

Transfer - EPR/PB3333DH

George Harvey <george@swwr.co.uk>

Fri 16/01/2015 08:40

WPCC2929

To: Permit Receipt <permitreceiptcentre@cyfoethnaturiolcymru.gov.uk>;

Cc: Downes, Damien <Damien.Downes@cyfoethnaturiolcymru.gov.uk>; Birch, Jacob
<Jacob.Birch@cyfoethnaturiolcymru.gov.uk>;

 4 attachments

Transfer form EPRPB3333DH.pdf; Written agreement for transfer.pdf; Application form 161214.pdf; Permit transfer payment.docx;

Hi

Please find attached the transfer forms for the transfer of permit EPR/PB3333DH from Bowery BV to South Wales Wood Recycling Ltd. I will send hard copies in the post.

I would be grateful if you could please confirm receipt.

Best regards

George Harvey

From: George Harvey [mailto:george@swwr.co.uk]

Sent: 16 December 2014 12:58

To: 'Downes, Damien'

Cc: 'Birch, Jacob'

Subject: FW: Export and site permit queries - EPR/PB3333DH

Hi Damien

Further to the below, I am delighted to say that we have finally reached agreement with Bowery BV liquidators. As such, please find attached the completed Transfer form (D2) and Company information form (Part A) for the permit application. I have also attached a copy of the written agreement from the receivers agreeing for permit EPR/PB3333DH to be transferred to us.

I will send the permit variation forms separately (I believe these are C2 and C4 and will send separately) but have not sent the Part F1 as I await confirmation from yourself as to OPRA information for the site. I would be grateful if you could please confirm the best approach from the permitting aspect and that you agree with our operating proposals (as outlined in emails dated 15 December and 12 December 2014) as soon as possible and I will arrange for the necessary paperwork and fees to be paid.

I will also send a copy of our proposed EMS (excluding appendices) for the site, which includes the variation we are seeking and addresses all the points for operating on the current basis. I welcome any comments you may have on this.

Best regards

George Harvey

From: George Harvey [<mailto:george@swwr.co.uk>]

Sent: 15 December 2014 17:57

To: 'Downes, Damien'

Cc: 'Birch, Jacob'

Subject: RE: Export and site permit queries

Dear Damien

Thanks for coming back to me.

In regards our intentions, initially we will be looking to operate in line with the existing permit. Our discussions with our potential suppliers have indicated that we should be able to recycle all the material currently on the site but will need to undertake some significant blending to be able to do this. As such, we envisage approximately 85% new material to 15% existing with the first boat due in January 2015. However, following the completion of this we hope to have recycled all material with none disposed to landfill.

Going forward we would like to be able to undertake physical treatment of the waste wood material on the site to reduce vehicle movements and make the operation more efficient. We would be looking to present a permit variation to this effect as soon as possible.

I am conscious of the delays that currently exist in permitting and ideally would like to get everything covered in one submission if possible. I am preparing the paperwork for the permit variation currently and would welcome your opinion prior to submission. We would also be looking to discuss and agree a long term solution for the site drainage also and are meeting with ABP in the near future to discuss this.

I hope the above is clear but should you have any questions or require additional information please let me know.

Best regards

George Harvey

From: Downes, Damien [<mailto:Damien.Downes@cyfoethnaturiolcymru.gov.uk>]

Sent: 15 December 2014 16:08

To: George Harvey

Cc: Birch, Jacob

Subject: RE: Export and site permit queries

Hi George

I have been out for the best part of the day, so just getting up to speed with my emails.

Thank you for the update, looks like things are progressing well.

I'll be able to get back to you with a clear response tomorrow, all I need is clarification regarding your intention to commence operations; do you mean in line with the current permitted activities or the additional treatment process as outlined in your plan for the site?

Regards

Damien

From: George Harvey [<mailto:george@swwr.co.uk>]

Sent: 12 December 2014 18:42

To: Downes, Damien

Cc: Birch, Jacob

Subject: RE: Export and site permit queries

Hi Damien

I hope this finds you well.

I just wanted to update you on the progress of our proposal to undertake export from Alexandra Docks. We are in the final stages of contract negotiations with ABP and have reached agreement with the liquidators of Bowergy BV for the transfer of the site permit, which I am hoping will take place today or tomorrow. We have submitted the TFS forms also and are awaiting responses on those but have had confirmation they have been submitted and received.

I wanted to ensure that when I have the written agreement from the liquidators as requested, that I can progress matters as quickly as possible with a view to being able to resolve the current issue with material on site and commence our own operations in January 2015.

As such, I would be grateful if you could please confirm the following:

1. With the written agreement in place and the permit application submitted, we will be allowed to commence operations.
2. The variation to the permit to include physical treatment on site can be undertaken at the same time as the transfer. To this end, I am proposing to submit the following:
 - a. Transfer form – Part D2
 - b. Application for an environmental permit – Part A. This will be accompanied by an EMS and supporting risk assessments and site plans. Do I need to submit a C2 variation also and if so what other documents do I need to send with it? Are there any additional fees and if so, are these over and above the transfer fees?
 - c. Application for an environmental permit – Part F1, along with appropriate fee.
3. Can you please confirm what the existing OPRA score is for the site and if there are any outstanding subsistence fees? Do you have any historic CAR forms you could send me?
4. In respect of the site drainage, we are happy to work with you and consider options for the site as discussed. I will need to discuss these and agree them with ABP, which may take some time, so propose to modify the EMS during the course of next year when we know what the options are.

This matter will hopefully move very quickly next week and as such I would be grateful for a response as soon as possible. Should you have any questions or require additional information please do not hesitate to contact me.

Best regards

George Harvey

From: Downes, Damien [<mailto:Damien.Downes@cyfoethnaturiolcymru.gov.uk>]
Sent: 10 December 2014 10:33
To: George Harvey
Subject: RE: Export and site permit queries

Hi George

Always happy to provide assistance and look for solutions to current issues.

Unfortunately I cannot give you a copy of the current EMS for data protection reasons, you can however make a request through Access to Information team; FOI request - <http://naturalresourceswales.gov.uk/about-us/our-data-and-information-responsibilities/214162/?lang=en> I have outlined how surface water was previously managed. I recommend you consider alternative drainage and treatment solutions.

Should you make an application to transfer I would recommend a variation to allow for mechanical treatment (the current permit allows for manual pre-treatment only).

Please feel free to call if you have any other questions.

Regards

Damien

From: George Harvey [<mailto:george@swwr.co.uk>]
Sent: 09 December 2014 17:58
To: Downes, Damien
Cc: Birch, Jacob
Subject: RE: Export and site permit queries

Hi Damien

Thank you for getting back to me. I understand completely your concern regarding the site drainage and we would be looking to work with you to address this matter as it is likely to be difficult to manage in its existing state and have an adverse impact on our operation.

To this end, I would be grateful if you could send me a copy of the EMS (including emission plans) for the site so that I may review how the previous operations were run and identify potential areas for improvement / modification.

I would also be interested in exploring the option of mechanically treating wood waste material on the permitted site. We have recently invested significantly in state of the art processing equipment which I believe would be ideal for that environment and would be interested in your thoughts on this.

Best regards

George Harvey

From: Downes, Damien [<mailto:Damien.Downes@cyfoethnaturiolcymru.gov.uk>]
Sent: 09 December 2014 10:32
To: george@swwr.co.uk
Cc: Birch, Jacob
Subject: RE: Export and site permit queries

Hi George

Regarding point 4; one key area of concern relates to the site drainage system. Currently, all surface water drains to the sealed system. This system is basic and not sustainable as large pools of potentially contaminated surface water accumulate on site during periods of high rainfall; the outfall to the dock has been blocked (for obvious reasons).

Bowergy "managed" surface water by directing it onto the stockpiles to allow for natural evaporation.

I would like to see a proposal which will effectively address this problem.

Please feel to call anytime to discuss any other queries you have.

Regards

Damien

Damien Downes

Swyddog Amgylchedd/Environment Officer
Cyfoeth Naturiol Cymru/Natural Resources Wales
Ffôn/Tel: (029) 20582758

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From: Griffiths, Neil
Sent: 04 December 2014 12:34
To: george@swwr.co.uk
Cc: Birch, Jacob; Downes, Damien
Subject: RE: Export and site permit queries

Mr Harvey,

Jacob has asked me to contact you.

I have attached the Bowergy Environmental Permit. I have also pasted a link below that will take you the section of the NRW Website where you can apply to transfer permits.

<http://naturalresourceswales.gov.uk/apply-and-buy/waste-permitting/transfer-a-permit/?lang=en>

I understand that Jacob has already spoken to you re. point 3 in your email below. Damien will need to speak to you about point 4 on his return to work.

Regards,

Neil Griffiths

Swyddog Amgylchedd / Environment Officer
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Ffôn/ Tel: 03000 653498

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Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

From: Birch, Jacob

Sent: 04 December 2014 11:59

To: Griffiths, Neil

Subject: FW: Export and site permit queries

Sent from my Windows Phone

From: George Harvey

Sent: 04/12/2014 08:18

To: Downes, Damien

Cc: Birch, Jacob

Subject: RE: Export and site permit queries

Hi Damien

Thank you for the detail below and for getting back to me. Our discussions have progressed very well with ABP and I am in the initial stages of liaising with the administrators with a view to securing a successful resolution to the permit issue and residual site waste issues.

We are eager to move quickly on this matter and want to ensure we can resolve the existing site issues as and commence operations ideally with no foreseeable delays. As such, I would be grateful if you could please advise / send the following at your earliest convenience:

1. Copy of the existing site permit
2. Appropriate transfer form that you would need signing for the transfer of the permit
3. If there is a standard written agreement template that you require to accompany this application, as recommended below, or if not, a list of the core terms you would need including
4. Outline of any issues you feel we need to be aware of in relation to the site or problems you have encountered that you would like to be addressed should a new operator come in

Should you require any additional information or have any questions please do not hesitate to let me know.

Best regards

George Harvey

From: Downes, Damien [<mailto:Damien.Downes@cyfoethnaturiolcymru.gov.uk>]

Sent: 01 December 2014 15:34

To: george@swwr.co.uk

Subject: RE: Export and site permit queries

Hi George

Jake passed your details / query on, hope this helps;

In principle NRW would consider taking a position to allow a third party to operate the Bowergy site providing there is written agreement with the current permit holder (or administrators) and the land owner whilst a permit application is being determined. However we would only be able to agree such a position once we are satisfied with the agreements in place with each party (written evidence will be required) and confirmation that NRW have received a permit application.

With regards to definition of operator guidance link below may help you establish whether or not an arrangement where ABP are the permit holder will be workable:

<https://www.gov.uk/government/publications/rgn-1-understanding-the-meaning-of-operator>

The cost to transfer would be in the region of £2000.

Regards

Damien

Damien Downes

Swyddog Amgylchedd/Environment Officer
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From: George Harvey [<mailto:george@swwr.co.uk>]
Sent: 01 December 2014 10:11
To: Birch, Jacob
Subject: Export and site permit queries

Hi Jake

Thank you for your time this morning and it is good to hear you and the family are well.

As discussed, we are interested in exploring the potential to export wood from the Newport Docks and understand that there is a company currently in administration / liquidation who hold a permit for this activity. We plan to hold discussions with ABP about the feasibility of undertaking the export of material from Newport in the near future and I wanted to check the position and timescales involved before we met with them.

From our conversation can you please confirm that from NRW's perspective, there would be no objection to us taking on the permit and operating from January 2015 provided that the administrators were in agreement, that this was countersigned in a written agreement and that everyone was aware of what was happening and where responsibilities rested. We would also need to have a valid transfer application submitted at the same time.

I would be grateful also if you could please send me the link to the operators guidelines and also the current cost for transferring permits from one operator to another. In addition, in the event that the existing permit is surrendered and not transferred can you confirm current costs for surrendering and how long and under what circumstances you would allow us to operate should we need to start from the very beginning with a new permit application?

As discussed, we are eager to work with you and ABP to ensure that going forward the site is operated on a compliant basis. We believe we have the requisite experience, infrastructure and business stability to ensure that this is the case.

Best regards

George Harvey
Commercial Manager

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