

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Energybuild Limited

Site drainage at Cae Capel Field
Aberpergwm Colliery
Engine Cottage Site
Glynneath
Neath Port Talbot
SA11 5SF

Permit number

EPR/DP3025GS

Site Drainage at Cae Capel Field

Permit Number EPR/DP3025GS

Introductory note

This introductory note does not form a part of the permit

The main features of the facility are as follows.

The following system is to manage rainfall-dependent site drainage from an expansion of the existing colliery facilities into Cae Capel Field located in Aberpergwm, Glynneath. The system serves an area of 69,000 m², which includes the coal processing and distribution area, material storage area, lower haul road and car park . The system comprises a primary settlement pond, followed by attenuation pond leading to two settlement lagoons and oil interceptor which then discharges to a surface watercourse. The unnamed watercourse flows parallel to the Neath Canal, eventually passing underneath the canal via culvert before flowing into the River Neath.

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

Status Log of the permit		
Detail	Date	Comments
Application DP3025GS/A001	Duly made 02/06/2010	
Additional information received	23/08/2010	
Permit determined	28/10/2010	

End of Introductory Note

Permit

Permit number
EPR/DP3025GS

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 a water discharge activity at

Cae Capel Field
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	28 October 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 discharge shall be made at the point marked on the site plan at schedule 7 to this permit and as listed in table S3.2 (discharge points).

2.3 Pre-operational conditions

- 2.3.1 The activities shall not be brought into operation until 01/03/2011.

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 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
 - (a) point source emissions specified in tables S3.1, S3.2 and S3.3;
- 3.3.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.
- 3.3.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.3.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.
- 3.3.4 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.

4.2.2 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
- (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.2; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

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

Description of activity

Discharge of site drainage via Cae Capel Outfall

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
Site drainage via Cae Capel Outfall	Maximum daily discharge volume	11,850 m ³ /day	Total daily volume	N/A	N/A	Maximum
Site drainage via Cae Capel Outfall	Maximum rate of discharge	137 litres per second	Instantaneous (spot sample)	N/A	N/A	Maximum
Site drainage via Cae Capel Outfall	Suspended solids (measured after drying at 105° C)	80 mg/l	Instantaneous (spot sample)	N/A	Monthly	Maximum
Site drainage via Cae Capel Outfall	pH	6 to 9	Instantaneous (spot sample)	N/A	Monthly	Minimum and maximum
Site drainage via Cae Capel Outfall	Visible oil or grease	No significant trace present	Instantaneous (spot sample)	N/A	N/A	No significant trace
Site drainage via Cae Capel Outfall	Iron Total (as FE)	N/A	N/A	N/A	Monthly	N/A
Site drainage via Cae Capel Outfall	Iron Dissolved (as FE)	N/A	N/A	N/A	Monthly	N/A

Table S3.2 Discharge points

Effluent Name	Discharge Point	Discharge point NGR	Receiving water/Environment
Site drainage	Cae Capel Outfall	SN 86612 05900	Unnamed Tributary of the River Neath

Table S3.3 Monitoring points

Effluent name	Monitoring type	Monitoring point NGR
Site drainage via Cae Capel Outfall	Effluent sample point	SN 86639 05935

Schedule 4 – Reporting

Determinands, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S4.1 Reporting of monitoring data

Determinand	Monitoring point reference	Reporting period	Period begins
Suspended solids	Effluent sample point	Monthly	01/03/2011
pH	Effluent sample point	Monthly	01/03/2011
Iron Total (As Fe)	Effluent sample point	Monthly	01/03/2011
Iron Dissolved (As Fe)	Effluent sample point	Monthly	01/03/2011

Table S4.2 Reporting forms

Determinand	Reporting format
Suspended solids	As requested
pH	As requested
Iron Total (As Fe)	As requested
Iron Dissolved (As Fe)	As requested

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	
To be notified within 24 hours of detection	
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	
To be notified within 24 hours of detection unless otherwise specified below	
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.	

Name*	
Post	
Signature	
Date	

* 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.

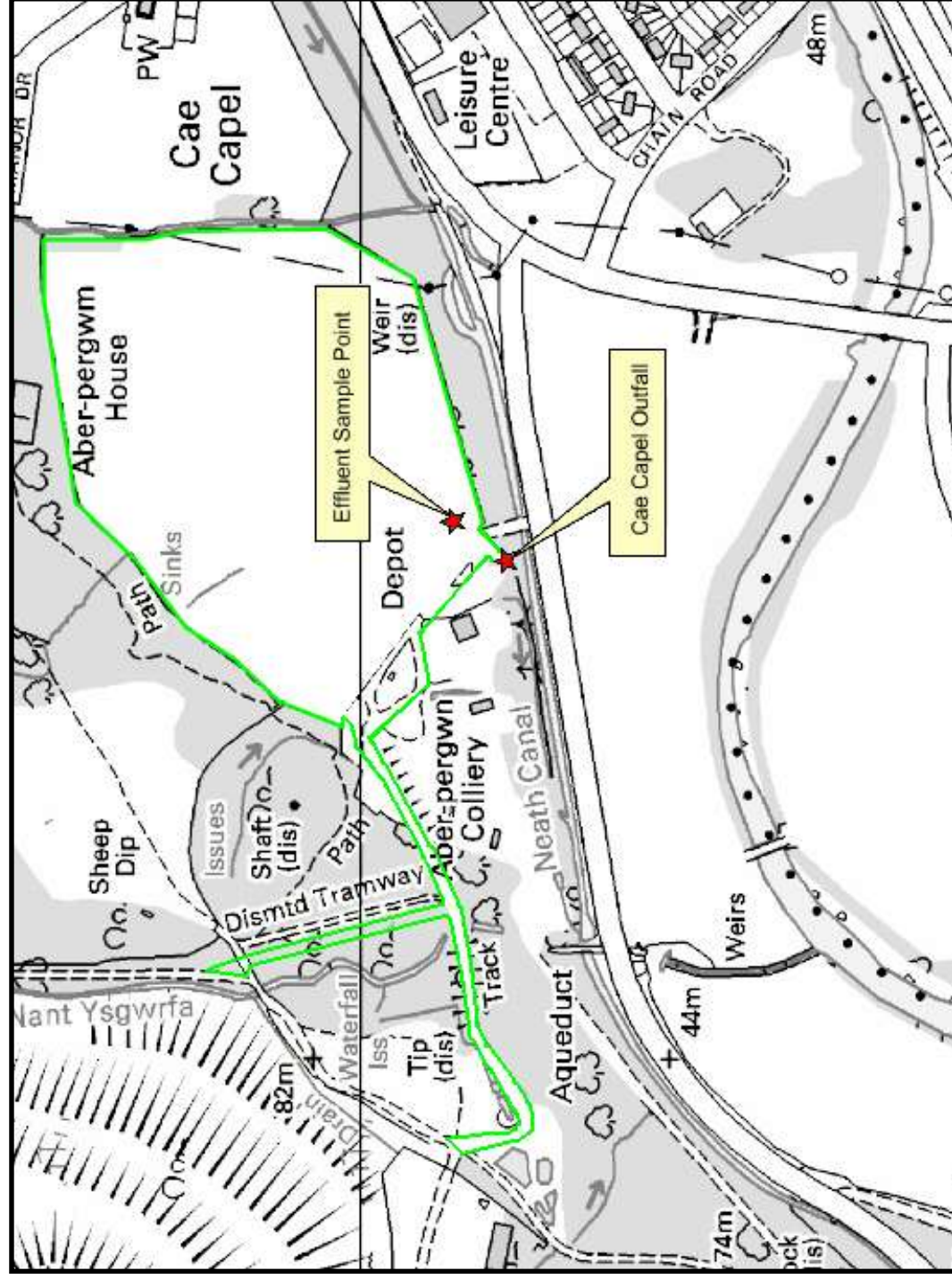
"*groundwater*" means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

"*MCERTS*" means the Environment Agency's Monitoring Certification Scheme.

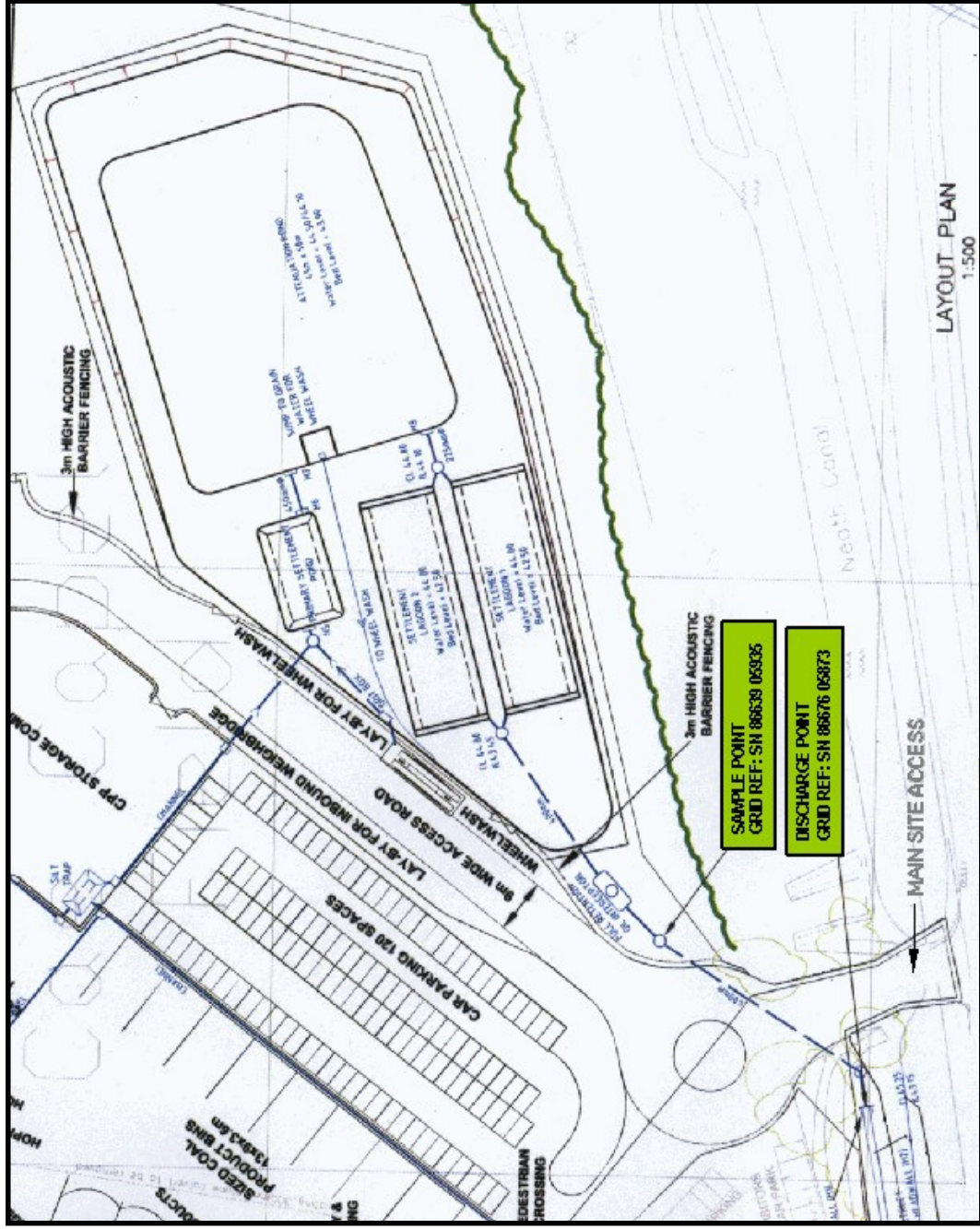
"*quarter*" means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

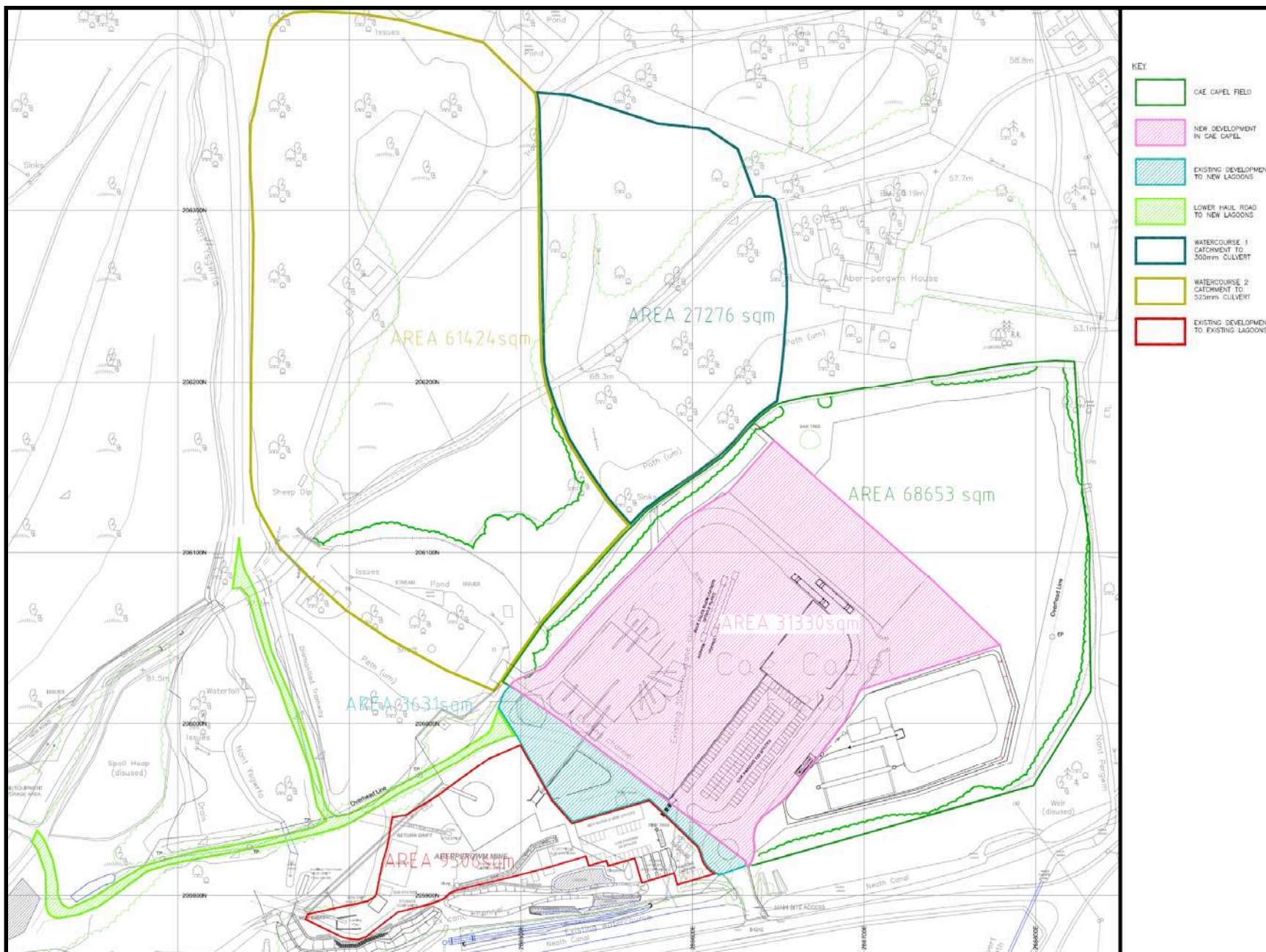
"*year*" means calendar year ending 31 December.

Schedule 7 - Site plans



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END OF PERMIT

Permit Number
EPR/DP3025GS