CALDERDALE MBC

WARDS AFFECTED: RYBURN, SOWERBY BRIDGE, GREETLAND & STAINLAND

THURSDAY 28th NOVEMBER 2024

DETERMINATION OF APPLICATION REFERENCE S13/006 SCHEDULE 13 SMALL WASTE INCINERATION PLANT AT CALDER VALLEY SKIP HIRE, BELMONT INDUSTRIAL ESTATE, ROCHDALE ROAD, SOWERBY BRIDGE HX6 3LL

REPORT OF ENVIRONMENTAL HEALTH

1. Reason for the Report.

1.1 To consider an application for an environmental permit to allow Calder Valley Skip Hire Ltd., to operate a Small Waste Incineration Plant (SWIP) at Belmont Industrial Estate, Rochdale Rd, Sowerby Bridge, HX6 3LL.

1.2 The application was received from Calder Valley Skip Hire Ltd on the 26th January 2024 and was made under Schedule 13 of the Environmental Permitting (England and Wales) Regulations 2016. The application was 'duly made' (application accepted & fee received) on the 5th February 2024.

1.3 The Application

2.1	Applicant:	Calder Valley Skip Hire Ltd
2.2	Application Type:	Small Waste Incineration Plant
2.3	For Premises situated at and known as:	Calder Valley Skip Hire Ltd Belmont Industrial Estate Rochdale Road Sowerby Bridge HX6 3LL
2.4	Permitted Activities:	Incineration of non-hazardous refuse derived fuel – at a feed rate of up to 2 tonnes per hour and up to 10,000 tonnes per annum.
2.5	Associated Activities:	Adjacent waste transfer station permitted by the Environment Agency reference EPR/SP3196ZQ

1.4 A copy of the Application is attached as Appendix 1, below.

2. Background Information.

2.1 Environmental Permits

2.2 Determination of an environmental permit application is an objective and technical consideration and is entirely separate to the planning application process. The environmental permitting regime has 4 aims:

i. To protect the environment and human health.

ii. To deliver permitting and compliance effectively and efficiently in a way that provides increased clarity and minimises the administrative burden on both the regulator and the operators of facilities.

iii. To encourage regulators to promote best practice in the operation of regulated facilities, and

iv. To continue to fully implement European legislation.

2.3 As a starting point, and in the case of waste incineration, Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste, and Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on Industrial Emissions (Integrated Pollution Prevention and Control), are both statutes which seek to protect human health and the environment through the requirements they impose.

2.4 Small Waste Incineration Plants (SWIPs)

2.5 A SWIP is defined within the Environmental Permitting (England and Wales) Regulations 2016 (the EPR) as all incineration and co-incineration plants below the limits specified in Chapter 2 of the Industrial Emissions Directive (the IED). A Permit to operate a SWIP is required to be issued by a Local Authority in accordance with Schedule 13 of the EPR and reflect Article 44 of the IED. Furthermore, the SWIP is required to operate in accordance with Chapter IV of the IED and not exceed the emission limits set within Article VI Parts 3 and 4 of the same.

2.6 Calder Valley Skip Hire Ltd. and previous SWIP Permit Applications

2.7 Calder Valley Skip Hire Limited have made previous applications to the Council to seek to operate a small waste incineration plant. The company owns sites on both Rochdale Road and Mearclough Road in Sowerby Bridge. The first site is known as the 'Belmont' site, and the second as the 'Mearclough' site.

2.8 A SWIP permit application for the Mearclough site was submitted by the company in 2017, which was deemed to be withdrawn on the 3rd August 2017 because the company at the time had failed to provide sufficient information to allow the Council to determine the application.

2.9 A further application for a SWIP Permit for the Belmont site was submitted by Calder Valley Skip Hire Ltd. on 6th August 2020, and was deemed to be "duly made" on the 17th August 2020. The application at that time was then reviewed by both Environmental

Health and an independent consultant now known as Tetra Tech. To assist with the determination, the Council issued a Schedule 5 Notice requesting further information on the 18th September 2020, and received a response from the company on the 16th October 2020.

2.10 It was considered appropriate at that time that the Council's Cabinet would determine the application. A technical report was provided to Cabinet by Environmental Health which recommended that the application be approved. This occurred at the Cabinet meeting of 8th February 2021, but the determination was then challenged by way of Judicial Review in March 2021, the outcome of which was that an order by consent was issued by the court in September 2021 which quashed the granting of the permit. Following the Quashing Order, the status of the permit application reverted to that of being undetermined.

2.11 Subsequently, the Council appointed environmental consultants Tetra Tech to clarify the content of the Report produced by White Young Green (WYG), the environmental consultants who became Tetra Tech, and Calder Valley Skip Hire Ltd. appointed RPS Group to undertake a Permit Decision Review to assist the Council in its redetermination of the permit application.

2.12 On the 23rd May 2022 Calder Valley Skip Hire served notice on the Council which subsequently prompted the outcome that the permit application was deemed to have been not determined.

2.13 Consequently, an appeal was made by Calder Valley Skip Hire Ltd., and on the 29th and 30th November 2022, the Planning Inspector, Officers, the Applicant Calder Valley Skip Hire and several residents and objectors attended a Planning Inspectorate Hearing. The outcome of the hearing was that the appeal was dismissed.

2.14 The Current Application

2.15 The application relates to the intended operation of a SWIP in an existing building at the Belmont site. The SWIP is intended to generate electricity for the purpose of being reinvested back into the premises and to assist with the operation of a modest number of electric vehicles.

2.16 Calderdale Council is the regulator for Schedule 13 SWIPs within the Borough boundary. There is no published guidance for the determination of a Schedule 13 SWIP as it does not constitute a Part A or Part B permit for the purposes of the EPR. However, in the absence of a specific guidance document, the Environmental Permitting Core Guidance directs local authorities to the "*General Guidance Manual on Policy and Procedures for A2 and B Installations*" (the GGM).

2.17 Bureau Veritas was appointed by the Council as a consultant under Section 108 of the Environment Act 1995 as a suitable person to consider this application and to assist in providing this recommendation. The General Guidance Manual (GGM) requires that persons carrying out EPR functions are competent, specifically trained, capable and 'business aware'. The application was reviewed by Environmental Health Officers and the consultant.

2.18 The first of three public consultations began on the 26th February 2024. Emails were sent to those contacts who had contributed to previous applications for Calder Valley Skip Hire Ltd. Details were also sent to the Environment Agency, Natural England, and Public Health. Notices were physically displayed around the site location and an advert was also placed in the Halifax Courier. The consultation closed on the 1st April 20204. 840 responses were received.

2.19 Based on the review carried out by Bureau Veritas, a 'Request for Further Information Notice' (an "RFI") was served on Calder Valley Skip Hire Ltd on the 27th March 2024. A response was received to that RFI on the 25th April 2024, which Bureau Veritas reviewed and accepted. The RFI and the response were posted on the Council's website and a second consultation was opened on the 23rd May 2024. 30 responses were received during the period of consultation.

2.20 During the second consultation, there were questions regarding the burn rate of the SWIP and about the "bottom ash" that would be produced, and for that reason a second RFI was served on Calder Valley Skip Hire Ltd on the 27th June 2024, to which a response was received from Calder Valley Skip Hire Ltd. on the 29th July 2024.

2.21 Bureau Veritas was subsequently commissioned to carry out a review of the Human Health Risk Assessment that Calder Valley Skip Hire Ltd had produced in 2022. Bureau Veritas required further clarification from Calder Valley Skip Hire Ltd who responded on the 8th October 2024. Bureau Veritas have reviewed this response and confirmed it is acceptable. The third and final consultation was opened on 14th October 2024 and ended on the 4th November 2024. 260 Responses were received.

3. Need for a Decision.

3.1 The options open to the Officer responsible for determining the application are:

a. To grant the application, subject to conditions

b. to refuse the application

c. to take no action, in which case the application is deemed refused.

3.2 Reasons must be given when granting or refusing a permit, with the extent of the reasoning given reflecting the complexity of the issues.

3.3 The applicant can appeal to the Secretary of State against non-determination or refusal of the application, or if the permit is approved but unreasonable permit conditions are imposed. If the Council is found to have acted unreasonably in any way, the appellant may apply for costs.

3.4 Once a decision is made, by virtue of paragraph 17 to Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016, a "Statement of Reasons" must be issued to the applicant with the decision on the application. If the application is refused, the Statement of Reasons must reflect the advice contained within paragraphs 6.17-6.18, Chapter 9 and Annex V of the statutory guidance.

3.5 The application is seeking approval for incineration of non-hazardous waste to be incinerated at a rate of up to 10,000 tonnes per annum of combustible refuse (i.e. 'refuse derived fuel') - Waste Code 19 12 10. Waste Codes commencing '19 12' indicate wastes arising from the mechanical treatment of waste, such as sorting, crushing, compacting, pelletising operations. Sorting waste takes place at the company's Belmont site and is regulated under the existing environmental permit which was issued by and is regulated by the Environment Agency.

3.6 Planning considerations

3.7 Planning permission to incorporate the SWIP at the Belmont site was allowed upon appeal after a lengthy public inquiry and decision by the Secretary of State. In that inquiry, many possible human and environmental 'impacts' were considered in depth. It is worth reiterating at this point that the planning regime is entirely separate to the environmental permitting regime. The National Planning Policy Framework (the NPPF) states:

'*The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'*

3.8 The SWIP was approved for planning permission Ref. 17/00113/WAM with the condition it shall only operate for 24 hours a day on Monday to Friday. On those days during the hours between 00:00 hrs to 07:00 hrs and between 18:00 hrs to 00:00 hrs the SWIP shall only operate when all of the roller shutter doors in the building which contains the SWIP are closed. The SWIP shall not operate on Saturdays, Sundays, or on Bank/Public Holidays.

3.9 The operating hours specified by Planning Services for the adjacent waste site operated by Calder Valley Skip Hire and governed by a Permit granted by the Environment Agency are:

"07:00 hours to 18:00 hours Monday to Friday, 08:00 to 14:00 hours on Saturdays, with no operation on Sundays and Bank Holidays."

3.10 If the SWIP Permit is approved, then Calder Valley Skip Hire Ltd., will need to adhere to these hours when operating the SWIP, though it should be noted that, as previously described, the planning regime is a separate regime that cannot be used to directly govern an environmental permit.

4. Options considered.

4.1 The relevant requirement of the EPR is that the application should be determined. The options are that the application for an environmental permit

a. be granted, subject to conditions, and the permit issued or
b. be refused, thereby the permit is not issued, or
c. not be determined.

4.2 Although the application submission is accompanied by technical documents indicating how the installation would operate, it is necessary to attach clear, relevant, enforceable and workable conditions to a permit to deliver the aims of the environmental permitting regime. The GGM points to providing a copy of the draft permit to the applicant for consideration. This is to avoid unnecessary appeals against any unreasonable or unnecessary conditions.

5. Financial implications.

5.1 If the application is refused or not determined, or if conditions are imposed other than are currently recommended, or if the applicant considers the conditions unreasonable or unnecessary, then the applicant can appeal to the Secretary of State. If it is considered that the Council has acted unreasonably in any way, the appellant may apply for costs.

6. Legal Implications.

6.1 The latest version of the GGM pointed to the EU Public Participation Directive which sought public consultation on draft decisions on LA-IPPC installations, but not for LA-PPC installations. Schedule 13 SWIP applications came about later, and SWIPs are neither IPPC nor PPC installations but a separate entity. Whereas paragraph 16(3)(d) of Part 1 to Schedule 5 of the EPR 2010 held a need to consult the public on a draft decision, the EPR 2016 did not replicate that requirement when the law was changed to account for SWIPs. Consequently, there is no duty to consult the public on the draft decision. However, Calderdale Council took the opportunity to do so because we recognise that this application is a source of concern to residents and interested parties, and we wanted to afford the opportunity for individuals to contribute to the process.

6.2 The consultant's recommendation is to grant the permit. Section 108 of the Environment Act 1995 and the GGM define the requirements for persons carrying out the functions of the EPR 2016 - in this case to determine an application for an environmental permit. These are that the person is suitable, authorised in writing by the authority to exercise specific powers, competent, specifically trained, capable, and 'business aware'. If the Council's duly appointed officer decides to take any action other than that recommended, it is strongly advised to base that decision upon a report of a person who fulfils section 108 and GGM requirements. A decision to not do so may constitute grounds for an appeal.

6.3 Schedule 13 of the EPR 2016 requires that "*The regulator must exercise its relevant functions so as to ensure compliance with the provisions of the Industrial Emissions Directive*". It does not explicitly rule out the inclusion of other conditions in a permit. The legal basis for the inclusion of any additional conditions would need to be established.

6.4 By virtue of paragraph 17(3) of Part 1 to Schedule 5 of the EPR 2016 the regulator's reasons to approve or refuse the application must be given. The GGM says these will reflect the complexity of the issues and it advises a proportionate approach in stating reasons.

7. Environment and Health Implications.

7.1 The scope of the requirements of the Waste Framework Directive and Industrial Emissions Directive are that they seek to minimise pollution and environmental impact and to safeguard public health. The SWIP, if approved, would be regulated by the Council and key pollutants that could be emitted to air from the SWIP would be monitored, and breaches of any permit conditions would be enforced. It is anticipated that an inspection regime for the SWIP that is the subject of this Report would be incorporated into the existing arrangements for permitted operations with no significant additional burden on Council finance or officers.

7.2 Directive 2010/75/EU of the European Parliament and of the Council, i.e., The Industrial Emissions (Integrated Pollution Prevention and Control) Directive, seeks to protect human health and the environment through the requirements imposed by it.

7.3 There may be an economic impact upon the Council if the application is refused, not determined, or unreasonable permit conditions are imposed, because one of these decisions could prompt the applicant submitting an appeal to the Secretary of State. If the appeal is granted and the Council is found to have acted unreasonably it may be subject to costs. Conversely, if the application is granted and the decision is later deemed to be unlawful, then the Council may be subject to a Judicial Review.

8. Equality and Diversity.

8.1 There are no known equality and diversity impacts.

9. Consultation.

9.1 All application documents, together with responses from statutory consultees, were published on the Council's website.

9.2 The administration of an application for an environmental permit typically involves consultation. Responses allow the Council to be provided with relevant facts to help in the determination, mindful of the aims of the environmental permitting regime and of specific statutory requirements pertinent to the application. To have weight, responses must show how the application did not satisfy the aims of the regime or how the operation of the installation would result in unacceptable harm.

9.3 The Council must consider consultation responses. Three consultation periods took place with statutory consultees and the public, as described earlier in this report, ending on 4th November 2024. In total, 1130 responses were received. Some responses were submitted by more than one person, and some individuals submitted more than one response. Many responses briefly outlined general concerns without providing any specific scientific or technical evidence to demonstrate that relevant statutory requirements would not be met if the permit was approved.

9.4 The consultation responses comprised the following broad categories:

a. The impacts of air pollution on health and the local environment, with consideration of the valley location and local climate, including weather inversions.
b. Concerns about the dispersion of the plume from the chimney due to tree coverage.

c. Damage to the local environment and amenity, and detrimental impacts on house prices.
d. Flooding.
e. Increase in traffic volumes.
f. Impacts on wildlife.
g. Claims that the operator has a poor record of legal compliance and is not competent.
h. Concerns the equipment to be used was not fit for purpose.
i. Concerns over the competence of Calderdale Council to regulate the facility.
j. Concerns the SWIP will not meet the R1 criteria for energy return.
k. Increase of pollution levels in the nearby Air Quality Management Area.
l. Concerns that the air quality modelling is not reflective of local weather conditions.

9.5 Some of the concerns were beyond the scope of consideration for determining this application and are not relevant to the determination process. The extent of relevance of other general issues was considered at the planning appeal stage. These responses were summarised and brought to the attention of the consultant. Some responses were quite detailed and accompanied by technical references. These were forwarded to the consultant for closer consideration.

9.6 This application and all previous applications have generated significant interest in the community, and there have been repeated and numerous concerns raised regarding the application. However, the basis for the determination for this application must be confined to the objective technical and legal considerations identified within the EPR.

10. Summary.

10.1 The technical information provided for a one tonne burn rate has satisfied the local authority that it meets the relevant requirements of the Waste Framework Directive and Industrial Emissions Directive. It is deemed that insufficient information has been supplied to consider a higher burn rate of 2 tonnes per hour or up 10,000 tonnes per annum.

10.2 The air quality modelling software used in consideration of this application has taken data from the two closest Meteorological Office weather stations, one of which is located at Leeds Bradford Airport in Yeadon, Leeds, and the second in Bingley, Bradford. Concerns were raised during consultation that the data used did not reflect the true weather conditions in the valley location. Where an applicant has provided an air dispersion report, relevant government guidance (*Environmental permitting: air dispersion modelling reports*) should be followed. This guidance stipulates that a minimum of three years of weather data should be used and recommends that a period of five years should be considered. Weather data within the valley in which the Belmont site is located is not monitored by the Met. Office who therefore have no data specific to that location, and therefore it is considered that the data used is the most appropriate source.

10.3 Calder Valley Skip Hire Ltd employed the services of Cambridge Environmental Research Consultants (CERC) to review the air quality modelling and in particular carry out a site-specific assessment as required by Mr Woolcock, Planning Inspector, during the last appeal hearing by Calder Valley Skip Hire Ltd., in November 2022. CERC also reviewed the parameters used within the model to ensure they were appropriate. CERC

deemed the air quality modelling to be appropriate and therefore concluded that the information provided complies with the IED.

10.4 By virtue of paragraph 12 to Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016 the Regulator must grant or refuse the application.

11. Recommendation

11.1 With consideration of all the above, it is recommended that the Council approve the application for an environmental permit for a Small Waste Incineration Plant at Calder Valley Skip Hire Ltd.'s Belmont site on Rochdale Road, Sowerby Bridge, subject to conditions, inclusive of a reduced burn rate of 1 tonne per hour, and subject to the conditions set out in the draft permit attached to this Report. There are currently no known technical or legal reasons which would prompt the Council to make an alternative determination.

For further information on this report, contact:

Dave Dunbar	Principal Environmental Health Officer OR
Kate Ryley	Senior Environmental Health Officer
Telephone:	(01422) 288001
E-mail:	community-safety@calderdale.gov.uk

12. The Documents used in the preparation of this Report are:

1. Environment Act 1995
2. The Environmental Permitting (England and Wales) Regulations 2016
3. Environmental permitting general guidance manual on policy and procedures for A2 and B installations - GOV.UK.
4. Application documents and consultation responses. Previously published on Calderdale web site. Now available from The Community Protection Team, Public Services Directorate, c/o Halifax Town Hall, Crossley Street, Halifax, West Yorkshire, HX1 1UJ.
5. Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.
6. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)
7. Environmental Permit EPR/SP3196ZQ. Available upon request from the Environment Agency
8. Environmental permitting: air dispersion modelling reports - GOV.UK
9. Appeal Decision APP/EPR/603. Included within the Application documents and consultation responses. Available from The Community Protection Team, Public Services Directorate, c/o Halifax Town Hall, Crossley Street, Halifax, West Yorkshire, HX1 1UJ.
10. Waste Classification Technical Guidance WM3 – "Guidance on the classification and assessment of waste." (1st Edition v1.2.GB): Waste classification technical guidance - GOV.UK

13. Appendices

13.1 Contents

Appendix 1 – The Permit Application
Appendix 2 – The Draft Permit

Appendix 1 - The Application

Application for a permit to operate Schedule 13 small waste incineration plant

Local Authority – Pollution Prevention and Control
Pollution Prevention and Control Act, 1999
Environmental Permitting (England and Wales) Regulations 2016

Introduction

When to use this form
Use this form if you are sending an application for a 'Schedule 13' installation to a Local Authority under the above regulations.

Before you start to fill in this form
Please read the General Guidance Manual for Part A2 and Part B installations. This contains a list of other documents you may need to refer to when you are preparing your application, and explains some of the technical terms used. You are also urged to speak to the officer who will be dealing with the application.

Which parts of the form to fill in
You should fill in as much of this form as possible. The appropriate fee must be enclosed with the application to enable it to be processed further. When complete return to:

Environmental Health Commercial Team
Calderdale MBC
Town Hall
Crossley St
Halifax
HX1 1UJ.

Other documents you made need to submit
There are a number of other documents you will need to send us with your application. Each time a request for a document is made in the application form you will need to record a document reference number for the document or documents that you are submitting in the space provided on the form for this purpose. Please also mark the document(s) clearly with this reference number and the application reference number, if you have been given one. You can request an application reference number from the officer dealing with your application.

Using continuation sheets
In the case of the questions on the application form itself, please use a continuation sheet if you need extra space; but please indicate clearly on the form that you have done so by stating a document reference number for that continuation sheet. Please also mark the continuation sheet itself clearly with the information referred to above.

Copies
Please send the original and a copy of the form and all other supporting material, to assist consultation.

If you need help and advice
We have tried to make the application form as straightforward as possible, but please get in touch with us at the address given above if you need any advice on how to set out the information we need.

LA-IPPC Application Form: to be completed by the operator		
For Local Authority use		
Application Reference:	Officer Reference:	Date received:

Section 1 Installation basics

1.1 Name of the installation

Calder Valley SWIP

1.2 Address of the site of the installation

Belmont Industrial Estate, Rochdale Road, Sowerby Bridge, Halifax

Postcode HX6 3LL Telephone 01422 833333

Ordnance Survey national grid reference 8 characters, for example, SJ 123 456

SE 053 228

1.3 Existing environmental permits

Please give details of any existing environmental permits for the installation, or any waste management permits or water discharge consents, including reference number(s) and type(s):

EPR/SP3196ZQ – adjacent Waste Transfer Station, operated by Calder Valley Skip Hire Ltd and regulated by the Environment Agency

Section 2 The operator

Please provide the information requested below about the "Operator", which means the person who it is proposed will have control over the installation in accordance with the permit (if granted)

2.1 The Operator – Please provide the full name of company or corporate body

Calder Valley Skip Hire Ltd

Trading/business name (if different)

n/a

Registered Office address

Rochdale Road, Sowerby Bridge, Halifax

Postcode: HX6 3LL

Principal Office address (if different)

n/a

Postcode:

Company registration number

_03861770

2.2 Holding Companies

Is the operator a subsidiary of a holding company within the meaning of Section 736 of the Companies Act 1985?

No ■

Yes ☐ name of ultimate holding company

Registered office address

Postcode:

Principal Office address (if different)

Postcode:

Company registration number:

Section 3 Who can we contact about your application?
It will help us to have someone who we can contact directly with any questions about your application. The person you name should have the authority to act on behalf of the operator. This could be an agent or consultant rather than the operator.

Name _Jennifer Stringer_____

Position __Technical Director, RPS_____

Address __6/7 Lovers Walk, Brighton_____

_____

_____Postcode:__BN1 6AH_____

Telephone number ___01273546829_____

Fax Number _____

Email address ___stringerj@rpsgroup.com_____

Section 4 Site plans

4.1 Please provide:-

* A suitable map showing the location of the installation clearly defining extent of the installation in red
[Document reference Drawing 1 – Permit Boundary]

* A suitable plan showing the layout of activities on the site, including bulk storage of materials, waste storage areas and any external emission points to atmosphere

[Document reference Drawing 2 - Layout]

* A suitable plan showing the site drainage system and all discharge points to drainage or watercourses.

[Document reference Drawing 3 - Drainage]

Section 5 Waste types and activities

5.1 Complete Table 1 to provide a complete list of waste types to be incinerated in the plant. Refer to appendix for codes (use a separate sheet if required, Document reference_____)

Table 1: Waste types to be incinerated

Code	Description	Source	Quantity (tonnes per annum)
19 12 10	Combustible waste (refuse derived fuel)	Adjacent waste transfer station (treatment of household, commercial and industrial waste)	10,000

5.2 Delivery and reception of waste Provide a description of the proposed waste reception and handling arrangements, including

* the precautions to be taken against the pollution of land, air and water
* precautions against noise and odour and other potential risks to human health
* how the mass of received waste will be measured

[Document reference Calder Valley SWIP application – Section 3.2]

5.3 information about waste arriving at the site Provide details of how information about waste being accepted on site will be collected and checked. You must include

* how you will check the documentation accompanying the waste
* how you will confirm the suitability of the waste for combustion, including physical and (as far as practicable) chemical information
* how you will determine the precautions to be taken in handling the waste
* the sampling of waste to be undertaken to check that the documentation is accurate

[Document reference Calder Valley SWIP application – Section 3.2]

Section 6 The small waste incineration plant

6.1 Description of plant Provide in Table 2 a full description of the plant, with additional information referenced. If there is no place in the table for the details please use a separate sheet.

Table 2: Description of plant					
Manufacturer	Inciner8			Proposed stack and discharge conditions	
Model	I8-1000			Stack height (m)	12
Year of manufacture		2020		Efflux speed (m/s)	21.3
Serial number (if known)				Efflux temperature (K)	573.15
Thermal input kW	1,500	Rate of incineration (kg/h)			2
Secondary combustion chamber/ afterburner					
Afterburner fitted	Yes	Inlet temp	1,300 °C	Additional information	Appendix D
Residence time (s)	2	Outlet temp	850 °C	Technical drawing	Appendix D

6.2 Chimney height calculation and dispersion modelling Provide a chimney height calculation and any available dispersion modelling information for the appliance described in Table 2

[Document reference Appendix E – Air Quality Assessment]

6.3 Secondary combustion temperature and residence time Provide a secondary chamber residence time calculation or equivalent information from the manufacturer or supplier.

[Document reference Appendix F – CFD Flow Simulation]

6.4 Energy recovery Provide a description of the proposed energy recovery from the incineration process, including any proposals for the generation and use of heat, steam or power

[Document reference Calder Valley SWIP application – Section 4.2]

6.5 Monitoring Provide details of the proposed emissions monitoring, including continuous monitoring, recording systems and periodic extractive monitoring. If any monitoring has been undertaken please provide the details of emission concentrations and quantify in terms of mass emissions. If no monitoring has been undertaken please state this.

[Document reference Calder Valley SWIP application – Section 3.13]

6.6 Prevention of operation in certain circumstances Describe the systems to be employed to prevent the feeding of waste into the plant until the secondary combustion chamber temperature is at least 850oC at startup or if the temperature falls below 850oC in operation or in the event of the failure of waste gas cleaning systems.

[Document reference Calder Valley SWIP application – Section 3.3]

6.7 Minimisation of residues Provide a description of the techniques to be used to minimise the amount and harmfulness of any residues from the incineration process, including any proposed recycling

[Document reference Calder Valley SWIP application – Section 3.8]

6.8 Accidents and incidents Describe the action you propose to take in the event of accidents or incidents involving the incinerator. You should describe each type of incident and the appropriate response.

[Document reference Calder Valley SWIP application – Section 5.4]

6.9 Waste waters Describe the precautions to be taken against the pollution of the soil, surface water or ground water. In particular, describe the containment arrangements for contaminated rainwater run-off from fire-fighting operations.

[Document reference Calder Valley SWIP application – Section 3.12]

Section 7 Management and training

7.1 Competent person Describe how the person who will be responsible for the day to day operation of the incineration plant will be selected and trained, and how that person's competence to operate the plant will be checked and reviewed.

[Document reference Calder Valley SWIP application – Section 5.3]

7.2 Environmental management system Describe the management systems to be used to ensure that you comply with the conditions of an environmental permit if the application is granted. In particular describe

* the schedule of maintenance covering all plant and equipment at the installation
* record keeping systems covering the acceptance of waste, recording of maintenance, records of emission monitoring, training
* how employees are to be trained in their responsibilities in respect of compliance with the conditions of an environmental permit if it is granted
* notification of relevant bodies in the event of an incident or abnormal emissions

Document Reference: Calder Valley SWIP application – Section 5 and Appendix J

Section 8 Application fee and annual charges

The application cannot be processed unless the correct application fee is enclosed or payment has been made by another means.

8.1 Application fee

Either

I/We enclose a cheque PAYABLE TO Calderdale MBC for the application fee of £_____

Or, if you have made arrangements to pay by another method:

Payment of the fee of **£3,363.00** will be paid upon receipt of an invoice

_____

Please provide a reference for the payment __ _____

If we grant you a permit, you will be required to pay an annual subsistence charge. Failure to do so will result in revocation of your permit and you will not be able to operate your installation.

8.1 Invoicing

Please provide details of the address you wish invoices to be sent to and details of someone we may contact about fees and charges within your finance section.

Joe Sawrij, Calder Valley Skip Hire, Belmont Recycling Centre, Rochdale Road, Sowerby Bridge, Halifax_____

Postcode: HX6 3LL Telephone: 01422 833333_____

Section 9 Commercial confidentiality

9.1 Is there any information in the application that you wish to justify being kept from the public register on the grounds of commercial confidentiality?

No ■

Yes ☐

Please provide full justification, considering the definition of commercial confidentiality within the PPC regulations.

Doc Reference _____

9.2 Is there any information in the application that you believe should be kept from the public register on the grounds of national security?

No ■

Yes ☐

Do not write anything about this information on the form. Please provide full details on separate sheets. You should also provide a copy of the application form to the Secretary of State for a Direction on the issue of National Security.

Section 10 Data Protection

The information you give will be used by the Local Authority to process your application. It will be placed on the relevant public register and used to monitor compliance with the permit conditions. We may also use and or disclose any of the information you give us in order to:

- consult with the public, public bodies and other organisations,
- carry out statistical analysis, research and development on environmental issues,
- provide public register information to enquirers,
- investigate possible breaches of environmental law and take any resulting action,
- prevent breaches of environmental law,
- assess customer service satisfaction and improve our service.

We may pass on the information to agents/representatives who we ask to do any of these things on our behalf.

Section 11: Declarations

11.1 Any previous relevant offences (delete whichever is inapplicable)

I~~/We~~ certify

~~EITHER~~

No offences have been committed in the previous five years which are relevant to ~~my/~~our competence to operate this installation in accordance with the EP Regulations.

OR

~~The following offences have been committed in the previous five years which may be relevant to my/our competence to operating this installation in accordance with the Regulations:~~

_____

_____

Signature _____

Name Joe Sawrij

Position Director

Date 25/01/2024

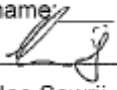
11.2 Signature of applicant(s)

I/We certify that the information in this application is correct. I/We apply for a permit in respect of the particulars described in this application (including supporting documentation) I/We supplied.

Please note that each individual operator must sign the declaration themselves, even if an agent is acting on their behalf.

For the application from:

Installation name: Calder Valley SWIP

Signature: 

Name: Joe Sawrij

Position: Director

Date: 25/01/2024

Signature: _____

Name: _____

Position: _____

Date: _____

* Where more than one person is defined as the operator, all should sign. Where a company or other body corporate – an authorised person should sign and provide evidence of authority from the board of the company or body corporate.

Section 12 Offences

It is an offence under Regulation 38 of the EP Regulations, for the purpose of obtaining a permit (for yourself or anyone else) to:

- make a false statement which you know to be false or misleading in a material particular,
- recklessly make a statement which is false or misleading in a material particular.

If you make a false statement

- we may prosecute you, and
- if you are convicted, you are liable to a fine or imprisonment (or both).

Borough Council of Calderdale

Environmental Permitting (England and Wales) Regulations 2016 (as amended)

Schedule 13 Environmental Permit

Permit reference S13/006

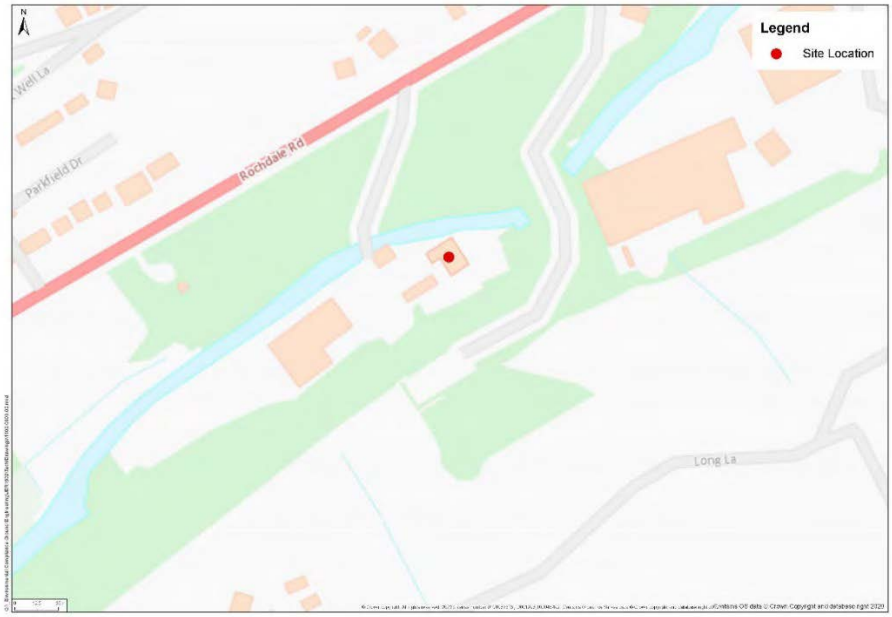
Operator: Calder Valley Skip Hire Ltd
Belmont Industrial Estate
Rochdale Road
Sowerby Bridge
HX6 3LL

Company Number: 03861770

Regulated facility: Small Waste Co-incineration Plant
Calder Valley Skip Hire Ltd
Belmont Industrial Estate
Rochdale Road
Sowerby Bridge
HX6 3LL

Permitted Activity: Operation of a small waste incineration plant, being a waste co-incineration plant, as defined in the Regulations.

Location map: The location of the plant is shown in red below.



Contents

Definitions

Unless otherwise specified, the definitions set out in the relevant Articles of Directive 2010/75/EU on industrial emissions (the Industrial Emissions Directive) (and in particular Article 3) and the definitions set out in the Environmental Permitting (England and Wales) Regulations 2016 (as amended) shall apply throughout this permit.

In addition, the definitions set forth below shall apply throughout this permit.

"The Regulator" means Calderdale Metropolitan Borough Council, the Borough Council of Calderdale.

"the Regulations" means the Environmental Permitting (England and Wales) Regulations 2016 (as amended).

“'the Directive” means Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) 2010 as amended.

"The plant" and "the small waste co-incineration plant (SWCP)" and similar terms mean the small waste co-incineration plant for the combustion of non-hazardous waste, including waste storage areas, loading equipment and all associated equipment described in *the application.*

"Site", "on site" and similar terms shall be taken to refer to the site of the small waste co-incineration plant including all waste reception and storage areas, and the locations of processing activities. Note: all waste co-incineration activities must be undertaken within the small waste co-incineration plant building. The boundary of the site is shown in Plan S13/005/P1 and in drawing ‘Permit Site Boundary Plan 1902-0002-01’.

"The application" means the application for an environmental permit made by the operator, on 6th August 2020 and duly made, including the appendices and supporting information together with supplementary information supplied on 16th October 2020 and further information provided for the permit re-determination in connection with that application supplied on 16th and 18th March 2020.

'Waste' means waste as defined in point 1 of Article 3 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste.
`Hazardous waste' means hazardous waste as defined in point 2 of Article 3 of Directive 2008/98/EC.

‘Permissible periods of abnormal operation’ means any technically unavoidable stoppages, disturbances, or failures of the abatement plant or the measurement devices, other than continuous emission monitors for releases to air of particulates, TOC and/or CO, during which the concentrations in the discharges into air of the regulated substances may exceed the normal emission limit values.

The end of the permissible period of abnormal operation means the earliest of the following:

a) when the failed equipment is repaired and brought back into normal operation.
b) when the operator initiates a shutdown of the waste combustion activity, as described in the application.

c) when a period of four hours has elapsed from the start of the permissible period of abnormal operation.
d) when, in any calendar year, an aggregate of 60 hours has been reached for permissible periods of abnormal operation.

“start-up” is any period, where the plant has been non-operational, after igniting the auxiliary burner until waste has been fed to the plant in sufficient quantity to initiate steady-state conditions.

“shut-down” is any period where the plant is being returned to a non-operational state and there is no waste being burned.

The application and supplementary information are held on the public register.

Other terms may be defined in the relevant section of the permit.

Schedules applied in this permit

This permit applies the following schedules to the Regulations:
Schedule 13 — small waste incineration plant.

Public register
The application, the permit and documents concerned with the determination of the application and subsequent reports and correspondence are held on the public register, a copy of which is available to view free of charge during office hours.

Parts of the application are referred to in the conditions of this permit and form part of the permit to the extent that they specify equipment and procedures that are to be complied with by virtue of the relevant permit conditions.

Application of conditions
Emission limits and monitoring requirements set out in Sections 1 to 8 apply to the small waste co-incineration plant.

The small waste co-incineration plant.
Waste of the types described in Table W1 is received by the SWCP site having been sorted at the adjacent permitted Waste Management Site. Waste fuel is loaded into a mechanical loader which feeds the primary combustion chamber of a i8-1000 small waste co-incinerator. Waste gases from the incinerate i8-1000 pass to air by a 12m stack after passing through the secondary combustion chamber and treatment in the abatement system. Emissions are monitored using MCERTS compliant equipment meeting the requirements of EN 14181. A fuller description of the small waste co-incineration plant is set out in the Schedule 13 permit application document and Appendix **D** to the application. These documents are held on the public register.

Record of changes to this permit		
Date	**Change**	**Notes**

Articles applied in this permit

Permit conditions are cross referenced against the relevant Articles of the Directive 2010/75/EU (Industrial Emissions Directive)

Article 7; action in event of accidents or incidents	Section 7
Article 8(2); action in the event of a breach of permit conditions	Section 7
Article 45(1); (2) and (4); permitted waste types	Section 1A
Article 46; control of emissions	Section 3
Article 47; action in case of breakdown	Section 7
Article 48(1) to (4); monitoring and recording requirements	Section 5
Article 49; determining compliance with emission limit values	Section 5
Article 50; operating conditions	Section 3
Article 52; delivery and reception of waste	Section 1B
Article 53; minimization, storage and transport of residues	Section 6

Start of permit conditions

Section 1a Permitted waste types

Condition 1.1 The operator shall use no other waste types in the small waste co-incineration plant than those set out in Table W1.

Table WI: Permitted non-hazardous waste types (refer to Condition 1.1)			
Waste Code	Description	Detail	Permitted annual usage (tonnes per annum)
19 12 10	Refuse derived fuel	Sorted from adjacent permitted waste treatment site Permit number EPR/SP3196ZQ	10 000
Total			**10 000**

Condition 1.2 No hazardous waste shall be accepted at the small waste co-incineration plant.

Condition 1.3 Only the waste recovery operations identified in Table W2 shall be undertaken.

Table W2: Permitted Recovery and Disposal Activities (refer to Condition 1.3)		
European R/D Code	**Description of R/D Code**	**Limits of specified activity**
R1	Use principally as a fuel or other means to generate energy.	Operation of a small waste incineration plant, being a waste co-incineration plant, as defined in the Regulations and as specified within Article 42 of the Directive including all waste co-incineration activities reception and storage of incoming RDF to treatment and discharge of emissions from the stack (S1) and temporary storage of residues prior to removal for off-site management.

Condition 1.4 The maximum input of waste that may be co-incinerated in the small waste co-incineration plant is 10 000 tonnes per annum, at a rate not exceeding two tonnes per hour.

Section 1b Delivery and reception of waste

Condition 1.5 The precautions set out in Section 3.2 of the application, relating to the delivery and reception of waste, shall be used to ensure that the pollution of air, soil, surface water and groundwater shall be prevented or limited as far as practicable.

Condition 1.6 The precautions set out in Section 3.2 of the application relating to the delivery and reception of waste shall be used to ensure that negative effects on the environment, odours and noise, and direct risks to human health shall be prevented or limited as far as practicable.

Condition 1.7 The mass of each type of waste, according to the European Waste List established by Decision 2000/532/EC, shall be determined prior to accepting the waste on site, and recorded.

Section 1c Commissioning

Condition 1.8 At least 3 months before the commencement of commissioning (or other date agreed in writing with the Local Authority) the Operator shall submit, for approval by the Local Authority, a methodology to verify the residence time, minimum temperature and oxygen content of the gases in the furnace whilst operating under normal load, minimum turn down and overload conditions.

Condition 1.9 The operator shall notify the Local Authority of the proposed date(s) that validation testing is planned for. Notification at least 3 weeks prior to validation testing

Condition 2.0 During commissioning the operator shall carry out validation testing to validate the residence time, minimum temperature and oxygen content of the gases in the furnace whilst operating under normal load and most un-favorable operating conditions. The validation shall be to the methodology as approved through pre-operational condition 1.8. Validation tests shall be completed before the end of commissioning period.

Condition 2.1 The operator shall submit a written report to the Local Authority on the validation of residence time, oxygen and temperature whilst operating under normal load, minimum turn down and overload conditions. The report shall identify the process controls used to ensure residence time and temperature requirements are complied with during operation of the incineration plant. The report shall be submitted within 2 months of the completion of commissioning.

Section 2 Emissions to water or land

Condition 2.1 There shall be no discharges from the small waste co-incineration plant to surface water, sewer or groundwater.

Condition 2.2 Prior to first operation and at all times provision shall be made for an impervious collection area for contaminated water due to fire-fighting, to prevent the pollution of the land and water. The small waste co-incineration plant building shall be maintained to ensure it shall contain contaminated water arising from fire-fighting.

Condition 2.3 In the event of a fire in the small waste co-incineration plant building that uses firewater for firefighting floodgates shall be deployed across all entrances to the small waste co-incineration plant building to contain contaminated water from fire-fighting within the small waste co-incineration plant building. Contaminated water shall be tested prior to removal to an off-site authorised treatment facility.

Condition 2.4 All liquids in containers, whose emission to water or land could give rise to pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

Section 3a Normal operating conditions

Condition 3.1 The operator shall not operate the small waste co-incineration plant unless the systems described in Section 3.3 of the application are functioning correctly.

Condition 3.2 The operator shall monitor the operation of the plant using the systems and equipment set out in Section 3.13 of the application, or an equivalent approved in writing by the Regulator.

Condition 3.3 Waste gases from the small waste co-incineration plant shall be discharged from the stack S1. The discharge height of the stack is 12m.

Condition 3.4 An automatic system shall be in place to stop waste feed into the primary combustion chamber if any continuous measurement shows that any emission limit value is exceeded due to disturbance or failure of the abatement equipment.

Condition 3.5 The heat recovery systems outlined in Section 4.2 of the application shall be used to ensure that heat is recovered as far as possible.

Condition 3.6 The small waste co-incineration plant shall be operated and controlled by a natural person who is competent to manage the plant. All operational staff at the plant shall receive the training referred to in documents set out in Section 5.3 of the application prior to commencing work at the plant. Records of the training shall be kept on site or at the operator's main offices.

Condition 3.7 The small waste co-incineration plant shall be operated in such a way that the gas resulting from the co-incineration of waste is raised in a controlled and homogeneous fashion, and even under the most unfavourable conditions, to a temperature of at least 850°C for at least two seconds.

Condition 3.8 An automatic system shall be in operation at all times to ensure that waste shall not be charged, or shall cease to be charged, if:

a) the temperature indicated by the temperature probe at the exit from the secondary combustion chamber is below, or falls below, 850°C; or
b) any continuous emission limit value in Table T2 is exceeded, other than under "permissible periods of abnormal operation"; or
c) the monitoring results required to demonstrate compliance with any continuous emission limit value in Table T2 are unavailable other than during "permissible periods of abnormal operation".

Section 3b Permissible periods of abnormal operation

Condition 3.10 The operator shall record the beginning and the end of each permissible period of abnormal operation.

Condition 3.11 In the event of any permissible period of abnormal operation the operator shall restore normal operation of the failed equipment or replace the failed equipment at the earliest possible time.

Condition 3.12 Where, during permissible periods of abnormal operation, on an incineration line, any of the following situations arise, waste shall cease to be charged on that line until normal operation can be restored:

a) continuous measurement shows that an emission exceeds any emission limit value in Table T2 due to disturbances or failures of the abatement systems, or continuous emission monitoring devices are out of service, as the case may be, for a total of 4 hours uninterrupted duration;
b) the cumulative duration of permissible periods of abnormal operation over 1 calendar year has reached 60 hours.
c) the emission limits in Condition 4.4 are not met.

Section 4 Emission limits to air

Condition 4.1 All emission limits shall be taken to be calculated at a temperature of 273.15K, a pressure of 101.3kPa, after correcting for the water content of the waste

gases. The limits are standardised to 11% oxygen content for the parameters in Tables T1, T2 and Condition 4.3 and standardised to 6% oxygen for the parameter in Tables T3 and T4.

Condition 4.2 The emission limit values in Tables T1, T2, T3 and T4 shall apply to emissions from the small waste co-incineration plant through stack S1.

Note mg/Nm^3 means milligrams of pollutant per metre cubed of gas measured at standard reference conditions and ng/Nm^3 means nanograms of pollutant per metre cubed of gas measured at standard reference conditions (see Condition 4.1).

Table T1: Daily average emission limit values in mg/Nm^3	
Total dust	10
Organic substances in the gas or vapour phase as total organic carbon (TOC)	10
Hydrogen chloride (HCl)	10
Sulphur dioxide (SO_2)	50
Nitrogen monoxide (NO) and nitrogen dioxide (NO_2) expressed as NO_2	200

Table T2: Half-hourly average emission limit values in mg/Nm^3	
Polluting substance	97^{th} percentile
Total dust	10
Organic substances in the gas or vapour phase as total organic carbon (TOC)	10
Hydrogen chloride (HCl)	10
Hydrogen fluoride (HF)	2
Sulphur dioxide (SO_2)	50
Nitrogen monoxide (NO) and nitrogen dioxide (NO_2) expressed as NO_2	200

Table T3: Average emission limit values in mg/Nm^3 for heavy metals over a sampling period of a minimum of 30 minutes and a maximum of 8 hours	
Cadmium and its compounds expressed as cadmium (Cd)	Total 0.05
Thallium and its compounds expressed as thallium (Tl)	
Mercury and its compounds expressed as mercury (Hg)	0.05
Antimony and its compounds expressed as antimony (Sb)	Total 0.05
Arsenic and its compounds expressed as arsenic (As)	
Lead and its compounds expressed as lead (Pb)	
Chromium and its compounds expressed as chromium (Cr)	
Cobalt and its compounds expressed as cobalt (Co)	
Copper and its compounds expressed as copper (Cu)	
Manganese and its compounds expressed as manganese (Mn)	

Nickel and its compounds expressed as nickel (Ni)	
Vanadium and its compounds expressed as vanadium (V)	

Table T4: Average emission limit values in ng/Nm^3 for dioxins and furans at over a sampling period of a minimum of 6 hours and a maximum of 8 hours	
Dioxins and furans	0.1

Condition 4.3 The emission limits for carbon monoxide in the waste gases shall be, in mg/Nm^3:

(a) 50 as a daily average.
(b) 100 as a half-hourly average.
(c) 150 as a 10-minute average.

Condition 4.4: The following emission limits in mg/Nm^3 shall under no circumstances exceed:

(a) For carbon monoxide the limited stated in Condition 4.3 (b).
(b) For TOC the limit stated in Table 2.
(c) For particulate matter 150 as a half hourly average.

Section 5 Monitoring of emissions to air

Condition 5.1 Measurements for the determination of concentrations of polluting substances in waste gases from the small waste co-incineration plant shall be carried out in such a way that the samples are representative of the emissions. Sampling shall take place from points approved by the Regulator, before the plant is brought into operation, on the stack S1. The monitoring point shall meet the requirements of Environment Agency Monitoring Guidance Note TGN M1 "Sampling requirements for stack emission monitoring".

Condition 5.2 Sampling and analysis of polluting substances shall be carried out according to the standards set out in Tables T6 and T8. CEN standards or, where CEN standards are not available, to ISO or other national or international standards ensuring the provision of data of an equivalent scientific quality may be used, but prior written approval shall be sought from the Regulator in this event. Prior written approval shall be sought from the Regulator if sampling methods other than CEN standard methods are proposed.

Condition 5.3 The automated measuring systems described in Appendix D of the application shall be calibrated or, where appropriate, referenced, against CEN standard methods at least once each year.

Condition 5.4 For the daily emission level values, the 95% confidence intervals of individual results shall not exceed the percentages of the emission limit values in Table T5.

Table T5: percentages of emission limit values for condition 5.4	
Carbon monoxide (CO)	10%
Sulphur dioxide (SO_2)	20%
Nitrogen dioxide (NO_2)	20%
Total dust	30%
Total organic carbon (TOC)	30%
Hydrogen fluoride (HF)	40%
Hydrogen chloride (HCl)	40%

Condition 5.5 The measurements set out in Table T6 shall be carried out for air polluting substances.

Table T6: measurements for air polluting substances		
Polluting substance	Method/standard	Type of monitoring
Oxides of nitrogen /NOx)	BS EN 15267, parts 1-3	continuous
CO		
Total Dust		
Hydrogen chloride /HCl)		
Sulphur dioxide (SO_2)		
Total organic carbon TOC		

Note: the requirement to continuously monitor for HF is omitted.

Condition 5.6 The measurements set out in Table T7 shall be made for the process operation parameters in that table.

Table T7: measurements of type of monitoring continuous process operation parameters	
Process operation parameter	Type of monitoring
Temperature	Continuous
Oxygen concentration	
Pressure	
Moisture content of waste gas	

Condition 5.7 One measurement shall be made each three months of heavy metals, HF and dioxins and furans in waste gases during the first 12 months of operation of the plant. Thereafter, at the discretion of the Regulator, at least two measurements of these pollutants shall be made each year. Measurements shall be made using the methods specified in Table T8 and shall be made with the co-incineration plant operating under stable conditions.

Table T8: standards and methods for measurement of air polluting substances	
Process operation parameter	Method/ standard
Cadmium & thallium and compounds (total)	BS EN 14385
Mercury and compounds	BS EN 13211
Sn, As, Pb, Cr, Co, Cu, Mn, Ni, V and compounds (total)	BS EN 14385
Dioxins, furans	BS EN 1948 Pts 1, 2, 3
Hydrogen Fluoride	BS ISO 15713

Condition 5.8 The following parameters shall be verified while the plant is operating under the most unfavourable conditions anticipated, within one month of the plant coming into service.

(1) Residence time (secondary combustion chamber).
(2) Minimum temperature of waste gases at the outlet from the secondary combustion chamber.
(3) Oxygen content of waste gases at the outlet from the secondary combustion chamber.

Condition 5.9 In the case of periodic measurements, measured values shall not be adjusted to take account of the confidence intervals, but the uncertainty associated with the measurement shall be stated in the monitoring report to aid with determining compliance with the emission limit values.

Condition 5.10 The operator shall report their emissions monitoring data to the regulator within one month at the end of each quarter. All results shall be reported. The number of cumulative hours, where the half hour ELVs were exceeded for the quarter and for the year to date shall also be reported. Where monitoring is not in accordance with the main procedural requirements of the relevant standard, deviations shall be reported, including the reason for the deviation, as well as an estimation of the error involved.

Condition 5.11 All monitoring results shall be recorded, processed and presented in such a way as to enable the regulator to verify compliance with the operating conditions and emission limit values which are included in this permit.

Condition 5.12 The regulator shall be notified, sufficiently in advance, of any periodic monitoring or testing of the continuous monitoring system taking place to allow the regulator to witness the testing.

Section 6 Residues

Condition 6.1 The processes and procedures set out in Section 3.8 of the application shall be used to ensure that residues (bottom ash, heat exchanger ash and air pollution control residues) are minimised in their amount and harmfulness and that, where appropriate, residues are recycled at an authorised third-party off-site facility.

Condition 6.2 Transport and intermediate storage of dry residues shall be carried out in such a way as to prevent dispersal of those residues in the environment. Dusty residues shall be stored in such a way as to prevent emissions of dust and particulate matter beyond the site boundary.

Condition 6.3 Appropriate tests shall be carried out to establish the physical and chemical characteristics and polluting potential of residues prior to determining the routes for disposal or recycling of those residues. The tests shall concern the total soluble fraction and heavy metals soluble fraction within the residues.

Condition 6.4 The small waste co-incineration plant shall be operated in such a way as to achieve a level of incineration such that the total organic carbon (TOC) content of bottom ashes from the primary combustion chamber is less than 3% or their loss on ignition (LOI) is less than 5% of the dry weight of the material.

Condition 6.5 Compliance with the limits of TOC or LOI in bottom ash stated in condition 6.4 shall be demonstrated by sampling and subsequent analysis of bottom ash samples in accordance with standard method BS EN 14899 every three months for the first twelve months from the date of this Permit and thereafter at a frequency determined by the regulator. More information on sampling can be found in Environment Agency publication TGN M4 “Guidelines for ash sampling and analysis”.

Condition 6.6 Incinerator bottom ash and heat exchanger ash shall be assessed in accordance with the Environment Agency's Technical Guidance WM3: "Waste Classification - Guidance on the classification and assessment of waste" (or the current equivalent guidance) and disposed of accordingly

Section 7 Action in case of breakdown, accidents, incidents and breaches of permit conditions

Condition 7.1 In the event of any incident or accident significantly affecting human health or the environment the operator shall:

(1) immediately inform the Regulator;

(2) immediately take the steps set out in the document 'Environmental Management System for the Small Waste Co-incineration Plant' to limit the environmental consequences and to prevent further accidents or incidents including fires;

(3) take such complementary measures as required by the Regulator to limit the environmental consequences and to prevent further accidents and incidents.

Condition 7.2 In the event of any breach of permit conditions the operator shall

(1) immediately inform the Regulator;

(2) immediately take the measures required to ensure that compliance is restored in the shortest possible time;

(3) undertake complementary measures to include but not be limited to:

a) Investigate the issue and submit reports and updates in accordance with the requirements specified by the Regulator.
b) Adjust the process or activity to minimise any harmful effects on human health or the environment.
c) Demonstrate compliance as soon as possible.
d) Record the events and actions taken at the time these occur and submit these records to the Regulator.

Condition 7.3 In the event of a breakdown the operator shall reduce or close down the operation of the plant as soon as practicable until normal operations can be restored.

Condition 7.4 The operator shall:
(a) if notified by the Regulator that the activities are giving rise to pollution, submit to the Regulator for approval within the period specified, a revised management plan which identifies and minimises [the risks of pollution] [the risks of the pollution concerned];
(b) implement the approved revised management plan, from the date of approval, unless otherwise agreed in writing by the Regulator.

Section 8 Records

Condition 8.1 The operator shall keep records as set out in Table T9, which shall be made available for inspection on request by the Regulator.

Table T9: Records Matter to be recorded	Type of record	Time to be retained for
Waste types and quantities accepted	Consignment notes including waste codes	Statutory period of 2 years
Monitoring of waste gases	Electronic records including all the parameters required by permit conditions	6 years
Abnormal conditions	All relevant records including paper reports, emails and other electronic records	1 year
Training	Training given to relevant staff, with dates and reviews	Period person is employed in the small waste co-incineration plant + 1 year
Maintenance	All relevant records including paper and electronic records	6 years
Energy performance	Quarterly electronic records of waste input, electrical output and heat output.	2 years

Section 9 Management

Condition 9.1 The operator shall manage and operate the small waste co-incineration plant:

(a) In accordance with a written management system that identifies and minimises risks of pollution including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints. The written management system shall include written systems covering, but not restricted to, the following areas:
- (1) Cleaning and maintenance, see condition 9.2
- (2) Training and plant operation, in accordance with condition 3.7
- (3) Waste acceptance criteria, in accordance with sections 1a and 1b
- (4) Residue storage and disposal, in accordance with conditions 6.1, 6.2, 6.3 and 6.6
- (5) Emission monitoring, in accordance with section 5
- (6) Plant failures and non-conformances, including the management of waste during plant down time, in accordance with sections 3b and 7
- (7) Accident prevention and management including fire prevention and management, in accordance with condition 7.1

(8) Record keeping, in accordance with section 8

(b) Using competent persons and adequate resource

Records demonstrating compliance with (a) and (b) shall be maintained by the operator and made available for inspection on request by the Regulator.

Condition 9.2 A schedule of preventative maintenance and cleaning for all items of plant and equipment and buildings which have a role in controlling emissions shall be implemented for the small waste co-incineration plant. Where applicable, manufacturers' recommendations shall be followed. Records of all such maintenance undertaken in accordance with the schedule shall be made and retained on site and made available to the regulator upon request.

Condition 9.3 In addition to the items listed in Table T9, condition 8.1, the following records shall be retained on site for a minimum of six years and made available to the regulator upon request:

(1) All inspections both by external bodies and internal employees.
(2) Maintenance including cleaning, maintenance undertaken by external contractors or internal personnel, particularly in relation to the maintenance schedule required by condition 9.2, and breakdowns.
(3) Copies of manufacturers' operating manuals and internal operating procedures

Condition 9.4 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it and a copy of the permit application (sections 3.2, 3.3, 3.13, 4.2 and 5.3) kept at or near the place where those duties are carried out.

Section 10 Energy Recovery

The operator shall:

(a) take appropriate measures to ensure that energy is recovered with a high level of energy efficiency and energy is used efficiently in the activities.

(b) report energy recovery to the regulator on annual basis

(b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and

(c) take any further appropriate measures identified by a review.

End of permit conditions

Signed _____ Date.....

An authorised officer of Calderdale Metropolitan Borough Council

Appendix A Permit determination timetables

Table A1 permit application determination		
Event	Date	Notes
Application received	06/08/2020	
Duly made	06/08/2020	
Schedule 5 notice served	18/09/2020	Response received 16/10/2020
Consultation start		
Consultation end	25/9/2020	
Responses considered	25/09/2020 to	
Draft permit published	01/02/2021	
Permit refused/ granted	08/02/ 2021	
High Court Quashing Order	17/09/2021	
Notice of non-determination	23/05/2022	
Appeal against deemed refusal	26/05/2022	
Appeal hearing 1	29-30/11/2022	
Appeal hearing 2	30/05/2023	
Appeal decision	05/07/2023	Appeal Dismissed
New application received	26/01/2024	
Consultation 1	26/02/2024	Ends 1st April 2024
Consultation 2	23/05/2024	Ends 6th June 2024
Consultation 3	14/10/2024	Ends 4th November 2024
Determination date	28/11/2024	

Appendix B Provenance of Permit Conditions

The conditions in Sections 1 to 8 have been written to implement the requirements of Schedule 13 of the Regulations, taking into account information provided by the applicant. The requirements of Schedule 13 are framed in terms of articles of the recast Industrial Emissions Directive 2010/75/EU.

Table B1 permit conditions implementing Schedule 13 requirements		
Schedule 13 requirement	Subject	Conditions, notes
Article 5(1), 5(3)	granting a permit	Procedural
Article 7	regulator to require operator to take action in event of accidents or incidents	Section 7 Condition 7.1
Article 8(2)	regulator to require operator to take action in the event of a breach of permit conditions	Section 7 Condition 7.2
Article 9	greenhouse gases	Procedural
Article 42(1)	scope of chapter on waste incineration/ co-incineration (i.e., applicability to types of waste etc.)	Procedural
Article 43	definition of 'residue'	Procedural
Article 45(1), 45(2), 45(4)	(1)(a) permit conditions to include list of permitted waste types, total capacity of plant, limit values for emissions, sampling and measurement frequencies; (1)(f) limits on periods of higher emissions; (2) list of quantities of hazardous waste; (4) requirement to review permit conditions.	Section 1 Section 4 Section 3b Procedural
Article 46	control of emissions, and emission limits to air and water; prevention of accidental releases to air, land and water, including storage of contaminated rainwater in the event of spillage, fire; plant not to be run for more than 4 hours where emission limits not met.	Section 2 Condition 2.1 Section 3 (Condition 3.10) Section 4
Article 47	action in case of breakdown	Section 7 Condition 7.3
Article 48(1) 48(2) 48(3) 48(4)	monitoring and recording requirements	Section 2 Section 5 — point 2.3 of Part 6 of Annex VI has been applied.
Article 49	determining compliance with emission limit values	Procedural

Article 50	specifying operating conditions including temperature and residence times, automatic feed systems, interlocks	Section 3 — no Article 51 changes authorised.
Article 51(1) (2) (3)	authorising changes to operating conditions	
Article 52	requirements for delivery and reception of waste	Section 1
Article 53	minimisation, storage and transport of residues	Section 6
Article 54	substantial change definition	Adopted from IED
Article 55	information to be made available to the public	Procedural
Article 82(5), 82(6)	transitional arrangements	Procedural

Biomass is defined in 2010/75/EU.

Drawings and plans

Plan S13/005/P1 adapted from Permit Boundary Plan 1902-0002-01 and Drawing 1 JER1902-PER-001_D_200702_Emission Point Plan.

Plan S13/005/P1 showing the boundary of the small waste co-incineration plant (Green)

Documents referenced in this permit

Document name	Notes
Appendix A Application Form Appendix_A_Calder Valley Skip Hire Ltd S13 application form V1.pdf Calder Valley Skip Hire Ltd S13 application form V1 (signature removed)	
Appendix C Noise Assessment\Appendices Noise assessment.PDF NOISE REPORT-1211394.PDF Plus appendices to noise report	
Appendix D Technical Documents 18-1000.pdf Inciner8 System Overview CEMS.pdf pollution-control-systems. pdf Zuccato Sk ZE-200-LT 190320 EN.pdf	
Appendix E Air Quality Assessment AQ assessment.pdf	
Appendix F Residence Time Calculation Inciner818-1000 Residence Times 18.03.2020.pdf	
Appendix G Process flow diagram JER 1902 Calder Valley SWIP Process Flow Diagram.pdf	
Drawing 1 JER1902-PER-001_D_200702_EmissionPointPlan Drawing	
Drawing 2_9677_17_ 03C ii Layout Drawing	
Drawing 3_9677.17.35A Existing Drainage Drawing	
Additional Documents Submitted for the Permit Redetermination	
Drawing Revised Application Site Plan - Permit Boundary Plan 1902-0002-01	
Air Quality Response to AQC Review of Air Quality dated 15 March 2022	
Human Health Risk Assessment C98-P09-R01 Calder Valley HHRA February 2022	
Environmental Management System 220315 R JER1902 TH EMS Addendum for SWIP V2R1	
CFD Modelling CVSH SWIP CFD Flow Simulation Report 17.03.22	

Note: Appendix B of the application is a decision notice relating to planning appeals for the site.

Explanatory notes

These notes are not permit conditions. They are included so that the operator is aware of matters relevant to, but not part of, the permit. They reflect the statutes and statutory guidance in place at the date of issue of the permit and subsequent s.

1. This Permit is given in relation to the requirements of the Environmental Permitting (England and Wales) Regulations 2016 (as amended). It must not be taken to replace any responsibilities under workplace Health and Safety Regulations.

2. This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, building regulation approval, hazardous substances consent, discharge consents, waste disposal licence or any licence or consent from the Environment Agency.

3. The annual subsistence fee is due on 1 April each year. Failure to pay the fee will lead to revocation of the Permit.

4. The operator may apply for a variation to the conditions of this permit. A fee will be payable in certain cases.

5. The operator may surrender this permit in whole or in part if the small waste co-incineration plant ceases to operate. A fee will be payable, subject to applicable regulations.

6. The operator may, on joint application with another proposed operator, apply to transfer this permit to the proposed operator. A fee will be payable in this case.

7. Application forms and more information about environmental permitting can be found on Calderdale Metropolitan Borough Council's website www.calderdale.gov.uk

8. All enquiries and notifications made in relation to this Permit should be made to:

Calderdale Metropolitan Borough Council
Environmental Health
c/o Town Hall
Crossley Street
Halifax
HX1 1UJ

Tel: 01422 288001
Email: environmental.health@calderdale.gov.uk

Incidents occurring outside office hours can be reported by telephoning 01422 288000 and asking for the Out of Hours Officer. In this case notification should also be sent by email to the address above.