

Natural Resources Wales permitting decisions

Variation

We have decided to issue the variation for Natural UK Ltd Healthcare Management Facility operated by Natural UK Ltd.

The variation number is EPR/DB3231RX/V007

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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


Structure of this document

- Annex 1 the decision checklist

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Operator		
Control of the facility	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 EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. The permit already allows for pre-treatment of waste for incineration and co-incineration and hazardous waste treatment and storage. During determination we ensured that the proposed variation did not result in the site exceeding the IED limits for the above listed activities. Therefore, daily treatment and storage capacity limits are retained in Table S1.1 of the permit.	✓
Sustainable Management of Natural Resources (SMNR)		
Considerations of SMNR - Compliance with our General Purpose	We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.”	✓
Environment Wales Act 2016 – Biodiversity and resilience of ecosystems duty		
Consideration of Section 6	Section 6 of the Environment Wales Act 2016 requires that we seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, in a manner that is consistent with the proper exercise of our functions. NRW is satisfied that in this case, we have taken into account and had due regard to this duty in so far as it is consistent with the function of determining an application for an EPR permit.	✓
The site		

Aspect considered	Justification / Detail	Criteria met
		Yes
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the extended area to be included within the permit boundary.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).</p>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p>  <p>(© Crown Copyright and database right 2022. Ordnance Survey licence number 100019741.)</p> <p>The site is shown by the solid green square on the map above. The Caeau Mynydd Mawr SAC is located 760m North West of the proposed extended site boundary.</p> <p>A full assessment of the application and its potential to affect the site has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>No FORM 1 completed:</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p><u>HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site</u> <i>Note: From OGN 200 - no conceivable impact on any Natura 2000 site, by virtue of the scale or location or nature of the project.</i></p> <p>The site activities are currently limited to being undertaken inside a building with impermeable surface and sealed drainage. The current permit does not allow for any point source emissions into surface waters, or ground water or air. With the exception for emissions to surface water from roofs or from areas of the site not being used in connection with the storing and/or treating of waste. This is not changing as a result of proposal in this variation application.</p> <p>The boundary extension requested as part of the proposed variation has not been requested to be used for any activities associated with the treatment and/or storage of waste. For the additional site area brought in under this variation to be used for any activities associated with storage or treatment of waste a subsequent variation application would have to be submitted and accepted through the permitting process.</p> <p>The nature of the facility only allowing waste treatment activities (storage/treatment) within a building with an impermeable surface with sealed drainage prevents there being any discharges.</p> <p>As all waste is treated and stored inside the existing building on-site which has an impermeable surface with sealed drainage, we do not consider there is a pathway for emissions from the site to impact the features of the Caeau Mynydd Mawr SAC.</p>	
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The Operator has provided detailed Supporting Statement as part of their application that includes details regarding waste preacceptance, acceptance, and storage and handling.</p> <p>These have been reviewed against our how to comply your environmental permit guidance and WM3 Waste classification guidance. We are satisfied that the techniques within the supporting statements in consistent with our guidance. The relevant sections of the supporting statement has been incorporated into Table S1.2 Operating Techniques in the permit.</p> <p>The operator has provided a description of the management procedures in place that ensure that the site does not exceed the Industrial Emissions Directive Theshold limits for daily treatment capacity and site storage capacity. This written description of the procedures has been incorporated into Table S1.2 Operating Techniques in the permit.</p> <p>The Operator has included within their Supporting Statement controls and emission limits in place to monitor releases from emission point A1. Emission Point A1 vents air extracted from the hopper of the shredder via a HEPA filter back into the building. There is no external releases. The measures and emission limits are in line with our EPR 5.07 guidance. The relevant sections of the supporting statement has been incorporated into Table S1.2 Operating Techniques in the permit.</p>	✓
The permit conditions		
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons as the wastes and their treatment are consistent with the operation already permitted.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Improvement conditions	<p>We consider that we need to impose improvement conditions.</p> <p>We have imposed improvement conditions to ensure that the site produces a Fire Prevention and Mitigation Plan that is inline with our guidance (GN16 Fire Prevention and Mitigation Plan Guidance – Waste Management) this is a requirement for all sites that store combustible waste streams.</p>	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓