Latham is provided at appendix B and demonstrates his competencies.

4 BAT ASSESSMENT

A full assessment against BAT conclusions for waste treatment activities will be carried out in accordance with a Regulation 61 notice in due course. For the purposes of this variation BAT 4 (d) has specific requirements relevant to hazardous waste. This BAT conclusion has therefore been reviewed and assessed as follows:

BAT 4	In order to reduce the environmental risk associated with the storage of waste, BAT is to use all of the techniques given below. a) Optimised storage location b) Adequate storage capacity c) Safe storage operation d) Separate area for storage and handling of packaged hazardous waste
Sims justification/evidence	<p>All wastes are stored in line with the requirements of the relevant Regulations and Directives and as per the site's Environment Management Systems.</p> <p>All wastes received and all outputs from the site processes will be stored in designated areas as per the site layout plan attached, as well as per the arrangements set out in the Operating Techniques document.</p> <p>To ensure that waste storage arrangements are being adhered to, monthly checks of the stockpiles are conducted. If issues are identified, then records are made and suitable actions are determined as outlined in the Operating Techniques.</p> <p>The documents below cover BAT 4 techniques a (optimised storage location), b (adequate storage capacity) and c (safe storage operation). BAT 4 d (separate area for storage and handling of packaged hazardous waste), although incoming hazardous waste will not be packaged a dedicated separate area for storing this material is provided. Hazardous processed plastic will be bagged and stored prior to removal off site. Any other hazardous waste that is identified at site will be handled as non-conforming waste as described in the Operating Techniques document.</p> <p>Relevant IMS documents:</p> <ul style="list-style-type: none">• Operating Techniques• Site Layout Plan - FPP App2 Rabone Lane Fire Prevention Plan Site Layout_Jan 2021
Compliant / Not Compliant	Compliant with all relevant parts of BAT 4.
Action	No action required.

5 CONCLUSIONS

The above provides information on the proposal to include EWC codes 16 02 15*, 19 02 04* and 19 12 11* as a permitted waste that can be accepted and treated at the site. Overall it is concluded that accepting this waste will not significantly increase the environmental risks from the installation. The existing management measures are sufficient to control risks to the environment. The only additional measure is the inclusion of a dedicated storage bay / area for separate storage of hazardous wastes.

Given the additional waste code introduces two further listed activities we have completed application forms A; C2; C3 and F1. These are included at appendix C.

It is noted that in general the addition of new schedule activities would be classed as a substantial variation and according to the relevant charging scheme the fee payable for this application should be £29,520. However, we note that Part 1(5) of the charging scheme allows that:

The Agency may, by notice to the person liable for the charge, waive or reduce any charge specified in this Scheme if it considers it to be significantly disproportionate in a particular case, having regard to the actual costs and expenses incurred or to be incurred by the Agency in relation to a particular application or subsistence period.

Given the nature of this application and the conclusion that there will be no significant increase in risk to the environment we would suggest that applying the fees for a new application for the two additional activities triggered by the waste reclassification is disproportionate to the costs and expenses that will be incurred by the Agency in determining this application. We would respectfully suggest that the nature of this application is akin to a minor variation to change the list of wastes the permitted facility is allowed to accept as described in the guidance¹. In this case a minor variation would attract a fee of £4,196.

Yours sincerely,
for RPS Group Limited



Jennifer Stringer
Technical Director
stringerj@rpsgroup.com
01273 546829

APPENDICES

Appendix A	Updated Site Layout Plan
Appendix B	WAMITAB Certificates
Appendix C	Application Forms
Appendix D	Operating Techniques
Appendix E	Non-Technical Summary

¹ <https://www.gov.uk/government/publications/environmental-permitting-charges-guidance/environmental-permitting-charges-guidance#:~:text=A%20minor%20variation%20is%20one,than%20for%20a%20normal%20variation>

Our ref: JER9144

Appendix A

Updated Site Layout Plan

Our ref: JER9144

Appendix B

WAMITAB Certificates

Our ref: JER9144

Appendix C

Application Forms

Our ref: JER9144

Appendix D

Operating Techniques

Our ref: JER9144

Appendix E

Non-Technical Summary