

Notice of variation with introductory note

Environmental Permitting (England & Wales) Regulations 2010

Tarmac Limited

Hendy Recycling
School Road
Miskin
Pontyclun
Mid Glamorgan
CF72 8PG

Variation application number
EPR/FB3633RD/V002

Permit number
EPR/FB3633RD

Hendy Recycling

Permit number EPR/FB3633RD

Introductory note

This introductory note does not form a part of the notice

The following notice gives notice of the variation of an environmental permit.

This variation permits the extension of the site boundary and reduction in annual throughput to no more than 99,999 tonnes per year. The extended boundary falls within the relevant distance criteria for a designated Site of Special Scientific Interest (SSSI), the Ely Valley River. This has converted the permit from a standard rule set to a bespoke permit. Additional inert and excavation wastes have been permitted also.

The schedules specify the changes made to the original permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Permit determined EPR/FB3633RD	30/03/12	Standard Rules permit (SR2009No6) issued to Tarmac Limited
Application EPR/FB3633RD/V002 (variation)	Duly made 20/07/12	Application to vary site boundary, annual throughput and waste types.
Variation determined EPR/FB3633RD	03/09/12	Varied permit issued.

End of introductory note

Notice of variation

Environmental Permitting (England and Wales) Regulations 2010

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies

Permit number
EPR/FB3633RD

issued to:
Tarmac Limited ("the operator")

whose registered office is

Millfields Road
Ettingshall
Wolverhampton
West Midlands
WV4 6JP

company registration number **00453791**

to operate a regulated facility at

Hendy Recycling
School Road
Miskin
Pontyclun
Mid Glamorgan
CF72 8PG

to the extent set out in the schedules.

The notice shall take effect from 29/08/12

Name

Date

Stephen Attwood

03/09/12

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

The following conditions are deleted as a result of the application made by the operator:

SR2009No6 – Inert and excavation waste transfer station with treatment, less than 250,000 tonnes per year.

Schedule 2 – conditions to be amended

None

Schedule 3 – conditions to be added

The following conditions are added as a result of the application made by the operator

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (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, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 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 kept at or near the place where those duties are carried out.
- 1.1.4 The operator shall comply with the requirements of an approved competence scheme

1.2 Avoidance, recovery and disposal of wastes produced by the activities

- 1.2.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
 - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.2.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

- 2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.
- (b) If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan specified in schedule 1, table S1.2 or otherwise required under this permit, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 2.3.2 Waste shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 2 table(s) S2.1 [, S2.2 etc]; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

3 Emissions and monitoring

3.1 Emissions of substances not controlled by emission limits

- 3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.1.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.2 Odour

- 3.2.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

3.2.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan;
- (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.3 Noise and vibration

3.3.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

3.3.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan;
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

4.1.1 All records required to be made by this permit shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
- (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.

4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

- 4.2.2 Within one month of the end of each quarter, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of:

- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
- (b) the breach of a limit specified in the permit; or
- (c) any significant adverse environmental effects.

- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

- 4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

- 4.3.4 In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “without delay”, in which case it may be provided by telephone.

Schedule 1 - Operations

Table S1.1 activities

Description of activities for waste operations	Limits of activities
R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced) D15: Storage pending any of the operations numbered D1 to D14 (excluding temporary storage, pending collection, on the site where it is produced) R3: Recycling/reclamation of organic substances which are not used as solvents R5: Recycling/reclamation of other inorganic compounds D14: Repackaging prior to submission to any of the operations numbered D1 to D13 D9: Physico-chemical treatment not specified elsewhere in Annex IIA which results in final compounds or mixtures which are discarded by means of any of the operations numbered D1 to D8 and D10 to D12	Treatment operations consisting only of: • manual sorting • separation • screening • crushing of waste into different components for disposal (no more than 50 tonnes per day) or recovery. All wastes will be stored and treated on hardstanding. Waste types as specified in Table 2.1

Table S1.2 Operating techniques

Description	Parts	Date Received
How to comply with your environmental permit	All	N/A
PPG 2: Above ground oil storage tanks	All	N/A
Site Condition Report	Section 3.0 Permitted Activities	02/07/12
Environmental Risk Assessment	Table CE-HN-0488-RP01-T7, T8, T9 and T10	02/07/12
Site Integrated Management System certified to ISO 14001:2004	All	04/07/12

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Permitted waste types and quantities

Maximum quantity	99,999 tonnes of waste each year
Exclusions	Wastes having any of the following characteristics shall not be accepted: • Consisting solely or mainly of dusts, powders or loose fibres • Wastes that are in a form which is either sludge or liquid
Waste code	Description
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 04	Wastes from physical and chemical processing of non-metaliferous minerals
01 04 08	Waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	Waste sand and clays
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 02	Wastes from preparation and processing of meat, fish and other foods of animal origin
02 02 02	Shellfish shells from which the soft tissue or flesh has been removed only
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD
03 01	Wastes from wood processing and the production of panels and furniture
03 01 01	Waste bark and cork
03 03	Wastes from pulp, paper and cardboard production and processing
03 03 01	Waste bark and wood
10	WASTES FROM THERMAL PROCESSES
10 01	Wastes from power stations and other combustion plants
10 01 01	Bottom ash and slag only
10 01 02	Pulverised fuel ash only
10 01 05	Gypsum (solid) only
10 01 15	Bottom ash and slag only from co-incineration other than those mentioned in 10 01 14
10 11	Wastes from manufacture of glass and glass products
10 11 12	Clean glass other than those mentioned in 10 11 11
10 12	Wastes from manufacture of ceramic goods, bricks, tiles and construction products
10 12 08	Waste ceramics, bricks, tiles and construction products (after thermal processing)
10 13	Wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 14	Waste concrete only
15	WASTE PACKAGING
15 01	Packaging
15 01 07	Clean glass only
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	Concrete, bricks, tiles and ceramics
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles and ceramics

Table S2.1 Permitted waste types and quantities

Maximum quantity	99,999 tonnes of waste each year
Exclusions	Wastes having any of the following characteristics shall not be accepted: • Consisting solely or mainly of dusts, powders or loose fibres • Wastes that are in a form which is either sludge or liquid
Waste code	Description
17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02	Wood, glass and plastic
17 02 02	Clean glass only
17 03	Bituminous mixtures, coal tar and tarred products
17 03 02	Road base and road planings (other than those containing tar) only
17 05	Soils (excluding soils from excavated sites), stones and dredgings
17 05 04	Soils and stones including chalk other than those mentioned in 17 05 03
17 05 06	Dredging spoil other than those mentioned in 17 05 05
17 05 08	Track ballast other than those mentioned in 17 05 07
17 08	Gypsum based construction material
17 08 02	Gypsum only other than that mentioned in 17 08 01
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 08	Waste from waste water treatment plants intended for human consumption or water for industrial use
19 08 02	Washed sewage grit (waste from desanding only)
19 08 99	Stone filter media if free from sewage contamination only
19 12	Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 05	Clean glass only
19 12 09	Minerals (for example sand, stones)
19 12 12	Soil substitutes other than that containing dangerous substances only
19 13	Wastes from soil and groundwater
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 04	Sludges from soil remediation other than those mentioned in 19 13 03
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	Separately collected fractions
20 01 02	Clean glass only
20 02	Garden and park wastes (including cemetery waste)
20 02 02	Soil and stones

Schedule 3 – Emissions and monitoring

There are no emission limits or associated monitoring requirements.

Schedule 4 - Reporting

There is no reporting under this schedule.

Schedule 5 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution

To be notified within 24 hours of detection

Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit

To be notified within 24 hours of detection unless otherwise specified below

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 - Interpretation

“accident” means an accident that may result in pollution.

“Annex II” means Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2010 No.675 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission limit..

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

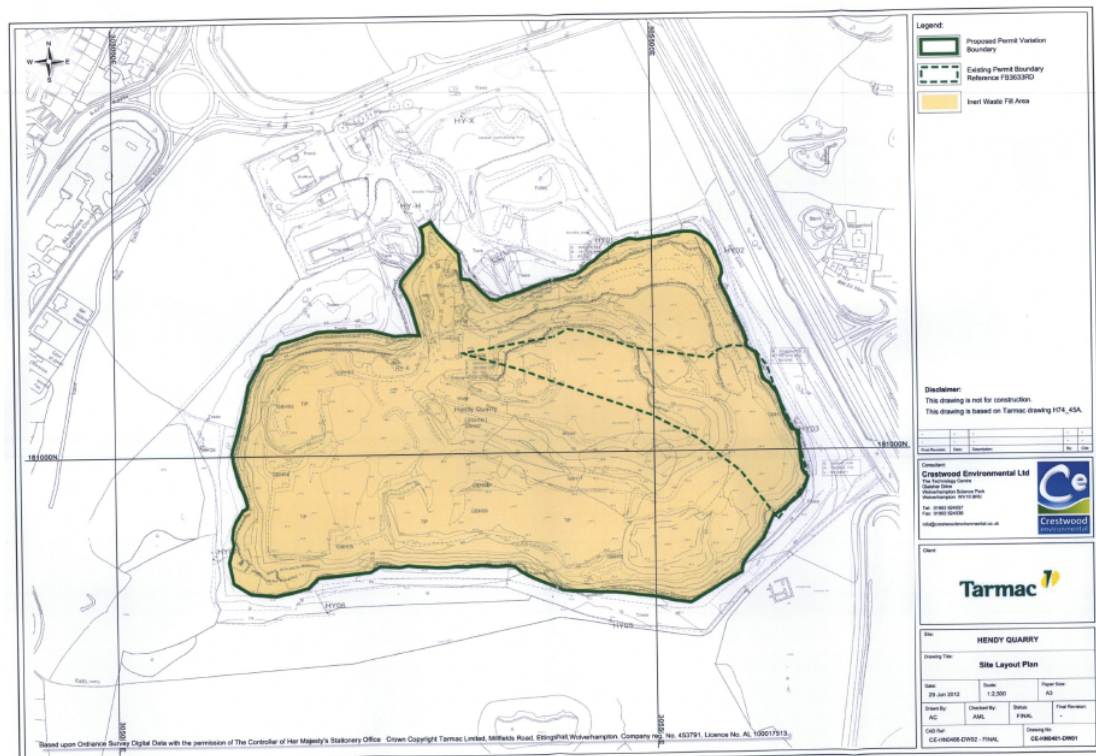
“R” means a recovery operation provided for in Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“Waste code” means the six digit code referable to a type of waste in accordance with the List of Wastes (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

“Waste Framework Directive” or *“WFD”* means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

“year” means calendar year ending 31 December.

Schedule 7 - Site plan



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END OF PERMIT