

Permitting Decisions - Bespoke Permit

Consultation on our decision document recording our decision-making process

The Permit Number is: EPR/BP3421SC
The Applicant / Operator is: Kaug Refinery Services Limited
The Installation is located at: Kaug Refinery Services

Consultation commences on: 06/03/2025

Consultation ends on: 03/04/2025

What this document is about

This is a draft decision document, which accompanies a draft permit.

It explains how we have considered the Applicant's Application, and why we have included the specific conditions in the draft permit we are proposing to issue to the Applicant. It is our record of our decision-making process, to show how we have taken into account all relevant factors in reaching our position. Unless the document explains otherwise, we have accepted the Applicant's proposals.

The document is in draft at this stage because we have yet to make a final decision. Before we make this decision, we want to explain our thinking to the public and other interested parties, to give them a chance to understand that thinking and, if they wish, to make relevant representations to us. We will make our final decision only after carefully taking into account any relevant matter raised in the responses we receive. Our mind remains open at this stage. Although we believe we have covered all the relevant issues and reached a reasonable conclusion, our ultimate decision could yet be affected by any further information that may be provided that is relevant to the issues we have to consider. However, unless we receive information that leads us to alter the conditions in the draft Permit, or to reject the Application altogether, we will issue the Permit in its current form.

In this document we frequently say "we have decided". That gives the impression that our mind is already made up; but as we have explained above, we have not yet done so. The language we use enables this document to become the final decision document in due course with no more re-drafting than is absolutely necessary.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future. A lot of technical terms and acronyms are inevitable in a document of this nature: we provide a glossary of acronyms near the front of the document, for ease of reference.

Preliminary information and use of terms

We gave the application the reference number EPR/BP3421SC/A001. We refer to the application as “the **Application**” in this document in order to be consistent.

The number we have given to the permit is EPR/BP3421SC. We refer to the proposed permit as “the **Permit**” in this document.

The Application was duly made on 31/07/2024.

The applicant is Kaug Refinery Services Limited. We refer to Kaug Refinery Services Limited as “the **Applicant**” in this document. Where we are talking about what would happen after the Permit is granted (if that is our final decision), we call Refinery Services Limited “the **Operator**”.

Kaug Refinery Services Limited proposed facility is located at Merse Road, Redditch. We refer to this as “the **Installation**” in this document.

1 Our proposed decision

We are minded to grant the Permit to the Applicant. This will allow it to operate the Installation, subject to the conditions in the Permit.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

The draft Permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations (EPR) and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted that the details provided are sufficient and satisfactory to make use of the standard condition acceptable and appropriate. This document does, however, provide an explanation of our use of “tailor-made” or installation-specific conditions, or where our Permit template provides two or more options, an explanation of the reason(s) for choosing the option that has been specified.

2 How we reached our draft decision

2.1 Receipt of Application

The Application was duly made on 31/07/2024. This means we considered it was in the correct form and contained sufficient information for us to begin our determination but not that it necessarily contained all the information we would need to complete that determination: see section 2.3 below.

The Applicant made no claim for commercial confidentiality. We have not received any information in relation to the Application that appears to be confidential in relation to any party.

2.2 Consultation on the Application

We carried out consultation on the Application in accordance with the EPR, our statutory Public Participation Statement (PPS) and our own internal guidance RGN 6 for Determinations involving Sites of High Public Interest. RGN 6 was withdrawn as external guidance, but it is still relevant as Environment Agency internal guidance.

The consultation was carried out from 9 September 2024 until 1 November 2024.

We advertised the Application by a notice placed on our website, including telling people where and when they could see a copy of the Application.

We made a copy of the Application and all other documents relevant to our determination available to view on our Public Register.

We produced a newsletter to publicise the permit consultation and let people know how they can get involved in the consultation process. It also explained what we could and could not consider when we determine a permit application, so that it was clear of what matters were outside of the remit of this application. The newsletter was placed alongside the web advertisement and also sent to key representatives (as identified by engagement plan) including Redditch and Bromsgrove MPs.

We sent copies of the Application to the following bodies, which includes those with whom we have “Working Together Agreements”:

- Local Authority – Environmental Protection Department
- Local Authority – Planning
- Fire & Rescue
- Health and Safety Executive

These are bodies whose expertise, democratic accountability and/or local knowledge make it appropriate for us to seek their views directly. Note under our Working Together Agreement with Natural England, we only inform Natural England of the results of our assessment of the impact of the installation on designated Habitats sites.

Further details along with a summary of consultation comments and our response to the representations we received can be found in Annex 4. We have taken all relevant representations into consideration in reaching our draft determination.

2.3 Requests for Further Information

Although we were able to consider the Application duly made, we did in fact need more information in order to determine it and issued a schedule 5 notice (for further information) on 05/09/2024. A copy of the notice was placed on our public register.

Having carefully considered the Application and all other relevant information, we are now putting our draft decision before the public and other interested parties in the form of a draft Permit, together with this explanatory document.

As a result of this stage in the process, the public has been provided with all the information that is relevant to our determination, including the original Application and additional information obtained subsequently, and we have given the public two separate opportunities (including this one) to comment on the Application and its determination. Once again, we will consider all relevant representations we receive in response to this final consultation and will amend this explanatory document as appropriate to explain how we have done this, when we publish our final decision.

3 About this Installation

The application is for the operation of a new bespoke permit for a small-scale facility that extracts and recovers precious metals from wastes that contain metal.

Whilst this is considered a “new installation” the process was previously operational for 20 years and regulated at a different location in Birmingham. The relocation results in this being considered a “new” installation.

The term refinery is referred within the Installation name to reflect the precious metals refining steps. **This is not a fuel refining installation.**

The annual throughput of the site is proposed to be less than 250 tonnes per annum.

The processes undertaken onsite include thermal, chemical and physical treatment or processing of metal-bearing wastes by various methods including shredding, thermal decontamination, grinding, milling and sieving, chemical recovery processes using acids and alkalis and melting to produce ingots.

There will be no discharges to land, water or sewer from the process. In line with BAT containment measures waste effluents will be contained in appropriately bunded areas prior to export from site for disposal or recovery elsewhere.

4 Purpose of this document

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

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

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

5 Decision considerations

Activities proposed for the Redditch site are the same precious metal recovery activities that have been undertaken for over 40 years by the applicant at their existing site in Birmingham, which has been regulated by the Environment Agency (EA) and their predecessors as a waste treatment facility. Feedstock for the recovery processes is made up of many different, specified, precious metal bearing wastes and these wastes undergo a series of recovery operations before a final product is produced. Treatment processes can be grouped into the following activity types:

- Physical treatment of wastes that do not undergo any further processing and are sent offsite for recovery elsewhere
- Thermal (using heat) treatment to prepare precious metal bearing wastes for subsequent chemical processes
- Chemical processes for recovery of precious metals using acids and alkalis, including filtration and drying
- Thermal (using heat) melting processes to produce precious metal ingots for onward sale

Applicable legislation

UK environmental legislation defines the different types of permit required to operate different kinds of activities. The applicant first applied to the Environment Agency for a waste treatment permit ahead of their move to Redditch, believing it to cover all activities except the thermal treatment processes, for which they applied for an environmental permit from the Local Regulator, Redditch Borough Council (RBC).

The activities requiring a permit from RBC are described within The Environmental Permitting (England and Wales) Regulations 2016 (EPR 2016), Schedule 1, Part 2, Chapter 2 (Production and processing of metals), Section 2.2 Non-ferrous metals, Part B. (S2.2 Part B(a) and S2.2 Part B(b)). A *Part B environmental permit* was issued to the applicant by RBC on 11/08/2023.

At the same time as the applicant applied for the Part B permit from RBC, they made the application to the EA for a new waste treatment permit for the physical treatment activities and the chemical recovery processes. The EA had, at this point, reconsidered where, under UK legislation, chemical recovery processes should sit for regulation and concluded they were better placed as S2.2 Part A(1)(a) activities.

Using guidance (see Section 7) the Environment Agency concluded that all thermal and chemical recovery activities proposed for the Redditch site should fall under one Installations permit and be regulated by the EA, being technically connected.

Therefore, the thermal treatment processes, whilst correctly permitted previously as Part B processes for regulation by RBC, should now fall, still as Part B processes, under the Part A1 permit. The requirements and conditions set out by RBC would be carried over to the Part A1 permit, including all emissions and emission limit values.

Guidance used by RBC to grant the Part B permit was issued in 2013. Guidance used by the EA for Part A1 installations (see Section 7) is set out in the *Best Available Techniques (BAT) Reference Document for the Non-Ferrous Metals Industries* (the NFM Bref), published in 2017.

Whilst we are satisfied that the Applicant made the appropriate application to the Local Authority for the Part B permit at the time, to ensure that the Applicant operates to the most recent guidance for the whole of the installation, we have included two improvement conditions for the applicant to demonstrate that the Part B thermal treatment processes comply with updated guidance (see Section 7 and Section 19).

6 Operator

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

7 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.'
- Best Available Techniques (BAT) Reference Document for the Non-Ferrous Metals Industries (2017)
- Treating metal waste in shredders: appropriate measures for permitted facilities
- Waste electrical and electronic equipment (WEEE): appropriate measures for permitted facilities
- Process Guidance Note 2/09 (13) Statutory guidance for Metal decontamination installations:
- Process Guidance Note 2/03(13) Statutory guidance for electrical furnaces

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.

8 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 emission points. The site plan is included in the permit at Schedule 7.

9 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.

10 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 the following designation:

- Ipsley Alders Marsh SSSI - approximately 1000m from the proposed site
- Distance is made up of other industrial land use and the A4023

The pollutants discharged to air with the potential to impact upon habitats which we can assess are as follows:

- Oxides of Nitrogen (NO_x)
- Sulphur Dioxide (SO₂)
- Hydrogen Chloride (HCl- this is factored into the acid deposition impact)
- Particulate Matter

These emissions have ecological environmental standards, above which impacts would occur. They also have combined impacts in terms of nutrient nitrogen and acid deposition to habitats which also have site/habitat specific environmental standards indicated on the air pollution information system (APIS). All other potential pollutants are assessed/controlled under standards for human safety as part of the permitting process and were not covered any further by the Habitats assessment.

There will be no discharges to land, water or sewer from the process. In line with BAT containment measures waste effluents will be contained in appropriately bunded areas prior to export from site for disposal or recovery elsewhere.

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.

11 Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility and found it to be satisfactory. In addition, we carried out additional internal audits and sensitivity checks for air emissions and noise impacts and are satisfied that there are sufficient controls, and management plans where relevant, to prevent significant impacts from the site on local, sensitive receptors.

- Land – there are no emissions from the site to land or groundwater
- Water – there are no direct discharges from the site to surface waters. Discharges to sewer will consist of uncontaminated site surface run-off. Waste materials and raw materials are using BAT and we are satisfied there is sufficient containment and control procedures in place to control and mitigate accidents and emergencies which may result in loss of containment.
- Air - as part of our audit and sensitivity checks, we are satisfied that emissions to air from the facility are unlikely to cause or significantly contribute towards exceedances of the relevant environmental standards in place for the protection of human health and protected ecological sites.

We consider that the assessment has considered conservative approaches for assumptions, and thus the likely worst-case scenario has been assessed.

- Odour - all processing will be undertaken within the building, wastes to be handled will be of very low odour potential and the operations of very small scale. We are satisfied that an Odour Management Plan (OMP) is not required over and above the permit condition controlling odour emissions from the site. Waste acceptance procedures are in place to control malodorous wastes received in error which will be quarantined in a sealed, rejected waste skip. The operator will maintain a complaints procedure as part of the EMS to ensure that should complaints of odour arise, they are investigated.
- Noise - as part of our audit and sensitivity checks, we are satisfied that noise impacts from the site are acceptable and do not prevent a permit being granted for the site. This decision was made following further actions being requested from the operator to revise their original noise modelling report after they reported changes to the operating hours of the site. We reviewed their updated Noise Impact Assessment and conducted audit and sensitivity checks on the NIA concluding that noise emissions from the site are acceptable as long as the Operator meets BAT.

The Operator has demonstrated compliance with BAT for noise emissions from their processes which are related to mitigation measures in their noise management plan (NMP) which is in place in addition to a permit conditioning controlling noise impacts from the site.

- Dust – we are satisfied that there are sufficient management controls for the acceptance of waste to negate the need for a Dust Management Plan. Further, there is a condition in the permit controlling substances not controlled by emission limits

12 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.

13 Operating techniques for emissions that screen out as insignificant

Emissions of nitrogen oxides (NOX), sulphur dioxide (SO₂), particulate matter (PM₁₀ & PM_{2.5}), volatile organic compounds (VOC), carbon monoxide (CO), chlorine (Cl) and hydrochloric acid (HCl), volatile organic substances (VOCs) and hydrogen cyanide (HCN, from all sources 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 observe the following:

- Sources A1 and A2 are only expected to operate during operational hours (11 hours per day, five days per week), therefore, annual averaged process contributions (PC) have been reduced by a factor of 0.3265 to account for non-continuous operation.
- Source A4 is expected to operate for all hours in the year and has therefore not been factored. We have considered a worst-case scenario where all sources operate for all hours of the year in our modelling checks.
- The emission rates for source A1 have been derived from the maximum monitored emission concentrations reported in the Best Available Techniques Reference (BREF) Document for the non-ferrous metals industry, the associated Best Available Techniques (BAT) Conclusions Document and Environment Agency sector guidance for the non-ferrous metals sector
- The emission rates for source A2 have been taken from mass emissions stated in the boiler technical data sheet. We note that the boilers are 0.2 MWth each which means they are outside of the medium combustion plant (MCP) regulations and do not require emission limit values (ELV), however, we have back-calculated emission concentrations and find that they are within the expected range for natural gas-fired boilers given the thermal capacity of the plant.
- We have tested sensitivity to the inclusion of A3 in our modelling checks as we observe from the monitoring reports that A3 could release VOCs and hydrogen cyanide (HCN). We have calculated emission rates for VOCs and HCN using the monitored concentrations reported in their emissions monitoring report. We have calculated HCN emission rates using the limit of detection, as monitored concentrations are below this value.

The emission rates for source A4 have been derived from ELVs contained in Process Guidance (PG) Note 2/09(13)7 and PG Note 2/03(13)8 . These guidance notes do not contain ELVs for NOX or SO2, therefore, the consultant has used emission concentrations based on technical information provided by the manufacturer.

We conducted our own check modelling and sensitivity analysis and we agree with the conclusions put forward by the applicant regarding human health and ecological sites.

14 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.

15 Management Plans

Noise and vibration management plan (NMP)

We have reviewed the noise and vibration management plan in accordance with our guidance on noise assessment and control and consider it to be satisfactory. In addition, we carried out internal audit and sensitivity checks on the operator's Noise Impact Assessment which provides data that informs the NMP and found it to be satisfactory (see Section 11).

We have approved the noise and vibration 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 S1.2.

16 Fire Prevention Plan

We have set pre-operational conditions to allow the operator time in which to implement their fire prevention plan before commencing the activities authorised.

17 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 restricted wastes proposed by the applicant with codes ending in 99 to specific descriptions to ensure waste coded as 99 is precious metal bearing waste suitable for recovery:

18 Pre-operational conditions

Based on the information in the application, we consider that we need to include a pre-operational condition for a review of the submitted Fire Prevention Plan (FPP) to fully address all waste types we consider to be potentially combustible.

19 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 Best Available Techniques (BAT) that apply to the Part B processes (thermal treatment) are compliant with guidance published after the Part B permit was issued by Redditch Borough Council (see Section 5 Decision Considerations).

Improvement Condition	Justification
<p>IC1 - The Operator shall:</p> <p>a) Provide confirmation in a written report for approval by the Environment Agency that activities AR1 – AR12 (inclusive) comply with BAT conclusion 3 (Process Control).</p> <p><i>Note: BATc3 specifies a number of techniques that could be used in order to be compliant.</i></p> <p>For each technique that you are compliant with, provide full details as to how you comply, with reference to process control operating procedures included in your Environmental Management System.</p> <p>For any technique with which you are not compliant, provide justification for the deviation from BAT.</p> <p>(To be submitted - Two months after issue of the permit)</p>	<p>Whilst we are satisfied that the Applicant made the appropriate application to the Local Authority for the Part B permit at the beginning of planning their move to Redditch, we changed our interpretation for where, in the environmental regulations, recovery of precious metals using chemical means, should more properly sit.</p>
<p>IC2 - The Operator shall:</p> <p>a) Provide confirmation in a written report for approval by the Environment Agency that your Schedule 2.2 Part B activities covering thermal decontamination, drying and melting processes (AR3 & AR4) comply with the BAT conclusions 10 and 134 – 146 using the following terms:</p> <ul style="list-style-type: none"> • NA - Not applicable. The BAT Conclusion is not applicable to the specific NFM sector or the specific site operations. • CC - Currently compliant. The operator is already operating in line with the BAT Conclusion. • NC - Not Compliant. The site is not currently meeting the requirements of the BAT conclusion <p>Make direct reference to the BAT Conclusions, the processes they apply to and the measures described within them, including the BAT-associated emission levels (BAT-AELs) and associated monitoring methods described in BAT 10.</p> <p>A copy of the BAT Conclusions is available at https://eippcb.jrc.ec.europa.eu/reference/non-ferrous-metals-industries-0.</p> <p><i>Note: that some BAT Conclusions specify the number of techniques that must be used in order to be compliant. In some cases all techniques must be used.</i></p> <p>b) For any BAT Conclusions (10, 136 – 144) which you consider are not applicable to the installation, provide a justification of your assessment.</p> <p>For any of the BAT Conclusions (10, 136 – 144) with which you are not compliant, propose measures to be undertaken and the associated timescales for these measures to be implemented</p> <p>(To be submitted - Two months after issue of the permit)</p>	<p>We require the operator to assess compliance with the latest guidance for their Redditch operations and propose improvements where necessary (see Section 5 and Section 7).</p>

20 Emission Limits

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

- Oxides of nitrogen NO_x (NO and NO₂, expressed as NO₂)
- Sulphur dioxide (SO₂)
- Gaseous chlorides, expressed as HCl Chlorine (Cl₂)
- Total particulate matter
- Nickel, cobalt, chromium and their compounds

We have included these limits based on the achievable emission limit values associated with activities operated by the applicant when using best available techniques (BAT-AELs) where they are available and on emission limit values modelled by the applicant and shown to screen out as insignificant where BAT-AELs are not available (see also Section 13).

We have also included Hydrogen Cyanide (HCN) and volatile organic compounds (VOCs) as substances that may be released from emission point A3 as previous monitoring reports indicated both as present. We have tested sensitivity to the inclusion of A3 in our modelling checks and are satisfied that all emissions to air from the facility are unlikely to cause or significantly contribute towards exceedances of the relevant environmental standards in place for the protection of human health and protected ecological sites.

21 Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

These monitoring requirements have been included in order to ensure continued compliance with permitted emissions of pollutants shown to be insignificant when processes are operated using best available techniques.

We made these decisions in accordance with reference the relevant technical guidance.

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

22 Reporting

We have specified reporting in the permit for all permitted pollutants on an annual basis to demonstrate ongoing compliance with the permit.

We made these decisions in accordance with reference the relevant technical guidance

23 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.

24 Technical Competence

Technical competence is required for the waste treatment activities permitted.

We are satisfied that the operator is technically competent.

25 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.

26 Financial competence

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

27 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.

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.

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Permitting Decisions - Bespoke Permit

1 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.

2 Responses from organisations listed in the consultation section:

Consultation sent 09/09/2024 to Local Authority (Environmental Protection Department).

Response received: 07/10/2024 [Worcestershire Regulatory Services – PR14]

Brief summary of issues raised: WRS has no adverse comments to this development.

A part B permit has already been granted to the site, to be regulated by WRS.

Summary of actions taken: Section 5 of this document covers the aspect of regulation of the Part B activity.

Consultation sent 09/09/2024 to Local Authority (Planning Department)

Response received: No response provided

Brief summary of issues raised: N/A

Summary of actions taken: N/A

Consultation sent 09/09/2024 to Fire and Rescue

Response received: No response provided

Brief summary of issues raised: N/A

Summary of actions taken: N/A

Consultation sent 09/09/2024 to Health and Safety Executive.

Response received: No response provided

Brief summary of issues raised: N/A

Summary of actions taken: N/A

3 Representations from local MPs, assembly members, councillors and parish/town community councils

Response received from Local Redditch Borough ward councillor, and Ward Councillor for North Ward Redditch.

Issue	Addressed in this document	Additional Detail
I understand the site was relocated because the original site location in Birmingham would fail a clean air test which is scheduled to be introduced the Redditch site	N/A	Reasons for relocation (from the previous location) do not relate to impacts at local receptors. Operations at the previous location recorded good regulatory compliance.
Emissions in consideration of the distance to local receptors	See Environmental Risk – section 11 of this document.	We have reviewed the operator's assessment of the environmental risk from the facility and found it to be satisfactory. We carried out additional internal audits and sensitivity checks for air emissions and are satisfied that there are sufficient controls in place to ensure that impacts from the site (on local and local sensitive receptors) are acceptable.

4 Representations from individual members of the public

Summary of actions taken:

Issue	Addressed in this document	Additional Detail
Emissions of NO _x , Particulate Matter (and Air emissions) in consideration of the distance to local receptors	See Environmental Risk – section 11 of this document.	We have reviewed the operator's assessment of the environmental risk from the facility and found it to be satisfactory. We carried out additional internal audits and sensitivity checks for air emissions and are satisfied that there are sufficient controls in place to ensure that impacts from the site (on local and local sensitive receptors) are acceptable.
Impacts upon ecological receptors / habitats / local wildlife	See section 10 of this document: Nature conservation, landscape, heritage and protected species and habitat designations	We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified
Noise in consideration of the distance to local receptors	See Environmental Risk – section 11 of this document.	We have reviewed the operator's assessment of noise from the facility and found it to be satisfactory. We carried out additional internal audits and sensitivity checks for noise and are satisfied that there are sufficient controls in place to ensure that impacts from the site (on local and local sensitive receptors) are acceptable. We have included an additional requirement in the permit by inclusion of

	See Noise and vibration management - section 15 of this document.	a noise and management plan, which has been considered alongside the noise assessment (referred above). The noise management plan has been approved and is incorporated as a requirement into the permit. The operator is required to comply with the requirements in the noise management plan.
Odour in consideration of the distance to local receptors	See Environmental Risk – section 11 of this document.	We have assessed the risk from odour and concluded this to be satisfactory without the need to require an odour management plan. Processing will take place internally, and the wastes to be handled are of low odour nature. Permit condition 3.3.2 on odour will allow an odour management plan to be required in the event this is deemed necessary via on-site regulation.
Raw Materials & Containment in consideration of the distance to local receptors	See Environmental Risk – section 11 of this document.	We consider that the applicant is applying appropriate BAT controls in relation to the containment of waste and raw materials that will prevent and mitigate against accidents and emergencies which may result in loss of containment.
Water Pollution Risks in consideration of the distance to local receptors	Section 3 of this document confirms that there will be no discharges to water or sewer <u>from the process</u> .	Only uncontaminated site surface water run-off (not process effluent) will be discharged to sewer.

Planning and Development : Traffic and Noise (from traffic), and Parking.	N/A	This is not within the remit of the Environmental Permitting Regulations and is covered by planning functions.
Accidents	<p>See Environmental Risk – section 11 of this document.</p> <p>Fire Prevention – see section 16 of this document</p>	<p>We are satisfied that the applicant is implementing BAT measures including sufficient containment and control procedures. In the event of an accident or emergency, we consider that the measures will mitigate against any loss of containment.</p> <p>A fire prevention plan has been provided with the application. We have reviewed this and consider that further development is required. We have set a pre-operational condition (PO1) within the permit (table S1.4) which will allow the operator time to implement their fire prevention plan prior to commencing operations. The operator will need to obtain written agreement for PO1 (from the Environment Agency) prior to starting operations.</p>
Land Contamination	<p>Section 3 of this document confirms that there will be no discharges to ground. See Environmental Risk – section 11 of this document.</p>	<p>We consulted internally with the local Groundwater Contaminated Land team. They concluded the site condition report is acceptable for permit issue, and that the risk of pollution of land and water is unlikely.</p>

		There are no emissions from the site to land or groundwater
Impact on local business [The process will bring little financial benefit to the Council]	See Environmental Risk – Section 11 of this document.	Financial benefits to local environment / councils is not within the remit of the Environment Agency / this application.
Impact on local school	See Environmental Risk – Section 11 of this document.	We have reviewed the operator's assessment of the environmental risk from the facility. This included identification and assessment at relevant receptors, including the school. We found the assessment to be satisfactory. We carried out additional internal audits and sensitivity checks for air emissions and noise impacts and found these to be satisfactory.
Impact of placing an incinerator in area	N/A	This application is not for a waste incinerator, nor a petrochemical or fuel refining installation (as detailed in section 3 of this document). The activities that are covered by this application are described in section 5 of this document.
Previous location of Installation (and reasons for re-location)	N/A	Reasons for relocation (from the previous location) do not relate to impacts at local receptors. Operations at the previous location recorded good regulatory compliance.
AQ / monitoring from previous operation	See Section 21 of this document.	Section 21 details the monitoring including requirements for either

		<p>MCERTs certification or accreditation.</p> <p>Parameters that require monitoring are stated in the permit, alongside the methods for monitoring and their frequencies.</p>
Relevant Environmental Regulatory Requirements and Technical Standards	See section 14 of this document.	<p>We have had regard to the National Air Pollution Control Programme (set under the National Emissions Ceiling Regulations 2018) and consider that our decision complies with the Strategy.</p>