

Smith, Asta

From: Smith, Asta
Sent: 24 March 2015 12:57
To: Smith, Asta
Subject: FW: Pre-App Advice

From: Lansdown, Ashley [<mailto:Ashley.Lansdown@cyfoethnaturiolcymru.gov.uk>]
Sent: 04 February 2015 14:31
To: Graham Peacock
Subject: FW: Pre-App Advice

Hi Graham

I managed to get a relatively quick response to your query! Please see below.

The 50 tonnes at any one time limit applies to the **site as a whole** – i.e., across the entire permitted area **and all** permitted activities.

If the operator wants to 'demarcate' and area within the permit boundary where the rule set activity will take place – in order to help make demonstrating compliance with that rule set easier – then that's perfectly acceptable. However, the 50 tonnes per day limit applies still applies across the entire site/ permit, as set out above. This is set out in the Regulations and is there to prevent operators 'doubling up' (adding together) tonnage limits for individual activities within a permit, which could in theory take them above the (section 5.6) installation threshold.

From: Graham Peacock [<mailto:graham.peacock@biffa.co.uk>]
Sent: 03 February 2015 11:50
To: Lansdown, Ashley
Cc: Simon Milford
Subject: RE: Pre-App Advice

Ashley

Many thanks for forwarding on the advice below. Option 2 essentially accords with what we had proposed as an alternative option after our meeting. Obviously we had gone for that option as a potentially faster option to secure the asbestos capability, so I am not sure that we would want it delayed by the clinical variation application. It is highly probable that the two will go in separately and the asbestos application somewhat sooner than the clinical one.

In terms of the site, we had been looking at demarking a permit boundary for the asbestos application, restricted to the asbestos storage area and location of sealed sump for that, so I am not sure if that gets around the issue highlighted below about where the 50 tonnes per day applies. I have attached the draft permit boundary drawing (we intend to change the orientation from this though) from which you can see what we were proposing. Perhaps you could run this past permitting and see what their view are on this approach, although I would appreciate a prompt answer if possible, as I am supposed to be submitting the application the end of this week.

Regards
Graham

From: Lansdown, Ashley [<mailto:Ashley.Lansdown@cyfoethnaturiolcymru.gov.uk>]
Sent: 03 February 2015 08:33
To: Graham Peacock
Subject: FW: Pre-App Advice

Morning Graham

I know you are getting on with your applications but just for information I am sending you the response I have received from our Permitting Centre who have explained your options in regard to the Bessemer Site.

Kind regards

Ashley

As the risks posed from clinical waste (even non-hazardous clinical waste) are very different to other types of HCI non-hazardous waste, I agree that a *formal permit variation* is needed, to ensure that risks have been identified and that appropriate measures will be in place at the site to address them.

With regard to the 'type' of variation needed and the options for the customer, these are:

1. A normal variation to change the current HCI WTS to a 'HCI WTS (which includes clinical waste) with asbestos storage'.
This will be based on the current Opra score x the normal waste variation multiplier. The nature of the facility will change to an A9 – hazardous (and non-hazardous) waste transfer station. It would still be a tier 3 bespoke facility and as such, annual subsistence fees would be based on the transitional ('keeping and treating') tables in Schedule 3, at the back of our Fees and Charges Scheme. The subsistence fee would be calculated based on all waste types and treatments and total throughput.

OR

2. A normal variation to add in the clinical waste to the HCI WTS **and** a normal variation to add in the Asbestos storage standard rule set.
The fee for the normal variation would be as set out above. The fee to add the rule set in, would be the equivalent of the application cost for the relevant rule set. Both changes can be done as part of a single variation. However, as per the Charge Scheme, the overall variation fee for the variation is the **total** of the applicable charges. The subsistence fee would be the *total* of the fixed annual fee for the asbestos storage rule set **plus** the fee based on the transitional ('keeping and treating') tables in Schedule 3 for the HCI WTS.

These charging rules (for points 1 and 2) are set out in section 4.3.6 of our current Charge Scheme.

With regard to whether a single environmental permit can contain both bespoke activities and activities governed by standard rules, this is completely acceptable. The only caveat, is that the limits (for storage and/or treatment) in the rule sets which form part of the permit must be written to apply to the site as a whole, and not just the particular activity the rule set applies to.

For example, if the hazardous storage limit in the rule set stated: '*no more than 50 tonnes of hazardous waste to be stored in relation to this activity at any one time*', we could not allow the rule set to be part of the permit. Whereas, if the hazardous storage limit in the rule set stated: '*no more than 50 tonnes of hazardous waste to be stored at the site at any one time*'. This used to be an issue in the early days of standard rule sets. However, most limits in the rule sets we offer now are written in relation to the site as a whole, so the issue set out above is moot. Limits have to apply to the site as a whole, because it's the capacity for the site as a whole (in total), and not individual activities which counts towards installation thresholds.

This e-mail (and any attachments) are confidential and may be legally privileged. If you are not the intended recipient do not copy, use, or rely on it and please delete all copies. Please notify me ASAP if this message has been misdirected. This e-mail is from: Biffa Waste Services Limited. Registered in England and Wales No. 946107. Registered Office: Coronation Road, Cressex, High Wycombe, Bucks, HP12 3TZ
