

Natural Resources Wales permitting decisions

Variation

We have decided to issue the variation for Phoenix Metals and Colin Davies Non-Ferrous Metals operated by Alwyn Davies & Colin Davies.

The variation number is EPR/ZP3094FM/V006.

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

Purpose of this document

This decision document:

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

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

Structure of this document

- Annex 1 the decision checklist

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
Sustainable Management of Natural Resources (SMNR)		
Considerations of SMNR - Compliance with our General Purpose	We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.”	✓
Environment Wales Act 2016 – Biodiversity and resilience of ecosystems duty		
Consideration of Section 6	Section 6 of the Environment Wales Act 2016 requires that we seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, in a manner that is consistent with the proper exercise of our functions. NRW is satisfied that in this case, we have taken into account and had due regard to this duty in so far as it is consistent with the function of determining an application for an EPR permit.	✓
The site		
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . An assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites. No FORM 1 completed:	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p><u>HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site</u> <i>Note: From OGN 200 - no conceivable impact on any Natura 2000 site, by virtue of the scale or location or nature of the project.</i></p> <p>A screening distance of 1km was used for Natura 2000/Ramsar sites. The site has no point source emissions therefore, the protected sites within the screening distance will not be adversely affected by this activity.</p>	
Environmental Risk Assessment and operating techniques		
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.</p>	✓
The permit conditions		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s).</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept the new waste types because they already accept similar wastes and they have not shown any reason to make us believe that they will not be able to process these wastes in a safe and appropriate manner.</p>	✓