

Dear Mr. Kennett

**We need more information about your application.**

**Application reference: EPR/AB3904UQ/V005**

**Operator: 2ZLF Limited**

**Facility: West Meadows Waste Recovery Facility**

Thank you for your application received on 15<sup>th</sup> February 2022. The following is to confirm our conversation of 28<sup>th</sup> April 2023 and my conversation with Mr. Martin Owen today.

I need to ask for some missing information before I can do any more work on your application. Please provide us with more information to the following questions. We need to know:

1. The guidance document to complete Application Form, C2, states “*If your changes mean that a waste operation becomes an installation (or vice versa) you also need to fill in either part C3 (waste to installation) or part C4 (installation to waste)*”. Your proposed changes mean that your waste operation becomes an installation and Application Form, C3, should be submitted. You have submitted Form, C4.

**Submit a fully completed current copy of Application Form, C3.  
Application for an environmental permit: part C3 vary a bespoke installation permit - GOV.UK ([www.gov.uk](http://www.gov.uk))**

2. Section 3a (Technical standards) of Application Form, C3, requires you to demonstrate “*how you will meet other standards set out in the relevant BAT conclusions document, BREF or technical guidance*”. Appendix 10 in your application is a ‘Best Available Techniques Assessment’. Although several technical standards are referenced, this assessment is largely against the requirements of Sector Guidance Note IPPC S5.06, “Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste”.

As your variation application relates to the 2ZLF facility operation now becoming an S5.3 and S5.6 operation, you must assess BAT compliance against:

- Waste Treatment BREF BAT-Conclusions ([EUR-Lex - 32018D1147 - EN - EUR-Lex \(europa.eu\)](http://eur-lex.europa.eu) [S5.3 and S5.6 activities])

You must also assess operation of your hazardous waste storage and treatment and the requirements of ‘Chemical waste: appropriate measures for permitted facilities’.

**(a) Submit a BAT Assessment against the requirements of the Waste Treatment BREF BAT-Conclusions.**

**(b) Submit an assessment of your hazardous waste storage and treatment operation against the requirements of ‘Chemical waste: appropriate measures for permitted facilities’ (<https://www.gov.uk/guidance/chemical-waste-appropriate-measures-for-permitted-facilities>).**

Should there be any changes proposed to the existing non-hazardous waste operation, you will be required to assess its operation against the applicable appropriate measures standards. However, if nothing is changing in the operation of the existing waste operation, it does not require further review during this application process.

**(c) Confirm if the existing non-hazardous waste operation will change as a result of this current permit variation application and, if it will change, submit an assessment of operation of the waste operation against the applicable appropriate measures standards.**

3. Application Form, C2 Part 3b (Technical Ability) states that the person in your regulated facility who possesses the required technical competence is Mr. Steve Hodges. A later e-mail dated 30/03/2023, notes that Mr. Hodges has left 2ZLF and your technical competent person is Mr. Andrew Tabiner supplied by consultants, AC Environmental. It also states that Mr. Martin Owen at 2ZLF is also enrolling in the competence scheme to become qualified.  
The application documents must be updated to reference the correct, current technically competent person.

**Submit an updated and completed copy of application Form C2 that includes the name and details of the current person(s) providing technical competence to the 2ZLF facility.**

**Please note that you must also complete the table in C2 that gives the environmental permit number(s) and site address(es) for all other waste activities for which the proposed technically competent manager provides technical competence, including permits held by other operators. This is particularly important if the person supplying technical competence is a consultant who may be supplying that technical competence to other facilities.**

4. Appendix 6 of the application documents is a Baseline Report on site contamination whose data is based on a 2014 monitoring programme of four samples. There is no evidence supplied to indicate exactly from where on site these samples were taken and the installation site boundary has increased in 2019. There is no evidence in the report of which potentially hazardous materials are handled, used or stored on site. There is no evidence that this baseline report fully meets the requirements in our current guidance for site condition reports.

**Submit an updated site condition report that demonstrates the extent of ground and groundwater contamination across the entire site installation boundary including a drawing of where on site any intrusive samples were taken and meets all requirements of guidance,**  
<https://www.gov.uk/government/publications/environmental-permitting-h5-site-condition-report>.

**NOTE: As hazardous materials are present on site, the site condition report must:**  
**1) Identify 'Relevant Hazardous Substances (RHS)' – by consideration of the chemical and physical properties of each hazardous substance [composition,**

solubility, toxicity, mobility, physical state (solid, liquid or gas)] and determine whether any of these substances are capable of causing soil and/or groundwater contamination.

2) Include a Stage 1- 3 assessment within the SCR (as part of the application). Further details of the Stage 1 – 3 assessment are set out within EC Commission Guidance on baseline reporting (2014/C 136/03) dated 6th May 2014. This is in accordance with Schedule 7 (paragraph 5 [m]) of the EPR regulations 2016 / Article 22 of IED. It is also referred to in the draft H5 guidance.

5. In response to the requirements of Application Form, C2, question 3d, you have submitted a copy of your ISO14001 certification. This certificate expired on 11/11/2022.

**Submit a current copy of our ISO14001 accreditation certificate.**

6. The environmental risk assessment submitted in response to Application Form, C2, question 6 considers nature conservation sites (LWS/LNR) as potential receptors and nutrient enrichment, contaminated leachate run-off, disturbance and smothering as potential risks. The mitigation measure listed is that “treatment only takes place on an impermeable surface with sealed drainage in sealed vessels”. You have not fully defined the local conservation sites and the mitigation of risks towards them.

**Submit updated documentation that details the names of all local wildlife sites and local nature reserves within 2km of the site and how risks towards them are mitigated (please note that the use of impermeable surfaces with sealed drainage and sealed vessels does not mitigate the risk of smothering at these conservation sites).**

7. There is no point source discharge to water or sewer listed in the current permit. The submitted document, Site Operating Techniques, notes in section 3.6.7 that the “site currently has a sewer discharge consent as provided by Seven Trent Water” although it is the site’s intention to recycle as much water as possible. You must provide an assessment of the potential impact of this discharge to sewer using Environment Agency’s Risk Assessment tool, H1, or equivalent.

**Using expected concentrations of pollutants following implementation of the process changes requested in EPR/AB3904UQ/V005, submit a copy of the H1 Risk Assessment methodology to demonstrate potential impact of pollutants on receiving waters.**

**Should any parameters not screen out at H1, please demonstrate how their impact will be controlled.**

8. The Non-Technical Summary submitted (Appendix 5) includes a process flow chart that includes acceptance of waste codes not included in Appendix 8, Permitted Waste List.

**Submit an updated Process Flow Chart that includes only permitted waste types (please note that waste code 16 07 08 appears to have been incorrectly called 16 07 88 in the Process Flow Chart).**

9. The submitted document, Site Operating Techniques, states in section 2.4.2 that “The Environment Agency’s flood mapping website states that ‘the site is situated within an area with a ‘Very High’ chance of flooding in any given year with land having a 1 in 100 greater chance of flooding. However, as the overall amount of waste to be treated and the footprint of site has not changed, we do not consider the risk to have increased”.

This assessment of risk is incorrect. The current environmental permit allows you to store on site no more than 50 tonnes of hazardous waste but as the requested variation to your environmental permit would allow the storage of approximately 150 tonnes of hazardous waste during normal operation.

**Submit an updated flood risk assessment that addresses all the increased risks of the proposed variation including the storage of increased amounts of hazardous materials on site.**

- 10 The management plans submitted, such as Noise Management Plan (Appendix 12) and Odour Management Plan (Appendix 13) are similar generic documents. The Non-Technical Summary (Appendix 5) and Operating Techniques Document (Appendix 9) outline how the site will be operated. What is not evident from the application is:
- exactly how the increased hazardous waste processing and storage will be realised (new equipment, better use of existing equipment, increased operating time etc.) and
  - how the site operation has been optimised to mitigate the increased environmental risk from these processed changes (increased noise from new equipment, increased odour from storage of more hazardous wastes on site etc.)

**(a) Submit a detailed assessment of:**

- **All process and operational changes that will be implemented to facilitate the increased treatment and storage of hazardous wastes.**
- **The expected change in environmental risk from these changes in site operation.**
- **The methods to be implemented by 2ZLF to mitigate these environmental risks.**

**(b) Submit a drawing that shows the current locations for treatment and storage of hazardous and non-hazardous wastes.**

**(c) Submit a drawing that shows the future locations for treatment and storage of hazardous and non-hazardous wastes.**

11. The submitted Noise Management Plan (Appendix 12) and Site Operating Techniques Document (Appendix 9) do not demonstrate how environmental risk from noise will change and be mitigated following the site changes to facilitate increased hazardous waste storage and treatment (as required to be submitted in response to question 10 above).

**Confirm the nature of the noise profile that will change as a result of the proposed changes (such as use of new equipment and/or increased use of existing equipment) as submit a Noise Impact Assessment that addresses the changes in noise profile (if required).**

12. Although a full assessment of submitted management plans is not carried out until determination, an initial completeness check of these plans is carried out at duly making stage to ensure they have sufficient information included to progress to determination. The management plans submitted are lacking some key details which must be submitted.

**For all the management plans submitted:**

- (a) **Include a plan of the site to show the location of materials, processes and locations likely to cause an impact (noise, odour, dust etc.).**
- (b) **Include a map of the location of sensitive receptors in relation to the 2ZLF site.**

**In relation specifically to the Odour Management Plan submitted,**

- (c) **Include a complete inventory of odorous materials held on site in all forms (incoming wastes, processed wastes etc.) that includes quantity limits, waste types, sources of waste, age of waste, storage times, storage locations.**
- (d) **Include a demonstration how odour is routinely assessed on site (away from occasions where odour complaints have been received).**
- (e) **Include methods for management of odours (for example, the odour management plan states “The filter cake that is produced as part of the process is the most odorous part of the process as this is where the contaminants will be concentrated. If the filter cake is likely to lead to unacceptable offsite odour emissions, it may be contained within an enclosed skip and will be removed from site as soon as is practicable” but this is not an auditable commitment to manage odours as it says “may be contained” and “as soon as possible”.)**
- (f) **Include contingency measures and action plans to address accidents, emergencies and other abnormal events that may result in odour pollution.**

Please send the information, quoting the above application reference, to:

Email address: [john.mcclean@environment-agency.gov.uk](mailto:john.mcclean@environment-agency.gov.uk).

Please send the information by 2<sup>nd</sup> June 2023.

If we do not receive the information by 2<sup>nd</sup> June 2023 we will return your application.

If we do receive the requested information by 2<sup>nd</sup> June 2023, we'll continue to check your application. We'll check to see if there's enough information for the application to be 'duly made'. Duly made means that we have all the information we need to begin determination. Determination is where we assess your application and decide if we can allow what you've asked for.

We'll let you know by letter whether your application can be duly made. If it can't be duly made, we'll return your application to you.

If we do have to return your application we'll send you a partial refund of your application payment. We'll retain 20% of the application charge to cover our costs in reviewing your application and requesting information. This maximum amount we'll retain is capped at

£1,500. Further information on charging can be found at: [Environmental permits and abstraction licences: tables of charges - GOV.UK \(www.gov.uk\)](#).

If you have any questions please phone me on 0208 474 9057 or 0779 525 6605 or email [john.mcclean@environment-agency.gov.uk](mailto:john.mcclean@environment-agency.gov.uk).

Yours sincerely

John McClean  
Senior Permitting Officer.

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