

Natural Resources Wales permitting decisions

Variation

We have decided to issue the variation for Enviroventure Waste Solutions Recycling Facility operated by Enviroventure Waste Solutions Limited.

The variation number is EPR/JB3531AB/V002.

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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
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		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .</p> <p>A full 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.</p> <p>HRA is not required (Stage 1 of OGN200 assessment- Determining the need for a Habitats Regulations Assessment): HRA is not required (no FORM 1 has been completed) because there is no conceivable impact pathway between the project and any European site features, due to the nature or location of the project. The variation is not increasing any risk to any nearby sites.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has identified suitable measures in accordance with the relevant technical guidance note for waste activities; 'How to comply with your environmental permit', and has detailed these within their Environment Management System.</p> <p>The operator has provided a Dust Management Plan that details the measures used to prevent or minimise the dust emissions from the facility. These measures have been assessed and considered suitable to control dust emissions from the facility in line with 'How to comply with your environmental permit'. This</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>management plan has been incorporated into the permit.</p> <p>The operator has provided a Fire Prevention and Management Plan. The sections relevant to the proposals detailed in this variation has been reviewed and considered in line with NRW's Fire Prevention and Mitigation Plans guidance document. The relevant sections of this management plan have been incorporated into your permit.</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>Waste types have been removed under this variation. No other changes have been made.</p>	✓
Improvement conditions	<p>Based on the information on the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed an improvement condition for the operator to provide a full Fire Prevention and Management Plan (FPMP). An FPMP was not a requirement of the original permit, and only the sections relevant to the variation have been assessed. A full FPMP will need to be submitted to NRW for review to ensure the site is in compliance with the current guidance.</p> <p>We have imposed an improvement condition to undertake a new noise impact assessment (NIA) following the addition of the shredder, powerscreen and trommel to the site. The aim of this NIA would be to validate the assumptions/estimates made in the noise modelling undertaken as part of this application and ensure that noise rating levels are, in practice, below</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	levels likely to impact local receptors, as suggested in this application.	
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Operator Competence		
Environment management system	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓