

## Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

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Energybuild Limited

Site drainage from  
Forest Quarry Area 2 Extension  
Aberpergwm Colliery  
Engine Cottage Site  
Glynneath  
Neath Port Talbot  
SA11 5SF

Permit number

EPR/DP3024XW

# Site Drainage Water Discharge Activities at Forest Quarry Area 2 Extension Permit Number EPR/DP3024XW

## Introductory note

### *This introductory note does not form a part of the permit*

The main features of the facility are as follows.

Two systems to manage rainfall-dependent site drainage from new and existing excavations at an open-cast coal mine. Each system comprises an attenuation pond leading to two settlement lagoons which then discharge to a watercourse. The two systems serve the western and eastern parts of the site – designated Area 2A and Area 2B respectively. Each system discharges to a separate watercourse - Area 2A to a tributary of the Rheola brook and Area 2B to a tributary of the Nant Clwyd - both of which eventually feed into the River Neath.

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

<b>Status Log of the permit</b>		
<b>Detail</b>	<b>Date</b>	<b>Comments</b>
Application DP3024XW/A001	Duly Made 02/06/2010	
Additional information received	02/07/2010 07/07/2010	
Application determined	29/07/2010	

End of Introductory note

## Permit

Permit number

**EPR/DP3024XW**

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010

**Energybuild Limited** (“the operator”),

whose registered office is

**Aberpergwm Mine**

**Glynneath Road**

**Glynneath**

**Neath**

**Neath Port Talbot**

**SA11 5TY**

company registration number 04770293

to operate two water discharge activities at

**Forest Quarry Area 2 Extension**

**Aberpergwm Colliery**

**Engine Cottage Site**

**Glynneath**

**Neath Port Talbot**

**SA11 5SF**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Carl Sweeney	29 July 2010

Authorised on behalf of the Environment Agency

# 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 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.

## 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 and the discharges shall be made at the points marked on the site plan at schedule 7 to this permit and as listed in table S3.2 (discharge points).

### 2.3 Operating techniques

- 2.3.1 The activities shall not be brought into operation until the measures specified in Schedule 1 Table S1.2 have been completed.

## **3 Emissions and monitoring**

### **3.1 Emissions to water**

- 3.1.1 There shall be no point source emissions to water except from the sources and emission points listed in schedule 3.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.

### **3.2 Emissions of substances not controlled by emission limits**

- 3.2.1 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.
- 3.2.2 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.

### **3.3 Monitoring**

- 3.3.1 Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 tables S3.1, S3.2 and S3.3 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,

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.

## 4.3 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 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.4 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.

4.3.5 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**

<b>Activity reference</b>	<b>Description of activity</b>
AREA 2A	Discharge of Area 2A Final Effluent via Outlet 1
AREA 2B	Discharge of Area 2B Final Effluent via Outlet 2

**Table S1.2 Pre-operational measures**

<b>Reference</b>	<b>Pre-operational measures</b>
Discharge of Area 2A Final Effluent via Outlet 1	<i>Activity AREA 2A as listed in table S1.1 shall not be brought into operation until 01/10/2010.</i>
Discharge of Area 2B Final Effluent via Outlet 2	<i>Activity AREA 2B as listed in table S1.1 shall not be brought into operation until 01/04/2011.</i>

## **Schedule 2 - Waste types, raw materials and fuels**

Wastes are not accepted as part of the permitted activities and there are no restrictions on raw materials or fuels under this schedule.

## Schedule 3 – Emissions and monitoring

**Table S3.1 Point Source emissions to water (other than sewer) – emission limits and monitoring requirements**

Discharge source and discharge point ref. & location	Parameter	Limit (including unit)	Reference Period	Limit of effective range	Monitoring frequency	Compliance Statistic
Area 2A Final Effluent via Outlet 1	Maximum daily discharge volume	40,635 m <sup>3</sup> /day	Total daily volume	N/A	N/A	Maximum
Area 2A Final Effluent via Outlet 1	Maximum rate of discharge	470 litres per second	Instantaneous (spot sample)	N/A	N/A	Maximum
Area 2A Final Effluent via Outlet 1	Suspended solids (measured after drying at 105° C)	50 mg/l	Instantaneous (spot sample)	N/A	N/A	Maximum
Area 2A Final Effluent via Outlet 1	pH	6 to 9	Instantaneous (spot sample)	N/A	N/A	Minimum and maximum
Area 2A Final Effluent via Outlet 1	Visible oil or grease	No significant trace present	Instantaneous (spot sample)	N/A	N/A	No significant trace
Area 2B Final Effluent via Outlet 1	Maximum daily discharge volume	35,100 m <sup>3</sup> /day	Total daily volume	N/A	N/A	Maximum
Area 2B Final Effluent via Outlet 2	Maximum rate of discharge	406 litres per second	Instantaneous (spot sample)	N/A	N/A	Maximum

Area 2B Final Effluent via Outlet 2	Suspended solids (measured after drying at 105° C)	50 mg/l	Instantaneous (spot sample)	N/A	N/A	Maximum
Area 2B Final Effluent via Outlet 2	pH	6 to 9	Instantaneous (spot sample)	N/A	N/A	Minimum and maximum
Area 2B Final Effluent via Outlet 2	Visible oil or grease	No significant trace present	Instantaneous (spot sample)	N/A	N/A	No significant trace

**Table S3.2 Discharge points**

Effluent Name	Discharge Point	Discharge point NGR	Receiving water/Environment
Area 2A Final Effluent	Outlet 1	SN 83832 06740	Tributary of Rheola Brook
Area 2B Final Effluent	Outlet 2	SN84402 06704	Tributary of Nant Clwyd

**Table S3.3 Monitoring points**

Effluent name	Monitoring type	Monitoring point NGR
Area 2A Final Effluent via Outlet 1	Effluent sample point	SN 83480 06720
Area 2B Final Effluent via Outlet 2	Effluent sample point	SN 84417 06721

## 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**

<b>To be notified within 24 hours of detection</b>	
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**

<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
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.	

<b>Name*</b>	
<b>Post</b>	
<b>Signature</b>	
<b>Date</b>	

\* authorised to sign on behalf of Energybuild Limited

## Schedule 6 - Interpretation

"*accident*" means an accident that may result in pollution.

"*annually*" means once every year.

"*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.

"*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.

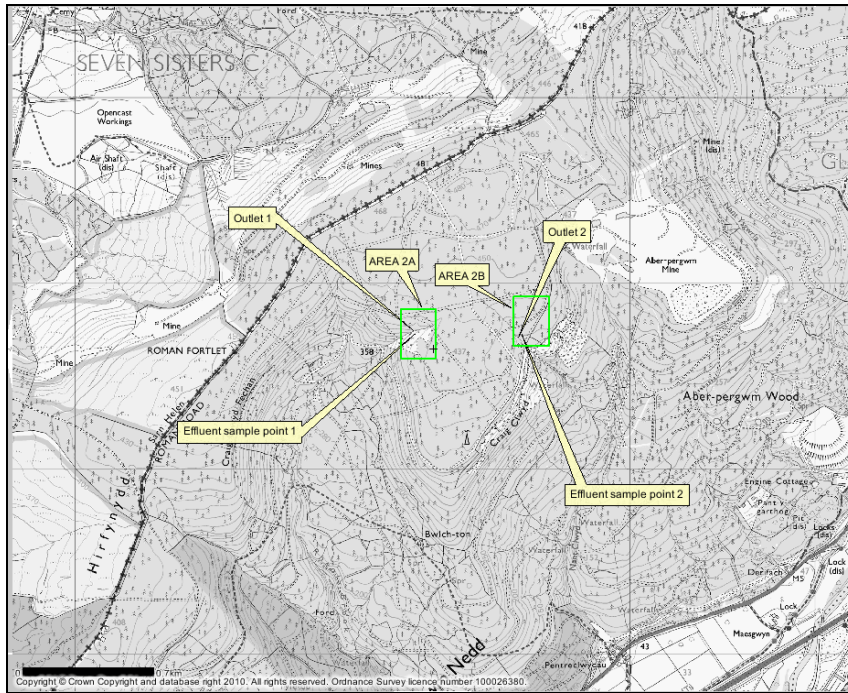
"*emissions of substances not controlled by emission limits*" means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission limit..

"*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.

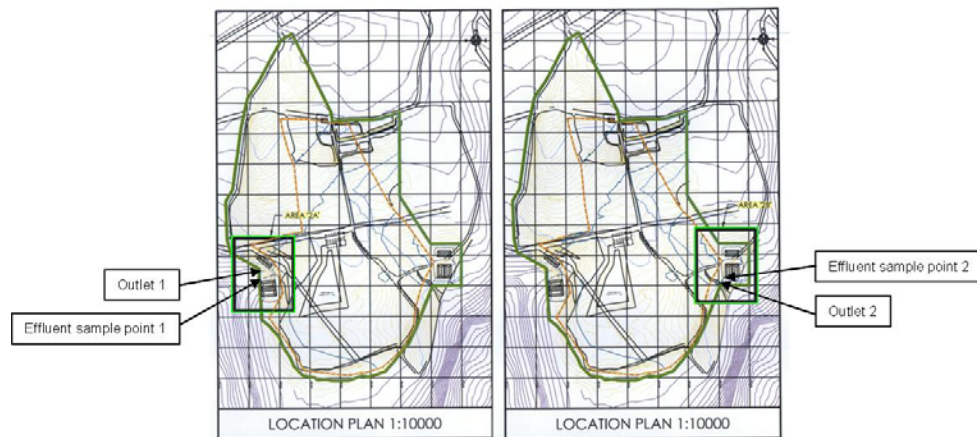
"*quarter*" means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

"*year*" means calendar year ending 31 December.

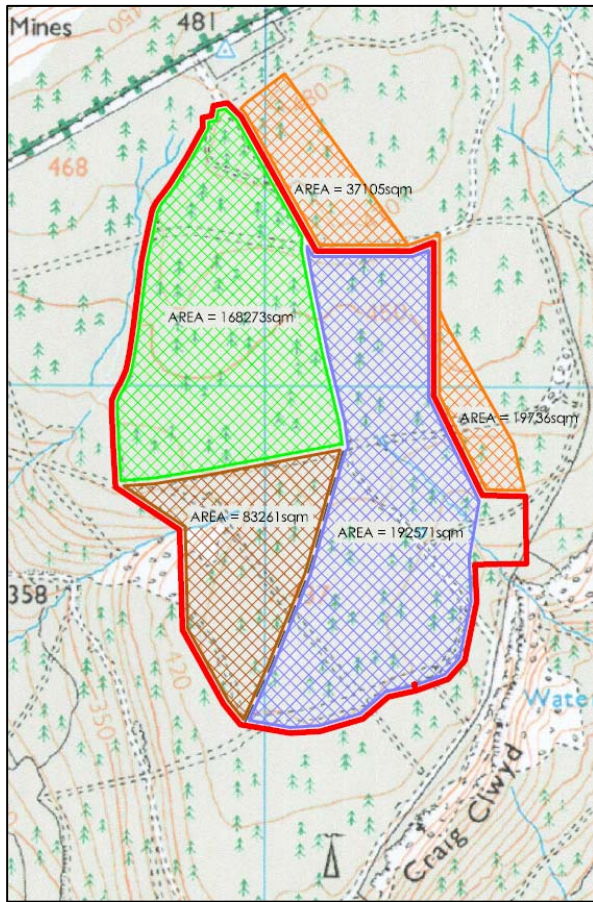
# Schedule 7 - Site plan



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The areas highlighted in green and brown are part of the natural catchment for the Rheola Brook (Lagoon Area 2A) and the area highlighted in purple is part of the Nant Clwyd catchment (Lagoon Area 2B).



END OF PERMIT