

## Natural Resources Wales permitting decisions

### Bespoke permit

We have decided to grant the permit for Gate 1 operated by Milford Haven Port Authority

The permit number is EPR/BB3591HX

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

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## **Glossary of acronyms used in this document**

BAT	Best Available Technique(s)
DCWW	Dŵr Cymru Welsh Water
ECHR	European Convention of Human Rights
EfW	Energy from Waste
EMS	Environmental Management System
EPR	The Environmental Permitting (England and Wales) Regulations 2016
FPMP	Fire Prevention and Mitigation Plan
FRS	Fire and Rescue Service
HRA	Habitats Risk Assessment
HW	Hazardous waste
LHB	Local Health Board
OPRA	Operator Performance Risk Appraisal
PCC	Pembrokeshire County Council
PMP	Pest Management Plan
PPS	Public Participation Statement
PR	Public Register
RDF	Refuse Derived Fuel
RCF	Residual Combustible Fuel
RGN	Regulatory Guidance Note
rWFD	Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste
SAC	Special Area of Conservation
SHPI(s)	Site(s) of High Public Interest
SMNR	Sustainable Management of Natural Resources
SRF	Solid Recovered Fuel
SSSI	Site(s) of Special Scientific Interest
TGN	Technical Guidance Note

## **Key issues of the decision**

### **1. Our decision**

This is a decision document, which accompanies a permit.

Having carefully considered the application and all other relevant information, we put our draft decision before the public and other interested parties in the form of a draft permit, together with an explanatory document on 24/09/2019.

We have considered all relevant representations received in response to our final consultation. This explanatory document has been amended as appropriate to explain how we addressed relevant comments made during that consultation, and any changes we made to the permit as a result.

We try to explain our decisions as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future.

### **2. How we reached our decision**

#### **2.1 Receipt of application**

Following pre-application discussions with us, Milford Haven Port Authority submitted an application on 29/11/18 (reference PAN-003929). This application was for the storage of Solid Recovered Fuel (SRF), Refuse Derived Fuel (RDF), residual combustible fuel, and wood waste, located in 4 areas of Gate 1 at Pembroke Dock.

This application was duly made on 25/02/19. This means we considered it was in the correct form and contained sufficient information for us to begin our determination; but not that it necessarily contained all the information we would need to complete that determination: see the 'Further information' in [section 2.4](#) of this decision document

The applicant did not make a claim for confidentiality on any of the information included in the application. We have not received any information in relation to the application that appears to be confidential in relation to any party.

## **2.2. Consultation on the application**

We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest.

We publicised the application by a notice placed on our website. This notice informed people where and when they could see a copy of the application.

We sent copies of the application to the following bodies, in accordance with our Working Together Agreements:

- Environmental Health - Pembrokeshire County Council
- Local Health Board - Hywel Dda Health Board
- Local Planning authority – Pembrokeshire County Council
- Mid and West Wales Fire and Rescue Service
- Public Health Wales
- Sewerage Undertaker - Dŵr Cymru Welsh Water (DCWW)

We did not send a copy to the Local Harbour Authority as per our Working Together Agreement, as this is the proposed operator. We did not consider that there was an appropriate department separate to the people involved in this application to be able to comment in a way that would have informed our decision on the application without bias.

In addition to consulting in accordance with our Working Together Agreements, we also consulted with:

- Pembroke Dock Community Council as elected representatives to comment on behalf of the local area.
- Cadw, the Welsh Government's historic environment service, to comment on the measures to protect the historic buildings and structures, the landscapes and heritage sites of Wales.

These are bodies whose expertise, democratic accountability and/ or local knowledge make it appropriate for us to seek their views directly.

For members of the public, we also took the additional steps of social media messages that the application was available to comment on and contacted located community groups about the application consultation. Local press outlets were made aware of the application, as were local MPs and AMs. Furthermore, we organised a drop-in session at Pembroke Dock Town Council Chambers where members of the public to talk to our officers about the application and the operator's proposals. This drop-in session was advertised on our website, social media feeds, press releases and via local community groups online.

Summaries of the consultation and our response to representations received are detailed in [Annex 2](#) of this document. We did not receive a formal response on the consultation from DCWW. However, there was some correspondence via the applicant as a result of a formal notice for further information sent to the applicant. This is explained in [Section 2.4](#) of this decision document, rather than [Annex 2](#). We did not receive a response from Pembroke Dock Community Council on the application, so this consultee is not included in [Annex 2](#).

#### Receiving comments/ responses and addressing concerns:

We took all relevant comments from consultation, publicising and advertising the application into account when making our decision.

Summaries of this consultation and our response to representations received are detailed in [Annex 2](#) of this document. Where representations were duplicated, we have grouped representations by issue and addressed that issue.

We also decided that it was appropriate to advertise our draft decision on this application, because it is high public interest. Details of each representation received during our draft decision consultation and our response to them are also set out in [Annex 2](#) of this document.

### **2.3 Changes to the application**

On 04/07/19 the applicant informed us, by way of a Schedule 5 response, that they wanted to include in their application the use of a wrapper to re-wrap any baled waste that could not be repaired by way of patches. The changes did not include proposing re-baling of waste on site.

We decided not to invite comments to the revised application, as the nature of the change did not materially alter the activity.

### **2.4 Further information**

Although we were able to consider the application duly made on 25/02/19, we needed more information in order to determine it. We issued information notices on 08/03/19 and 11/06/19 (Schedule 5 Notice). A copy of each information notice was placed on our public register, as were the responses when received.

The applicant submitted amended versions of the risk assessment, Environment Management System (EMS), monitoring plan, odour management plan, pest management plan, fire prevention and mitigation plan, recovery and disposal codes and drainage and infrastructure proposals (including likelihood from DCWW of being able to connect to foul sewer and

receive a trade effluent consent), and site condition reports in response to these requests.

### **3. The legal framework**

The Permit is issued under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is an operation covered by the Waste Framework Directive, because it manages waste.

We consider that the permit will ensure that the operation of the facility complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health. We explain how we have addressed specific statutory requirements more fully in the rest of this document.

### **4. The regulated facility**

#### **4.1 Description of the site and related issues**

##### **4.1.1 Location**

The site is located in Pembroke Dock. The location where the baled waste and loose wood will be stored is at Gate 1, the most eastern point of the dock and directly adjacent to the Milford Haven Waterway.

The permitted area consists of four areas, labelled as A, B, C and D as specified in Schedule 7 of the permit. Areas A and B are external areas to be used to carry out the proposed activities, Areas C and D are buildings to be used to carry out the activities.

The four permitted areas together are referred to as “the site” in this document.

The following receptors are located (in metres from the site);

- Commercial Companies, the closest being approximately 10 metres west of Area C and 10m north of Area A (cargo sheds used to store animal feed).
- Residential dwellings, the closest being approximately 50 metres east of Area D.
- South Pembroke Hospital approximately 235 metres southwest of Area A.

- Pembroke Dock Community School approximately 960m east of the site.
- Milford Haven Waterway waterbody, approximately 70 metres north of Area C.
- Milford Haven Waterway Site of Special Scientific Interest (SSSI) approximately 620m west and 690m east of Area C.
- Pembrokeshire Marine / Sir Benfro Forol Special Area of Conservation (SAC) approximately 420m north of Area C.
- Shellfish Protected Area approximately 1.5km north east from Area C.
- Heritage sites – Area D is a building which is listed and will be used to store waste in the future development (Flying Boat Station, East Hangar). There is also another listed building in the Gate 1 area, but outside of the permitted boundary, known as the Flying Boat Station West Hangar, located approximately 18m north of Area A and the permitted boundary. Also located within Gate 1 of the dockyard are the following historic environmental assets: Pembroke Dockyard Docks 8-15, Dry Dock and Pembroke Dockyard East Gate.

There is a number of historic environmental assets that are located on the entire dockyard and also outside of the dockyard in the surrounding area. This includes, but not limited to, the North East Martello Tower, buildings on The Terrace and numerous dockyard structures and buildings. There are 5 Scheduled Ancient Monuments within 1km of the permitted boundary (all outside of the dockyard), the closest being 400m south of Area A.

- The site lies directly on top of a principal aquifer.

Please see section 4.3 below for more information on the site.

The applicant submitted a plan showing the site of the activity and its extent. We are satisfied with this plan. The plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.

#### **4.1.2 What the regulated facility does**

The facility will store baled SRF, RDF, residual combustible fuel and loose wood. Treatment activities that can be carried out at the site are limited to manual/mechanical re-wrapping of bales that may become damaged on site and the bulking up of waste for onward transfer.

All waste materials will be treated and stored in accordance with standards set out in the permit before being removed from site to an appropriate facility for further recovery or disposal. The primary intention of the applicant is to use the dockside location to ship the waste to be processed in Energy from Waste (EfW) plants in Europe. However, the waste can be sent to any suitably permitted facility.

The storage and treatment of waste will take place on an impermeable surface with a sealed drainage system. An impermeable surface is one that

does not allow liquids to seep through into the ground underneath. A sealed drainage system is one that ensures all run off from the site is directed to/ collected at a specific point. The run-off discharges will be directed to the foul sewer from external storage areas A and B. Areas C and D will have sealed drainage in that there will be no outlet (that is, no drains or taps) and drain to a blind collection point and contained within the building.

The regulated facility is a waste operation. The operator will carry out the following recovery and disposal operations:

**R13:** Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced).

**R3:** Recycling/reclamation of organic substances which are not used as solvents.

**R5:** Recycling/reclamation of other inorganic compounds.

**D15:** Storage pending any of the operations numbered D01 to D14 (excluding temporary storage pending collection on the site where it is produced).

**D14:** Repackaging prior to submission to any of the operations numbered D1 to D13.

The permitted activities will take place in the areas labelled A, B, C and D on the site plan in Schedule 7 of the permit. This is where waste will be stored and treated.

Waste will also be temporarily stored at the quayside for loading when a ship is coming in. This is storage incidental to loading and does not require a permit, and therefore not the subject of this application or our determination and we cannot enforce the permit requirements in this area.

However, where waste is stored outside the scope of this permit, the operator must still meet the obligation provided by Article 4 of the Revised Waste Framework Directive (rWFD) to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment, and in particular:

- without risk to water, air, soil, plants or animals; or
- without causing nuisance through noise or odours; or
- without adversely affecting the countryside or places of special interest.

#### **4.1.3 Administrative issues**

We are satisfied that the applicant is the person who will have control over the operation of the facility after we grant the permit in line with our regulatory guidance note RGN 1: Understanding the meaning of operator (version 4.0); and that the applicant will be able to operate the regulated facility in compliance with the conditions included in the permit.

We are satisfied that the Opra profile submitted by the applicant is accurate. The Opra score reflects the level of risk an activity poses, based on the type of activity, the location, type of waste accepted, the annual throughput of waste to be accepted and the environmental management system in place. The Opra score reflects the amount of time the nominated technical manager must spend at the site. This is set out in part 2 of our technical guidance note EPR1.0 'How to comply with your environmental permit (Version 8)'.

## **4.2 General issues**

### **4.2.1 Management**

Having considered the information submitted in the application, we are satisfied that appropriate management systems and management structures will be in place.

The applicant has an EMS that meets the requirements of our technical guidance note EPR1.0 'How to comply with your environmental permit (Version 8)'.

The applicant confirmed that their document "SEMS 001 SAFETY AND ENVIRONMENTAL MANAGEMENT SYSTEM MANUAL" is their Safety, Health Environmental and Health Management System (SEMS) policy within The Port of Milford Haven. The top tier of this document is designated SEMS 1 (appendices 1.1) and provides a high-level description of the SEMS process.

This cascades via relevant Management Procedures (MP's) which in turn are further streamlined by operationally specific Local Work Instructions (LWIs), Risk Assessments (RAs) and Tool Box Talks. The application documentation provided an outline of the pre-waste acceptance and waste acceptance procedures to be implemented (e.g. see Section 2 of Environmental Risk Assessment). Several local work instructions (LWIs) and associated forms to demonstrate implementation of procedures were also provided e.g. see Appendix 2 of Environmental Risk Assessment for bale repair LWI and Odour and Pest Management plans for protocols and documentation for procedures to be implemented in the EMS.

This was accepted as an outline of their environmental management system. These documents have been revised throughout the determination process to reflect the changes required in order to permit the activity and are referenced in table S1.2 of the permit. These documents are available to view on our public register as outlined in section 'Further information' on page 4 above.

### **4.2.2 Technical ability**

An operator must demonstrate that they are technically able to oversee the activity. They can do this using any of the methods outlined in section 3.5 of our regulatory guidance note RGN 5: Operator competence (version 4.0). The operator has chosen to use the industry scheme method.

The nominated technically competent manager (TCM) has registered for the relevant award – WAMITAB Level 4 Medium Risk Operator Competence for Non-Hazardous Waste Treatment and Transfer- with the joint Chartered Institution of Wastes Management and Waste Management Industry Training and Advisory Board (CIWM/ WAMITAB) Government approved competence scheme.

The joint Chartered Institution of Wastes Management and Waste Management Industry Training and Advisory Board (CIWM/ WAMITAB) Government approved competence scheme, includes a grace period of 12 months for operators who do not already have the required level of competence. This is compliant with condition 1.1.4 of the permit.

The grace period mechanism recognises the fact that competence in the waste industry has historically been gained through vocational methods - 'on the job' learning. It is not feasible to expect all operators to have experience in the activity they are applying for. Past experience in the field you want covered in your permit is not a requirement of the Environmental Permitting Regulations.

The scheme does recognise, however, that certain activities pose sufficient risk that an applicant/ operator must be suitably qualified from the outset. This is why the grace period is only open to operators of activities assessed as suitable for its use.

The operator can benefit from this grace period because their activity is medium risk according to the CIWM/ WAMITAB scheme hierarchy and is not a landfill. This means the nominated technical manager has four weeks from the date the activity starts to gain the basic level of competence and up to one year to complete the required competence award in full.

All operators who use the CIWM/WAMITAB scheme to demonstrate competence must pass a test every two years to show they remain qualified to supervise their relevant activities. We will ensure that the nominated technically competent manager passes their continuing competence assessments as part of our on-going compliance checks.

We are satisfied that sufficient technical and personnel resources are available to the operator to ensure compliance with all the permit conditions.

#### **4.2.3 Financial competence and relevant convictions**

We are also satisfied that sufficient financial resources are available to the operator to ensure compliance with all the permit conditions.

The operator does not have any relevant convictions.

#### **4.2.4 Site security**

Having considered the information submitted in the application, we are satisfied that appropriate infrastructure and procedures will be in place to ensure that the site remains secure.

#### **4.2.5 Accident management**

Having considered the information submitted in the application, we are satisfied that appropriate measures will be in place to ensure that environmental accidents that may cause pollution are prevented but that, if they should occur, their consequences are minimised.

#### **4.2.6 Further measures carried out following consultation**

Although the operator has met the requirement for technical competence under the Government approved scheme, we have considered concerns raised by the public regarding operator competence.

Competence assessment is not a one-off activity. An operator must be able to demonstrate that they remain competent throughout the lifetime of the permit. If they fail to do this, they no longer meet the requirements set out in the Environmental Permitting Regulations and we could revoke their permit. We will assess the operators continuing competence through compliance visits and checks.

We asked the operator for further information on the parts of the EMS on staff training to ensure they would have suitable competent resources to comply with the permit.

In view of the proposed management organisational structure, which includes specialist roles for specific operations at the facility and detailed training programme for all employees, we are satisfied that sufficient technical and personnel resources are available to the operator to ensure compliance with all the permit conditions.

#### **4.2.7. Operating Techniques**

We have specified that the waste facility must be operated in accordance with the techniques set out in table S1.2 of the Permit. The details referred to in that table describe the techniques that will be used for the operation of the waste facility that we have assessed as meeting our legal standards and standards set out in our guidance; they form part of the Permit through condition 2.3.1 and Table S1.2 in the Permit schedules.

Further detail on the operating techniques is given in section 5.

## **4.3 The site and its protection**

### **4.3.1 Site setting, layout and history**

The site is located in Pembroke Dock. This is an historic industrial area. The site comprises of four proposed permitted areas, labelled as A, B, C and D as specified in Schedule 7 of the permit. Areas A and B are external areas and Areas C and D are buildings to be used to store waste, and re-wrap baled waste where required.

The site is a working dock. Previous uses include shipbuilding and use as a flying boat base. Currently gate 1 is used to store animal feed, and other parts of the dock include use as waste management facilities by a different operator. The dock today is a commercial port and a gateway ferry port to Ireland.

### **4.3.2 Planning permission**

Our decision on whether to grant an Environmental Permit is separate from the planning process. An Environmental Permit allows the site to operate and to be regulated by Natural Resources Wales. The Planning Authority, in this case, Pembrokeshire County Council, decide whether or not to grant planning permission.

The planning authority determines whether the activity is an acceptable use of land and in this case, also the acceptable use of the listed buildings on site. It considers matters such as visual impact, traffic and access issues, which do not form part of the environmental permit decision making process. The planning authority must also consider and respond to any objections they may receive on a particular planning application.

Many of the comments received during consultations on the application relate to planning issues. Only issues connected with the environmental permit applied for have been considered in our determination.

We are not required under the Environmental Permitting (England and Wales) Regulations 2016 to check whether relevant planning is in place for use of the site to carry out the relevant waste operation. However, the consultation response from the Planning Authority states that relevant planning is not in place and would be required prior to the site undertaking the permitted activity (see [Annex 2](#)).

### **4.3.3 Site condition report**

The operator submitted a report detailing the condition of the site as part of their application. We use the information in the site condition report to

establish a baseline as a comparison, to establish whether there has been any deterioration of the land as a result of the permitted activities, when the operator applies to surrender their permit. We do not need to accept site condition report in full before we can issue a new permit.

We have assessed the site condition report (SCR) submitted as unsatisfactory for the following reasons:

- The SCR does not cross reference other parts of the application in terms of showing site layout, drainage, surfacing, receptors, sources of emissions/releases and monitoring points.
- The SCR provided states that intrusive sampling has not been conducted yet uses the ground condition interpretive report to draw conclusions about current contamination. It is unclear whether this was to be used as baseline data to be assessed.
- The plans in reference to the ground condition interpretative report in the SCR are not clearly legible in that the background is faint with few landmarks, proving difficult to line up the borehole series.
- In the data provided there is data for a number of boreholes where it is unclear whether they have relevance to the submission.
- We have not been provided with the logs for the trial pits nor boreholes nor the rationale for the sample location.
- It was unclear whether any off-site groundwater sample locations are to be used in lieu of onsite sampling.
- The laboratory data has been replicated into branded sheets and needs to be on the paperwork provided by the laboratory that undertook the analysis.
- The data supplied is from 2016 and it is unclear whether has anything else been undertaken on the site in the intervening 3 years.

We do not need to confirm the site condition report is satisfactory prior to making a decision on the application. However, unless the operator is able to provide evidence of the degree of pre-existing contamination and they start undertaking the permitted activities, we will have to assume that it was zero, which will act as the reference point to return the site to when the permit is surrendered.

#### **4.3.4 Potentially polluting substances**

Refuse Derived Fuel (RDF) is a generic term used to describe fuel that is a mixture of materials such as paper, plastics and wood from the municipal or commercial waste stream that has undergone some sort of process, from minimal sorting and bailing to more complex mechanical treatments. Materials for recycling and non-combustible materials such as glass and metals are generally removed with mechanical separation processing.

Advanced RDF processing methods can remove or significantly reduce harmful pollutants such as heavy metals.

RDF is made to an end user specification, such as an EfW plant.

Residual Combustible Fuel (RCF) is the same as RDF but is not processed to meet an end user/recognised specification.

There is no standard classification or composition for RDF or RCF.

Solid Derived Fuel (SRF) is a subset of RDF having been processed to a greater extent than RDF. It is generally a more valuable form of RDF as it has a higher calorific value and low moisture content. SRF is produced in compliance with the European standard EN 15359. The main requirement of this European Standard is that a producer specifies and classifies its SRF by detailing its net calorific value, and chlorine and mercury content of the fuel. Specification includes (as mandatory) several other properties, such as the content of all heavy metals mentioned in the Industrial Emissions Directive. Furthermore, a declaration of conformity has to be issued. The quality standard of SRF is still defined by the end user, as with RDF, unless it is being produced in line with a recognised quality standard.

Wood waste may be untreated (clean), or been treated with substances such as heavy metal, halogenated organic or persistent organic treatments. Treated wood may still be considered non-hazardous. Only non-hazardous wood waste is to be accepted at the site.

Virgin wood that may be stored on site has not be considered here as it does not fall under the definition of waste and therefore has not formed part of our determination.

Emissions can happen when you treat or store waste. We have set strict measures in the permit to control both.

The main pathways for potentially polluting substances from this activity are through surface to ground, and from discharge of site run-off. The pollution prevention measures proposed by the applicant to control these risks is described in sections 4 and 5 of this decision document.

#### **4.3.5 Pollution prevention measures**

We considered the location of the site, actual and potential emissions, the sensitivity of receptors and the nature of the activity to decide what appropriate pollution prevention measures that need to be in place. As a result, we identified that all storage and treatment of waste must be carried out on impermeable surface with sealed drainage.

The storage and treatment of waste will take place on an impermeable surface with a sealed drainage system. An impermeable surface is one that does not allow liquids to seep through into the ground underneath. A sealed drainage system is one that ensures all run off from the site is directed to/ collected at a specific point. The run-off discharges will be directed to the foul

sewer from external storage areas A and B via a discharge consent from the sewerage undertaker, Dŵr Cymru Welsh Water (DCWW). Areas C and D will have sealed drainage in that there will be no outlet (that is, no drains or taps) and drain to a blind collection point and contained within the building. This will reduce the risk of potentially polluting substances leaving the site.

It is a condition of Table S1.1 of the permit that activities are carried out on impermeable surface with sealed drainage. The operator has accepted this standard as part of their obligations under the permit and is aware that if they fail to demonstrate compliance with this condition, they will be in breach of their permit.

Wastes must be stored and treated in accordance with the permit. We have set specific requirements for how the operator must store potentially polluting wastes and incorporated operating techniques that the applicant has proposed to control the key pollution risks.

Efficient maintenance of these prevention measures, including infrastructure, pavements, bunds, storage containers and equipment used during the activities is vital to prevent pollution. The techniques proposed by the operator are considered proportionate and suitable to ensure efficient maintenance of the site.

The maintenance procedure has been incorporated into the permit under Schedule 1, Table S1.2 and the operator must carry out activities in accordance with these operating techniques.

To ensure that the operator can comply with the permit requirement of Areas A and B draining to foul sewer, we requested and received from the applicant correspondence between them and DCWW that a trade effluent discharge consent was likely to be granted by the sewerage undertaker. This cannot be provided by DCWW prior to permit being granted, therefore the operator will provide us with confirmation of the discharge consent from the sewerage undertaker, this has been included in Table S1.2 of the permit. In any case, the operator cannot begin operating until this has been received to comply with the limits of Table S1.1 of the permit specified in this section.

We have included pre-operational measures and future pre-operational measures to send the final plans of where the emission points are to sewer. See section 4.3.6 for further detail.

#### **4.3.6 Pre-operational conditions**

We have imposed a pre-operational condition that the operator submits for approval to us a site plan showing finalised sewer emission point for Area A. We must approve this plan prior to any permitted activities being carried on in this Area. This includes the storage of waste. The operator is unable to provide this until the sewerage undertaker agrees the final plans which cannot be done unless a permit is in place.

We have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities in Areas B, C and D listed in Table S1.1 of the permit until these pre-operational conditions for future development are met.

The operator must not start operating in Areas B, C and D until they have submitted to us for written approval information justifying which pest management measures and odour management measures will be appropriate for use in Areas B, C and D. Where relevant, this justification may include evidence on the performance of any existing operational measures, providing that this evidence is based on their being used in operation during the period of April and August (inclusive) as a minimum.

This time been set so that the information, where relevant, reflects whether pest and odour measures have worked effectively during the key risk period for flies and odour during the summer months, before us agreeing that the operator can undertake permitted activities on the rest of the site.

For Area B there is an additional requirement to submit to us for written approval, a site plan showing the final sewer emission point, as the operator is unable to provide this until the sewerage undertaker agrees the final plans which cannot be done unless a permit is in place.

For Areas C and D, there is an additional requirement to submit, for written approval by us, information justifying the number of waste stockpiles, the dimensions of the waste stockpiles, the separation distances between the waste stockpiles, and the layout of the waste stockpiles on a site plan, for Area D, in line with condition 3.5.1 of this permit. This cannot be done until the infrastructure improvements have been done in the buildings of Areas C and D, to know the exact size and space they have. All other parts of the fire prevention and mitigation plan already submitted meet the guidance and will apply to all permitted areas.

## **5. Minimising the environmental impact**

This section of the document explains how we have approached the critical issue of assessing likely impact of the facility on human health and the environment. It also details the measures we require to ensure a high level of protection. The principal emissions are those to air, water and land.

The key issues arising in relation to human health and the environment during this determination were:

- Odour
- Pests, namely flies
- Fire
- Discharges of site-run off

The detail in this section relates to how we determined these issues.

## **5.1 Environmental impact**

### **5.1.1 Methods used by the operator to assess environmental impact**

We reviewed the applicant's assessment of the likely environmental impact of emissions from the facility. This is the first stage in determining what conditions are appropriate for the permit.

The operators risk assessment adopted two approaches to assess the impacts from the proposed activities, one is the Environment Agency Horizontal Guidance Note H1: Environmental Risks Assessment tool which enables a detailed evaluation of identified exposure pathways (this has been adopted by us as an appropriate risk assessment tool) and the other, more conventional risk assessment, assists in identifying the exposure pathways based on a conceptual site model.

There are no point source emissions from the activity.

All of the emissions from the activity are fugitive. Fugitive emissions are emissions to air, water or land from the permitted activities which are not controlled by an emission limit. They can be from the emission points specified in the permit or other localised diffuse sources. We refer to them in the permit as "emissions of substances not controlled by emission limits". They are often from multiple sources that are difficult to specify. For example, releases of odour from multiple piles or types of waste. Fugitive emissions often make up most of the releases from waste activities.

The Horizontal Guidance Note H1: Environmental Risks Assessment tool is not always the most appropriate method to use when assessing fugitive emissions. The operator recognised this shortfall and submitted specific management plans to address the risk of fugitive emissions that could be generated from their activity, which we subsequently asked for additional information on. The applicant submitted a revised risk assessment that included operating techniques to minimise the risks from the activity. We have assessed the operating techniques in these management plans as suitable. They have been included in the permit – Table S1.2 Operating Techniques – and the operator must carry out the activity in line with the specified measures.

## **5.2 Scope of consideration**

### **5.2.1 Local factors**

We have considered the location of the site, the activity taking place and the risks from the waste types in order to set suitable conditions and limits in the permit.

We have considered the location factors set out on section 4.1.1, which were within screening distances for a non-landfill waste facility, against the key risks below.

### **5.2.2 Setting permit conditions**

We have set conditions in the permit in accordance with our Regulatory Guidance Series No RGN 4 – Setting standards for environmental protection (version 5.0). This guidance note explains how we determine the requirements that should apply to a particular activity. Permit conditions specify certain key measures for that type of activity to protect the environment. Other measures may be required through outcome-based conditions. Outcome based conditions specify what we want the operator to achieve, but do not tell them how to achieve it.

We have used relevant generic conditions from our bespoke permit template along with other activity-specific conditions to ensure that the permit provides the appropriate standards of environmental protection.

Our generic conditions allow us to deal with common regulatory issues in a common way and help us be consistent across the different types of regulated facility. We have included our generic conditions on fugitive emissions, odour, pests, noise/vibration and fire to control emissions from the activity.

### **5.2.3 Fugitive emissions (emissions not controlled by emission limits)**

Fugitive emissions are described in section 5.1.1. above. We carefully considered potential fugitive emissions from the activity during our determination. Condition 3.1.1 in the permit states that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

The risk assessment and associated EMS describe the activity, identify sources of fugitive emissions and receptors, consider meteorological factors that could affect impact on receptors, and propose measures to reduce fugitive emissions and mitigate potential impacts.

We assessed the applicants plans. The techniques in the plan(s) are considered proportionate and suitable for the activity being carried out.

These operating techniques plans have been incorporated into Table S1.2 in Schedule 1 of the permit. The operator must carry out the activities in accordance with these operating techniques. If we approve a plan it means that we have formed a view that it contains what we consider to be

appropriate measures in the light of information available to us at the current time. The operator should not rely on our approval of these plans to mean that the measures in the plan are considered to represent all appropriate measures covering every eventuality throughout the life of the permit. More information can be found in “RGN 4: Setting standards for environmental protection”.

If activities at the site give rise to pollution, we can request revised plans management plan from the operator using our powers under condition 2.3.1(b) of the permit.

#### **5.2.4 Odour**

We carefully considered potential odour emissions from the activity during our determination. Condition 3.2.1 in the permit states that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site.

This type of activity is identified as one requiring a specific odour management plan (OMP) in Part 3 of our technical guidance note “EPR1.0 How to comply with your environmental permit”.

The operator submitted such a plan which described the activity, identified sources of odour, potential receptors, proposed prevention measures to reduce odour emissions and to mitigate potential impacts. We assessed these measures in line with the standards set out in our horizontal guidance note “H4 Odour”. The techniques in the plan are considered proportionate and suitable for the activity being carried out.

This management plan has been incorporated into Table S1.2 Operating Techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques. We have explained some of the operating techniques used to prevent odour in the rest of this section.

A baseline odour survey was conducted by the operator and supplied in the application, however these are not required by standards set out in our horizontal guidance note “H4 Odour” as we can only take into account odour from the activities and have therefore not taken baseline surveys into account taken into account in our determination.

The approved plan includes a requirement for the operator to carry out pre-acceptance checks on new customers for baled waste production to understand potential risk of odours coming onto site, prior to agreeing contracts. The pre-acceptance evaluation requirements are listed in Appendix 1 to the Environmental Risk Assessment, also incorporated into Table S1.2 of the permit.

There will be acceptance checks on site for every load delivered, to make sure that baled waste conforms to the pre-acceptance checks. This will

include random bale spot checks prior to accepting the delivery to ensure that the minimum number of layers of wrapping are used, as per the agreed contract. This will involve a small incision made into the wrapping and layers counted and then patched in line with the local work instruction that has been incorporated into Table S1.2. of the permit. If bales do not meet this specification, the delivery will not be accepted. A minimum of 8 layers of durable plastic sheeting has been specified as the expectation in section 2.3. of the risk assessment, this has been incorporated into Table S1.2 of the permit as a pre-acceptance and acceptance measure. This has been deemed appropriate as the waste will be subject to minimal handling on site and the waste is non-containerised.

Each bale will be visually inspected for integrity as it is placed and will only be handled by plant with bale telehandlers to minimise the risk of damaging the bales. Odour will be evaluated during unloading, as will the shape of bale which may indicate deterioration (signs of leachate, wet bales and loss of bale shape). Any bales noticed at this time with small hole defects in the wrapping will be patched.

Noticeably odorous or deteriorated waste will be removed from site immediately if the delivery vehicle is still on site, otherwise it will be placed into a sealed and covered quarantine container for a maximum of 5 days before being returned to the customer.

There will be daily stock inspections to check the integrity of bales and repair, quarantine or remove from site as necessary.

Waste will be stored for a maximum of 3 months, prior to being removed by ship. A stock rotation procedure will be in place by colour coding the bales so the oldest bales will be removed from site first. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.

The operator will conduct routine odour monitoring with set steps and monitoring locations outlined in appendix 1 of the odour management plan. Monitoring around the perimeter of the site will be carried out monthly, and during times where activities on site may pose a greater risk of odour releases such as bale delivery, handling and quarantine procedures. The operators routine monitoring concentrates on the southern and eastern boundary of the site, to reflect the predominant south westerly wind direction.

Furthermore, the operator proposes to use meteorological forecasts to anticipate any odour risks from the activity. This includes:

- Increasing air flow in and around bales in hot weather and bale movements restricted to cooler parts of the day.
- Increase the frequency of odour monitoring when prevailing wind direction changes using the procedure outlined in appendix 1 of the odour management plan, with the relevant contingency measures

actioned in Table 5-1 of the odour management plan if odour is detected.

If complaints are received by the operator, they will be investigated and the on and offsite monitoring adapted according to the nature and location of the complaint. Any monitoring that identifies the 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, must be reported to us by the operator via condition 4.3.1 of the permit.

Remedial action as a result of any observations or complaints of odour by the operator are detailed in Table 5-1 of the odour management plan.

This includes:

- Identifying odorous bales, quarantining them in a sealed skip and returning to customer.
- continued daily monitoring for a week after odorous batches have been removed off site to assess if odours still present, if none present the operator will return to routine monitoring.
- If odour still persists the operator will ensure odorous bales are in quarantine or removed off site, review all available information such as meteorological records, odour monitoring data, other port activities, when the next shipment is due to remove the waste from site and repeat odour monitoring at different times of day to assess spatial and temporal variations.

If the site is considered to be the odour source after this investigation, waste acceptance procedures will be reviewed, and the waste producer informed to identify potential cause.

Where any odour monitoring identifies the activities as the source and that odour is causing serious offence, the operator proposes to cease storage activities, which will be written into their customer contracts to remove waste from site. This will be considered against the time it will take to return the waste to the waste producer against the time the next shipment is due.

Root causes will be reviewed, and revised management techniques implemented as required. Any proposed changes to the approved plan must be sent to us via condition 4.3.5 of the permit for approval or will be required by us via condition 2.3.1(b) of the permit, where relevant.

As routine, the operator will review the OMP within 6 months of commencing operation and then annually. This does not mitigate the operator from also reviewing the OMP or us requiring a revised OMP using condition 2.3.1(b) of the permit.

Any odour complaints received will be investigated by the relevant authority, and if determined that the source of odour are the permitted activities it may be a breach of the permit. Only an authorised officer of Natural Resources

Wales can determine whether the odour condition of the permit has been breached by the operator. We have imposed pre-operational conditions for future development for the operator to submit to us for written approval justification for measures for odour management to be used in Areas B, C and D before they can undertake permitted activities in these areas. More detail on the pre-operational conditions for future development are in section 4.3.6 of this decision document.

### **5.2.5 Pests**

We carefully considered the potential pest risk from the activity during our determination. Condition 3.4.1 in the permit states that activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.

The operator identified this type of activity through their risk assessment as one that would require a specific pest management plan (PMP) as referred to in Part 3 of our technical guidance note EPR1.0 'How to comply with your environmental permit'.

The operator submitted such a plan, which described the activity, identified pests' types, receptors and proposed prevention and mitigation measures to prevent, or where that is not practicable, to minimise the presence of pests on the site. The applicant used Environment Agency "Fly Management Guidance" to propose appropriate measures that meet the pest section in EPR1.0 'How to comply with your environmental permit'. Accessible to applicants are various versions of the guidance but the relevant sections for this application are consistent between versions 1 and 3 of said guidance.

We assessed these measures in line with the standards set out in Part 3 of our technical guidance note EPR1.0 'How to comply with your environmental permit'.

The PMP has been incorporated into Table S1.2 Operating Techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.

The approved plan includes a requirement for the operator to carry out pre-acceptance checks on new customers for baled waste production to understand potential risk of pests coming onto site prior to agreeing contracts. The pre-acceptance evaluation requirements are listed in Appendix 1 to the Environmental Risk Assessment, also incorporated into Table S1.2 of the permit.

There will be acceptance checks on site for every load delivered, to make sure that baled waste conforms to the pre-acceptance checks. This will include random bale spot checks prior to accepting the delivery to ensure that the minimum number of layers of wrapping are used as per the agreed contract. This will involve a small incision made into the wrapping and layers

counted and then patched in line with the local work instruction that has been incorporated into Table S1.2. of the permit.

If bales do not meet this specification, the delivery will not be accepted. A minimum of 8 layers of durable plastic sheeting has been specified as the expectation in section 2.3. of the risk assessment, this has been incorporated into Table S1.2 of the permit as a pre-acceptance and acceptance measure. This has been deemed appropriate as the waste will be subject to minimal handling on site and the waste is non-containerised.

Each bale will be visually inspected for integrity as it is placed and will only be handled by plant with bale telehandlers to minimise the risk of damaging the bales. Any bales noticed at this time with small defects will be patched in line with the local work instruction that has been incorporated into Table S1.2. of the permit.

The presence of pests will be evaluated as the bales are unloaded and any loads with signs of infestation will be quarantined in a sealed skip and removed from site within 5 days. This will be managed with additional measures depending if there is elevated humidity or temperature in the sealed skip and controlling the opening of the sealed skip to reduce risk of fly ingress/egress.

For the external storage Area A, there will be additional mitigation measure of a mesh covering, covering the entire waste bales stack and anchored to the ground. The details of this structure are provided in figure 4 of the Pest Management Plan. All sides of Area A will be covered with the mesh, and fly traps will be distributed across 4 sides of Area A.

There is no legal objective level at which a pest pollution, hazard or annoyance from flies exist, therefore the applicant has proposed to count the flies on the fly traps weekly, with an initial trigger limit set at 50 houseflies per paper, per week near the waste storage area indicating an early warning to investigate. The applicant has proposed this level using Defra guidelines for “Statutory Nuisance from Insects and Artificial Light” on the presence of flies in residential properties indicating ground for distress, which we agree is appropriate. The level will be adapted as required such from learning from the operating techniques and other activities on and off site that may give rise to flies. This trigger limit does not mitigate the operator or relevant regulating authority from investigating pest complaints received before this trigger limit is reached.

The operator has not proposed the spraying of insecticide as a routine measure in their PMP and we have not approved its use. The operator has stated that should insecticide use be required, they would use a licenced pest control company to undertake it and would consider the following aspects when appointing them:

- Be a current member of British Pest Control Association or national Pest Technicians association.

- Have appropriate site safety qualification or certification (such as BS EN16636:2015 professional standard).
- Have experience of fly control on other waste sites.
- Be able to carry out fly identification, monitoring and surveying, if required.
- Have the applicable equipment to treat a large site.
- Be able to provide cover outside normal working hours, e.g. evenings, weekend and holidays, if required.
- Be able to propose a sensible fly management plan and not just rely on insecticide.

Should spraying of insecticides be required as a last resort, the PMP will need to be revised in line with, but not limited to, the above considerations and agreed by us prior to being carried out.

There will be daily proactive checks for the presence of pests and remedial action as specified in Table 4-1 of the pest prevention plan taken.

A stock rotation procedure will be in place by colour coding the bales so the oldest bales will be removed from site first. Waste will be stored on site for a maximum of 3 months.

There will be a daily housekeeping schedule implemented to clear any litter/debris. In addition to this, after a shipment and the waste area is empty, the floor and corners will be cleared of any debris before filling.

There is a plan in place to alert sensitive receptors where a significant pest problem is identified in line with in section 4.5 of the approved PMP.

We have imposed pre-operational conditions for future development for the operator to submit to us for written approval justification for measures for pest management to be used in Areas B, C and D before they can undertake permitted activities in these areas. More detail on the pre-operational conditions for future development are in section 4.3.6 of this decision document.

## **5.2.6 Fire**

We carefully considered the potential fire risk from the activity during our determination. Condition 3.5.1 in the permit states that shall the operator shall manage and operate the activities in accordance with a written fire prevention and mitigation plan (FPMP) using the current, relevant fire prevention plan guidance.

The types of waste proposed to be stored at this site are identified as those requiring a fire prevention and mitigation plan in our technical guidance note no.16 "Fire Prevention & Mitigation Plan Guidance – Waste Management" [version 2 August 2017]. This guidance was jointly produced by us and the three fire and rescue services in Wales.

This operator submitted a FPMP which described the activity, identified the fire risks, proposed prevention measures to reduce fire risks and mitigate with potential impacts. We assessed these measures in line with the standards set out in our technical guidance note no.16 “Fire Prevention & Mitigation Plan Guidance – Waste Management” [version 2 August 2017].

The techniques in the FPMP are considered proportionate and suitable for the activity being carried out. The FPMP has been incorporated into Table S1.2 Operating Techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.

The operator has identified potential causes of fire on site in Table 4-1 of the approved plan and produced the rest of the plan to address these risks.

The operator has proposed that waste will be stored for no longer than 3 months, and the maximum stockpile sizes prior to export is anticipated to be for the final 3 weeks. The operator has recognised the waste streams proposed may be affected by seasonality which may mean the waste needs to be stored longer than required, therefore they will have contractual agreements with facilities they are receiving waste from, and facilities sending waste to for financial security to remove waste off site, so it is not stored for longer than approved.

The maximum time the waste is be stored proposed in Table 2-2 of the fire prevention and mitigation plan are in line with the minimum requirements in Table 1 of our technical guidance note no.16 “Fire Prevention & Mitigation Plan Guidance – Waste Management” [version 2 August 2017].

The waste types proposed are those that could be at risk of self-combustion and the operator has recognised this and proposed maximum storage times that are less than the maximum storage times in the guidance.

The maximum stockpile sizes and minimum separation distances proposed in Table 2-2 for areas A and B are in line with Graph 1 of our technical guidance note no.16 “Fire Prevention & Mitigation Plan Guidance – Waste Management” [version 2 August 2017].

We have imposed pre-operational conditions for the future development for Areas C and D which must be agreed by us prior to undertaking permitted activities in these areas. The operator must submit for written approval from us information justifying the number of waste stockpiles, the dimensions of the waste stockpiles, the separation distances between the waste stockpiles, and the layout of the waste stockpiles on a site plan, for Areas C and D, in line with condition 3.5.1 of this permit. See section 4.3.6 of this decision document for more detail.

They have proposed additional monitoring and processes to control the risk of self-combustion, including:

- stock rotation using colour coding on bales so oldest bales are removed first.

- visual monitoring – daily checks for any signs of potential fires.
- temperature monitoring – a thermal probe will be used but will not be used to pierce bales as this will introduce additional risks. The probes will be inserted into the channels between bales. If the temperature is above 40°C, stock rotation will be implemented to reduce the temperature of the hot spot/bales by moving bales to the outer edges or the quarantine area if required.
- moisture monitoring – this will be controlled primarily by the contract with customers and the pre-acceptance criteria. Deformed bales arriving on site or noticed whilst in storage may indicate increased moisture content. Such problematic bales identified in daily checks will be subject to the quarantine procedure specified.

A firefighting strategy has been set out by the operator should a fire occur on site.

There are 3 fire hydrants of sufficient pressure capacity within adequate proximity of the site to be used should a fire occur. In addition to this, but as a secondary measure, the drop height from the dock is sufficient to allow the use of dock water as a water source in the event of an emergency. Fire water run-off would either be re-used if the fire service deemed appropriate, released to sewer or contained and tankered off site to a suitably permitted facility. Approved contractors with their response times have been included in the plan.

The external storage areas are bunded and would be able to contain 2500m<sup>3</sup> of fire water. Penstock valves would be used prevent escape of run off to sewer unless there is an agreement with the sewage undertaker.

The operator has a suitably sized quarantine area for solid fire waste or to move unburnt waste to prevent a fire from spreading. The quarantine area is in line with the guidance requirements of a capacity to hold 50% of the largest waste stack size.

Contingency measures have been specified in the plan to divert any incoming waste deliveries in the event of a fire, and to remove burnt waste material from the site.

Should a fire occur, the operator has specified the measures to be taken before the site can become operational again, including removal of burnt waste material and checking infrastructure and pollution prevention measures in Table S1.1 and Table S1.2 of the permit are still to permit condition specifications, for example, ensuring the mesh scaffold is still suitable and the ensuring surface is still impermeable.

Mid and West Fire and Rescue Service have conducted a site visit and also assessed the fire prevention and mitigation plan, their comments and our response are detailed in Appendix 2 of this decision document.

### **5.2.7 Noise and vibration**

The operator has considered the risk of noise to be low and we agree with this assessment. The site is on an active port, the noise sources from the waste activity will be restricted to plant and equipment used to move the waste for short periods of time. Use of the wrapper will be limited to 1-2 times a month. There is an appropriate maintenance procedure in place for the equipment used.

We cannot take into account noise from traffic to and from the site in this determination. This is explained in more detail in Appendix 2 of this decision document.

### **5.2.8 Emissions to surface water**

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent and/or minimise emissions to water.

There are to be no releases of process effluent or rainfall depend run-off from the areas used to store or treat waste to surface water associated with the operation of the waste facility.

The storage and treatment of waste will take place on an impermeable surface with a sealed drainage system. An impermeable surface is one that does not allow liquids to seep through into the ground underneath. A sealed drainage system is one that ensures all run off from the site is directed to/ collected at a specific point. The run-off discharges will be directed to the foul sewer from external storage areas A and B via a discharge consent from the sewerage undertaker, DCWW. Areas C and D will have sealed drainage in that there will be no outlet (that is, no drains or taps) and drain to a blind collection point and contained within the building.

### **5.2.9 Emissions to sewer**

The waste facility will give rise to run-off from the external waste storage areas A and B.

The run-off from areas A and B will be discharged to sewer via the emission point agreed from the submission required under pre-operational condition reference PO1 and pre-operational condition for future development reference FPO1 in the permit respectively in accordance with a trade effluent consent from the local sewerage undertaker, Dŵr Cymru Welsh Water.

The operator has submitted information that has given a strong likelihood of a trade effluent consent being granted but this cannot be confirmed by the sewerage undertaker until a permit is in place.

The operator has applied to Dŵr Cymru Welsh Water for a trade effluent discharge consent and Table S.1.2 of the permit incorporates the parts of the operators operating techniques that states they will provide proof of the trade effluent discharge consent prior to operating.

We are satisfied that the environmental risk associated with the release of rain fall dependent run-off to sewer is not significant, since the waste types proposed will be baled, or wood waste

The effluent will be treated at a Dŵr Cymru Welsh Water waste water treatment works prior to discharge to the aquatic environment.

Based upon the information in the Application, we are satisfied that appropriate measures will be in place to prevent and / or minimise emissions to sewer.

### **5.2.10 Monitoring and reporting**

As no emission limits have been set, there are no monitoring or reporting conditions under Schedule 3 and 4 of the permit.

## **6. Biodiversity, Heritage, Landscape and Nature Conservation**

### **6.1.1 Sites Considered**

The operators risk assessment was reviewed by us for sites of heritage, landscape or nature conservation, and/or protected species or habitat

We agreed with the assessment's conclusions, that there would be no likely significant effect on the interest feature(s) of the protected site(s).

The waste facility is within the relevant screening distance criteria of a protected habitat and site. A full assessment of the Application and its potential to affect the designated site has been carried out as part of the permitting process.

We considered the risk of the proposed waste facility to the features of the Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) from toxic contamination, nutrient enrichment, habitat loss, siltation, smothering, disturbance and predation through the pathways of leachate, surface water, dust, physical access, litter, gulls, corvids and rats, and noise and visual intrusion in our assessments.

We consider that the Application will not affect the features of the designated sites listed below. The following European protected sites (i.e. SAC) are located within 1km of the waste facility:

- Pembrokeshire Marine (Site Code: UK0013116)

The following SSSIs are located within 2km of the waste facility:

- Milford Haven Waterway (SSSI ID: 282)

We consulted with the statutory conservation body, and based upon the information in the Application, we are satisfied that:

- a) The proposed permission is not likely to damage any of the flora, fauna or geological or physiological features which are of special interest and there is no pathway for features to be affected. The closest storage area to the SSSI is approximately 520m west of the proposed site. All run-off from external areas of the site shall go to foul sewer and run-off from indoors areas of the site shall drain to a blind collection point and contained within the building. There are no discharges to surface water permitted. See [section 4.3.5](#) of this document for further detail. The operating techniques listed in [section 5](#) of this document that have been incorporated into Table S1.2 of the permit further reduce the risk to the SSSI.

And;

- b) The proposed permission has no likelihood of significant effect on the special area of conservation as there is no pathway for features to be affected. The closest storage area to SAC is approx. 440m north of the proposed site. All run-off from external areas of the site shall go to foul sewer and run-off from indoors areas of the site shall drain to a blind collection point and contained within the building. There are no discharges to surface water permitted. See [section 4.3.5](#) of this document for further detail. The operating techniques listed in [section 5](#) of this document that have been incorporated into Table S1.2 of the permit further reduce the risk to the SAC.

Full details of our assessment for the SAC and SSSI can be found in our “Record of Habitats Risk Assessment of a Project” and “Appendix 4 Formal Notice Duty” in relation to granting any consent, licence or permit for activities likely to damage Sites of Special Scientific Interest (SSSI)”, respectively.

There were no identified non-statutory Local Wildlife Sites (LWS), National Nature Reserves (NNR), Local Nature Reserves (LNR) and Ancient Woodlands located within 2km of the waste facility

We have also checked our records for the presence of European Protected Species (EPS), as defined by the Habitats Directive, within the locality of the waste facility. We have assessed that the nature of the activity will not affect any EPS.

With regards to the historical environmental assets, there are 5 Scheduled Ancient Monuments (SAMs) within 1km of the site boundary.

- SAM PE570 Bomb stores at west end of Fort Road
- SAM PE379 Defensible barracks Pembroke Dock
- SAM PE380 Paterchurch Tower
- SAM PE332 South West Dockyard Tower
- PE452 American War of Independence Redan at Bath House

None of these SAMs are within the permitted boundary.

Cadw did not raise any concerns with regard to the effect of the permitted activity on the SAMs. The full response from Cadw is in [Annex 2](#) of this document.

Based upon the information in the application, we are satisfied that the activity is not likely to cause or give rise to pollution outside the site to the SAMs because there is no conceivable impact pathway.

There are 145 historic monuments within 1km of the activity.

Of these, 1 is within the permitted boundary:

- NPRN 127658 Flying Boat Station, East Hangar

The following are within Gate 1 of Pembroke Dock, the location of the permitted site:

- NPRN 127657 Flying Boat Station, West Hangar, located approximately 17m north of Area A.
- NPRN 308217 flying boat station – area of former airfield for the flying boat station, the slipway has been built over and 2 hangars remain.
- NPRN 96118 Pembroke Dockyard - gate to the dockyard.
- 126409 Dock – dry dock, Eastern Camber now used as a dock. Limestone walled open dock.
- NPRN 96117 PEMBROKE DOCKYARD, DOCKS 8-15 – general dock

There are numerous other historic environmental assets within the dock, and around the dock. Our assessment of those located within Gate 1, (closest to the permitted activity) is to be taken as our assessment to those located further away.

We considered the key risk to the Flying Boat Hangars to be the risk of fire from the storage of the waste.

It is proposed Area D, the Flying Boat House East Hangar, will be used to store waste. This area is subject to a pre-operational condition for future development. This pre-operational condition is for the operator to submit the waste stack sizes and layout for this area. A full explanation of the pre-operational condition is given in [section 4.3.6](#) of this document.

Area A is approximately 17m south of Flying Boat Station, West Hangar. We have assessed the fire prevention and mitigation plan in full for Area A and

are satisfied that the distance of the waste stacks from this building and the layout of the waste stacks mean that it is within the minimum separation distances to the Flying Boat Western Hangar as specified in our [Fire Prevention & Mitigation Plan Guidance – Waste Management](#). A full explanation of our assessment of the Fire Prevention and Mitigation Plan is given in [section 5.2.6](#) of this document.

Furthermore, the Local Planning Authority (LPA) stated in their response in the consultation to us that planning permission is required for the site. This is explained in full in [Annex 2](#) of this document. Any major alterations to listed buildings or significant changes to the use of a building or piece of land require planning permissions from the LPA.

We do not require planning permission to be in place prior to granting an environmental permit for this activity. However, all relevant permissions should be in place prior to the activity commencing.

## **7. Other legal requirements**

In this section we explain how we addressed other relevant legal requirements, to the extent that we have not addressed them elsewhere in this document.

### **7.1 The Environmental Permitting Regulations (England and Wales) 2016 and related Directives**

The EPR 2016 delivers the requirements of a number of European and National laws.

### **7.2 Schedule 9 to the EPR 2016 – Waste Framework Directive**

A *waste operation* is being conducted as the main purpose of the regulated facility. The requirements of Schedule 9 therefore apply.

This means that we must exercise our functions so as to ensure implementation of certain articles of the Revised Waste Framework Directive (rWFD).

We must exercise its relevant functions for the purposes of ensuring that the waste hierarchy referred to in Article 4 of the rWFD is applied to the generation of waste and that any waste generated is treated in accordance with Article 4 of the rWFD.

The conditions of the permit ensure that waste generation from the facility is minimised. Where production of waste cannot be prevented, it will be recovered wherever possible or otherwise disposed of in a manner that minimises its impact on the environment. This is in accordance with Article 4.

We must also exercise its relevant functions for the purposes of; implementing Article 13 of the rWFD;

ensuring that the requirements in the second paragraph of Article 23(1) of the WFD are met; and  
ensuring compliance with Articles 18(2) (b), 18(2) (c), 23(3), 23(4) and 35(1) of the WFD.

Article 13 relates to the protection of human health and the environment. These objectives are addressed elsewhere in this decision document. Article 23(1) requires the permit to specify;

The types and quantities of waste that may be treated;  
- for each type of operation permitted, the technical and any other requirements relevant to the site concerned;  
- the safety and precautionary measures to be taken;  
- the method to be used for each type of operation;  
- such monitoring and control operation as may be necessary; and  
- such closure and after-care provisions as may be necessary.

These are all covered by permit conditions. The permit does not allow acceptance or mixing of hazardous wastes, so Article 18(2) is not relevant.

We consider that the intended method of waste treatment is acceptable from the point of view of environmental protection, so Article 23(3) does not apply.

We consider that energy efficiency in accordance with Article 23(4) does not apply, as the waste is only to be stored at this site, with its recovery of energy proposed to be done elsewhere. This is delivered through the activity limitations in Table S1.1. of the permit.

Article 35(1) relates to record keeping and its requirements are delivered through permit conditions.

### **7.3 Schedule 22 to the EPR 2016 – Groundwater, Water Framework Directive and Groundwater Daughter Directives.**

To the extent that it might lead to a discharge of pollutants to groundwater (a groundwater activity under EPR 2016), the permit is subject to the requirements of Schedule 22 EPR 2016, which delivers the requirements of European Union directives relating to pollution of groundwater.

The permit will require the taking of all necessary measures to prevent the input of any hazardous substances to groundwater, and to limit the input of non-hazardous pollutants into groundwater so as to ensure such pollutants do not cause pollution and satisfies the requirements of Schedule 22.

No release to groundwater from the waste facility are permitted, the permit also requires material storage areas to be designed and maintained to a high standard to prevent accidental releases.

To the extent that there could be relevant discharges to inland freshwaters, coastal waters or relevant territorial waters, Schedule 21 EPR applies. No such discharges have been permitted.

#### **7.4 Directive 2003/35/EC – The Public Participation Directive**

Regulation 59 of the EPR 2016 requires us to prepare and publish a statement of its policies for complying with its public participation duties. We have published our public participation statement.

This application has been consulted upon in line with that statement. This satisfies the requirements of the Public Participation Directive. Our decision in this case has been reached following an extensive programme of public consultation on the application. The way in which this has been carried out was explained earlier in this document.

**The way in which we have consulted with the public and other interested parties is set out at the beginning of this document.**

#### **7.5 National Welsh Legislation:**

**Environment (Wales) Act 2016,  
Well-being and Future Generations (Wales) Act 2015,  
Environment (Wales) Act 2016,  
The Natural Resources Body for Wales (Establishment) Order 2012,  
The Natural Resources Body for Wales (Functions) Order 2013,  
(together ‘the Welsh Legislation’).**

We have taken full account of its duties under the Welsh Legislation. NRW is satisfied that this decision is consistent with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

In particular, we acknowledge that the principles of sustainable management include: making appropriate arrangements for public participation in decision making, taking account of all relevant evidence and gathering evidence in respect of uncertainties, taking account of the short, medium and long-term consequences of actions and taking account of the resilience of ecosystems.

We further acknowledge that it is an objective of sustainable management to maintain and enhance the resilience of ecosystems and the benefits they provide and, in so doing meet the needs of present generations of people without compromising the ability of future generations to meet their needs and

contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015 .

We are satisfied that on the evidence the short, medium and long-term consequences of granting a permit for the operation of this facility will not affect the resilience of ecosystems and is consistent with the well-being goals.

In coming to this view, we note that we have no powers or duties with regard to traffic volume or movements outside of the permit boundary.

We consider that we have set permit conditions in a consistent and proportionate fashion based on the activity being carried out and considering all relevant matters.

We consider that we have pursued the objectives set out in the Welsh Legislation, where relevant, and that there are no additional conditions that should be included in this permit for those purposes.

## **7.6 Human Rights Act 1998**

We have considered potential interference with the rights protected by the European Convention on Human Rights (ECHR) in reaching our decision and consider that our decision is compatible with our duties under the Human Rights Act 1998.

In particular, we have considered the right to life (Article 2), the right to a fair trial (Article 6), the right to respect for private and family life (Article 8) and the right to protection of property (Article 1, First Protocol).

Article 8 ECHR includes the right to respect for the quiet enjoyment of one's home. In some circumstances, persistent noise, emissions, odours, pests or other such non-physical interferences can be sufficiently serious to amount to interferences with that right to quiet enjoyment. We are satisfied that the conditions imposed in the permit mean that there should be no interference with local residents' rights under Article 8 ECHR, in particular because strict controls will be in place to ensure that pests and other emissions are prevented and/or minimised. If and to the extent that the grant of the permit may result in an interference with Article 8 rights, any such interference would, in our view, be in accordance with the law and would be proportionate, considering, in particular, the need to strike a fair balance between the rights and interests of affected individuals and the rights, freedoms and interests of the operator and the wider community, including the interests of the UK in promoting recycling and recovery operations.

No representations have been made to us in the course of determining this application specifically in relation to the Human Rights Act 1998.

We have considered the potential interference with Convention rights to which granting the permit may give rise and we are satisfied that no such rights are

engaged in the present case or that, if they are, the proposed activity would not unlawfully interfere with those rights.

### **7.7 Wildlife and Countryside Act 1981**

Under Section 28G of the Wildlife and Countryside Act 1981, we have a duty in exercising its functions, so far as their exercise is likely to affect the flora, fauna or geological or physiographical features by reason of which a SSSI is of special interest, to take reasonable steps to further the conservation and enhancement of those flora, fauna or geological or physiographical features by reason of which a site is of Special Scientific Interest.

Under Sections 27AA and 28I we have a duty to notify its nature conservation function and the strategic conservation panel for the strategic planning area in relation to any operation that is likely to damage a SSSI.

We assessed the application and concluded that there is 1 SSSI within the 2km screening distance of the site.

The reasons why no notification was required is explained in section 6 of this decision document.

### **7.8 The Conservation of Habitats and Species Regulations 2017**

We have assessed the application in accordance with guidance agreed by the conservation body in Wales and concluded that there will be no likely significant effect on any European site.

We consulted with our nature conservation function and they agreed with the operator's conclusion that the waste facility is not likely to have any significant effect on any habitat sites within the screening distance.

A habitats assessment (Record of Habitats Risk Assessment of a Project) was completed and our conclusions noted.

### **7.9 Water Framework Directive Regulations 2017**

Consideration has been given to whether any additional requirements should be imposed in terms of our duty under Regulation 3 to secure the requirements of the Water Framework Directive, Environmental Quality Standards Directive and Groundwater Directive through (inter alia) EPR permits, but it is considered that existing conditions are sufficient in this regard and no other appropriate requirements have been identified.

### **7.10 Section 81 Environment Act 1995**

The site is not within a designated Air Quality Management Area.

We consider that we have taken our decision in compliance with the National Air Quality Strategy, and that there are no additional conditions that should be included in this permit.

## Annex 1: decision checklist

Some aspects, such as submission of the correct fee or information on the site's Opra profile, are not included in this list because we have addressed them at the duly making stage. They are not part of our determination.

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
<b>Yes</b>		
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	<p>The web publicising, consultation and advertising responses (<a href="#">Annex 2</a>) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>Sustainable Management of Natural Resources (SMNR)</b>		
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.	✓
<b>The site</b>		

Aspect considered	Justification / Detail	Criteria met
		Yes
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is not satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).</p> <p>A full explanation of the reasons we have considered this unsatisfactory is provided in <a href="#">section 4.3.3</a> of this decision document</p>	✓
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 site(s)/species/habitat has been carried out as part of the permitting process. We consider that the application will not affect the features of the site/species/habitat.</p> <p><b>Assessment of Likely Significant Effect:</b></p> <p>The project has been screened for likelihood of significant effects and, taking account of the advice received from protected sites advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site.</p> <p><b>Habitats Risk Assessment Overall conclusion:</b></p> <p>In light of the conclusions of the appropriate assessment, it has been ascertained that the project will not adversely affect the integrity of any Natura 2000/Ramsar site.</p> <p>A full explanation of our assessment is provided in <a href="#">section 6</a> of this decision document.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Environmental Risk Assessment and operating techniques</b>		
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> <p>A full explanation of the operator's risk assessment specific management plans is provided in <a href="#">sections 5.1.1 - 5.2.6</a> of this decision document.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions are provided in <a href="#">section 5</a> of this decision document.</p> <p>The operator has identified appropriate measures, as set out in the relevant technical guidance note for waste activities; 'How to comply with your environmental permit'.</p> <p>We have incorporated relevant management plans and other guidance/standards in Table S1.2 Operating Techniques in Schedule 1 of the permit. The operator must carry out the activity in accordance with these standards.</p> <p>If any of the management plans, techniques or standards incorporated in Table S1.2 need to be revised – to reflect improvements in industry standards or to include additional control measures – we can use our power under condition 2.3.1(b) of the permit to carry out these changes.</p>	✓
<b>The permit conditions</b>		
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> <li>• the proposed waste types are suitable for the nature of the permitted activity</li> <li>• appropriate measures for acceptance, storage and processing have been included in the permit and identified by the operator</li> <li>• the appropriate measures are in place to prevent fugitive emissions.</li> </ul> <p>Notwithstanding the waste types set out in Table S2.1 of the permit, we have excluded the following wastes for the following reasons:</p> <ul style="list-style-type: none"> <li>• consisting solely or mainly of dusts, powders or loose fibres</li> <li>• sludges</li> <li>• odorous or odour producing</li> <li>• hazardous waste</li> </ul> <p>to ensure risk from the activity is contained and that measures used on site remain appropriate for the permitted activity.</p> <p>We made these decisions with respect to waste types in accordance with waste facility technical guidance note 'How to comply with your environmental permit' and after full assessment of the risk controls used on site.</p> <p>A full explanation of the reasons why we're happy operator can accept these waste types in provided in <a href="#">section 4.3.4</a> and <a href="#">section 5</a> of this decision document.</p>	
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>A full explanation of the pre-operational conditions we've included in the permit is in <a href="#">section 4.3.6</a> of this decision document.</p>	✓
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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	A full explanation of the measures we've incorporated in the permit is in <a href="#">section 5</a> of this decision document.	
<b>Operator Competence</b>		
Environment management system	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. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme.  The operator satisfies the criteria in RGN 5 on Operator Competence.  A full explanation of how we have considered technical competence requirements is in <a href="#">section 4.2.2</a> of this decision document.	✓
Relevant convictions	Our Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.	✓
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

## Annex 2: Consultation, web publicising and advertising responses

Summary of responses to consultation, web publication and advertising and the way in which we have taken these into account in the determination process.

Below are tables which summarise responses received together with how they have been addressed in the determination process.

For specific statutory bodies and voluntary organisations, we have summarised their specific responses. Where responses were received from individuals, we have not included their personal details and have grouped responses into categories. Where we received similar responses from individuals, we have grouped those together and shown how the issue raised was addressed.

<b>Response received from</b>
Cadw (Welsh Government's historic environment service)
<b>Brief summary of issues raised</b>
The proposed uses that are the subject of this application do raise some concerns. The storage of combustible material within a listed building has obvious risks, and the storage of waste generally within the setting of the listed buildings will do little to enhance their special architectural and historic interest.
<b>Summary of actions taken or show how this has been covered</b>
<ol style="list-style-type: none"><li>1. As the applicant has proposed to accept combustible waste, a Fire Prevention and Mitigation Plan (FPMP) has been submitted by the applicant and assessed by us. It meets the requirements of our guidance that has been produced on conjunction with the 3 fire and rescue services in Wales. The FPMP has been incorporated into Table S1.2 operating techniques table of the permit.</li><li>2. It is a criminal offence to carry out any alterations, extension or demolition works (either to the exterior or interior) which would affect the character of a building once it is listed, unless listed building consent has been obtained from the Local Planning Authority. The response from the Local Planning Authority indicates that planning is still required.</li></ol>

<b>Response received from</b>
Mid and West Fire and Rescue Service
<b>Brief summary of issues raised</b>
<ol style="list-style-type: none"><li>1. Section 2.3.1 refers to a HD woven polyethylene mesh to limit fly escape. The Fire Service recommend that this mesh should be flame retardant.</li><li>2. There is a white diesel is stored in a bunded tank adjacent to the cargo shed. Remedial works are required on the bund. The tank is close to a building to be used to store combustible waste it is recommended that when the stack layout is determined for Area "C" it does not butt directly against the wall adjacent to the external tank.</li></ol>

3. Section 2.8.3 regarding Gas cylinders needs to clarify if there are no gas cylinders stored on the Gate 1 site.
4. The Fire Service suggest that reference to the locations of the keys to open the emergency access gates off Admiralty Way should be included, to access the 2 fire hydrants referred to in the fire prevention and mitigation plan.
5. Specifications of all pre-operational conditions should comply with the current version of the Fire Prevention and Mitigation Plan Guidance- Waste Management (Guidance note 16), then it should be acceptable to the Fire Service. This particularly applies to the layout and stack sizes proposed in general for all four storage areas on the site. \_

#### Summary of actions taken or show how this has been covered

1. The operator has confirmed the material is flame retardant in an amended fire prevention and mitigation plan.
2. The diesel tank is not part of the permitted activities so we cannot enforce the bunding through the permit. However, general pollution prevention controls must be in place for all non-waste activities on the site which this will fall under. A pre-operational condition has been included for the operator to provide an amended FPMP with the final stack layout for the buildings before they become operational for the waste activity, to be in line with the relevant fire prevention and mitigation plan guidance.
3. Section 2.3.8 of the fire prevention and mitigation plan has been amended and now states that there are to be no gas cylinders on site.
4. Section 6.4.3 and 7.3 of the fire prevention and mitigation plan has been updated to say where how the keys are accessed.
5. Pre-operational measures have been specified in the permit to be in line with the current guidance.

This has been supplied in an amended Fire Prevention and Mitigation Plan and incorporated into Table S1.2 Operating Techniques in Schedule 1 of the permit.

#### Response received from

Public Health Wales and Hywel Dda University Health Board

#### Brief summary of issues raised

The consultee has stated they have no grounds for objection based upon public health considerations contained within the application and provided the site is operated in line with current sector guidance. However, inconsistencies in the application were raised that should be clarified.

1. Recommend operator seeks Environmental Management System (EMS) accreditation within agreed timescale.
2. Regulator must ensure that operations are managed in line with the guidance "Fire Prevention & Mitigation Plan Guidance – Waste Management version 2.0" and proposed storage areas and storage times are clarified.

3. Watering of wood waste for dust suppression may increase risk of fire.
4. Emphasised that only waste meeting permitted acceptance criteria and any failing to meet this are removed off-site promptly to control risks of odour and pests.
5. Regulator should ensure suitable noise mitigation controls are in place.

**Summary of actions taken or show how this has been covered**

1. There is no requirement for an EMS to be externally accredited. The EMS and supporting documents are in line with the requirements of our guidance note How to Comply.
2. We have assessed the Fire Prevention & Mitigation Plan submitted and have deemed the measures as appropriate and in line with the guidance. The storage times and locations are listed in Table 2-2 and Drawing 1850/3 respectively, both in the plan.
3. Moisture content as part of fire prevention measures have been included. Furthermore, waste stored externally will be in netted area. Waste types that are dust, fines have been specifically excluded in Table S2.1. of the permit
4. Pre-acceptance and waste acceptance checks have been incorporated in the permit that demonstrate how the operator will comply with the odour, pest and waste types to be accepted conditions of the permit. The Odour Management Plan and Pest Management Plan includes these details and have been assessed as appropriate and incorporated into Table S1.2. of the permit.
5. We agree with the operator's assessment that the risk of noise is low due to the nature of the operation. The plant and equipment used on site will not alter significantly from other types of plant and equipment on site and will not be in use 24/7. The agricultural baler will only be used 1-2 times a month. We have incorporated the maintenance schedule for the plant and equipment that will be used on site to ensure it is working to optimum level.

**Response received from**

Pembrokeshire County Council – Environmental Health

**Brief summary of issues raised**

1. Quarantine areas are close to residential areas, queried how will bale integrity and thickness of bales identified.
2. Concerns about the baseline odour monitoring done and expertise in conducting the odour monitoring.
3. Concerns regarding reliance on wind direction as minimising and preventing odour. Concerns that summertime easterly winds are more likely to be present.
4. Concerns that operator is not competent.
5. Concerns location is not suitable for an operation of this scale.

**Summary of actions taken or show how this has been covered**

1. The quarantine area referred to is the emergency quarantine area for use in the event of a fire only. We deem this appropriate as it will not be a routinely used space.

2. Baseline monitoring is not a requirement of the H4 odour guidance, and as the operator is not undertaking any waste operations on site currently, it has been assessed as having little relevance to determination. The operator will have a technically competent manager as a permit condition. The operator has provided evidence of being registered to undertake the appropriate qualification for this type of activity that will cover the key risks from this type of activity, including odour.
3. Applicant has referred to how meteorological forecasting will be used to manage on site activities in their odour management plan, which we have incorporated into Table S1.2. This plan is in line with our H4 guidance on Odour Management.
4. Operator competence checks have been carried out in line with EPR, DEFRA Core Guidance and our guidance RGN 5 Operator Competence. In addition to our mandatory checks, we asked for the full sections of the EMS that will manage staff training. We assessed this as in line with our guidance note, How to Comply.
5. This is within the Planning Authority remit to comment on whether the location is suitable, planning permission is required for the site as specified in the Planning Authority response. Environmental controls in line with our published guidance have been incorporated into the permit to minimise the risk of emissions.

**Response received from**

Pembrokeshire County Council – Planning Authority

**Brief summary of issues raised**

Stated that no planning permission is currently in place for the proposed waste facility and would require an application which would involve a formal public consultation.

**Summary of actions taken or show how this has been covered**

None to be taken – it is not a requirement under EPR to ensure that planning is in place prior to issuing a permit. However, the operator will need to ensure that they have all relevant permissions in place before operating.

**Response received from**

Hywel Dda University Health Board (HDdUHB) – in addition to the response from HDdUHB's Director of Public Health with Public Health Wales, a separate response was also received from Hywel Dda University Health Board representing South Pembrokeshire hospital

**Brief summary of issues raised**

1. Operator should only be able to store waste for 1 month during summer period and to be stored inside. Additionally, they should only be able to accept waste into the site that has been stored for a maximum of 1 month prior to arrival on site. Stock rotation must also be implemented. These conditions should be included as a mandatory requirement of their permit.

2. Waste Acceptance Criteria (WAC) such as storage processes, wrapping process, pest control procedures etc. is made a mandatory requirement of the permit.
3. How does NRW assess WAC and account for storage of waste materials prior to arrival at the permitted site? Does this criteria form part of the sites process and failure to ensure compliance mean a breach of the permit conditions?
4. We propose that quarantine storage is time bound and timescales for returning quarantined waste to supplier as stated in Table 4.1 of the PMP be reconsidered with tighter timescales.
5. Can NRW confirm whether these proposed lines of defence (Scaffold, mesh, insecticides, fly traps, bactericide) are in line with best available techniques? Will all these conditions form part of the permit conditions and therefore be enforceable and in regard to the Scaffold could the Port Authority be required to cover the three sides fully and during periods of non-use have a temporary cover for the remaining open side i.e. gate?
6. What guarantee can be given to the Health board that the Port Authority is competent to perform this process? Our response highlights concern around the experience of the personnel employed by the Port Authority following recent discussions.
7. We would like to see included in the permit as a mandatory requirement that in the event that the site breached baseline limits for pests and odour that the hospital is informed immediately so that they could put their own contingency measures in place. In the spirit of collaboration, we would also like to see the Port Authority cover the cost of doing baseline monitoring at the hospital should the permit be awarded and before operations start and then routinely through the summer months (April-Sept).
8. In relation to Odour (S5.4) & Pests (5.5 ERA), which states that should odour become 'unreasonable' or 'amount to serious pollution' that operations will cease, we would propose that firstly this statement is clarified and secondly this also applies to pests also.
9. In relation to Risks to the environment (S6.1) ERA, given the historic pest issue with flies, should the permit be awarded will the NRW be implementing more robust monitoring of the site's processes and if so, what will that monitoring process look like?
10. Background information supplied on problems experienced from another waste facility on site, including witness statements.

#### Summary of actions taken or show how this has been covered

1. The applicant has proposed to store for a maximum of 3 months, the full capacity of which would be for approximately 2 weeks prior to a shipment. This is within recommended industry guidelines of 6 months for these waste types. The applicant has included pre-acceptance measures which includes a full audit of new suppliers that they will accept waste from of which part of the parameters will be risk assessing the age of the waste. The acceptable age of waste will be dependent on the type of waste used in production, condition of waste and bales, how bales are wrapped, storage conditions and timings, bale handling and repair procedures; and so, may vary from

contract to contract. A Stock rotation system has been included by the applicant, full details of which are in [sections 5.2.3, 5.2.4 and 5.2.5](#) of this decision document. This is incorporated into Table S1.2 in Schedule 1 of the permit and is a mandatory requirement of the permit.

2. Pre-acceptance and waste acceptance procedures have been incorporated into Table S1.2 of the permit and are permit conditions. See [sections 5.2.4 and 5.2.5](#) of this decision document for further explanation.
3. We have assessed the waste pre-acceptance and acceptance measures and measures that the operator has proposed in demonstrating the standards they expect from their contracts and what they will accept to this site to control these risks. These checks have been incorporated into Table S1.2 of the permit and are permit conditions.
4. The quarantine procedures are timebound as specified in both the OMP and PMP incorporated into Table S1.2 of the permit. This is explained in further detail in [section 5.2.4 and 5.2.5](#) of this decision document.
5. We have assessed the pest control measures submitted by the applicant against our TGN “How to Comply with your Environmental Permit”. We have also assessed it against the appropriate measures in the Environment Agency “Fly Management Guidance”. As the facility is a waste facility and not an installation facility, it is not subject to the Best Available Techniques (BAT) in the BAT Reference Document for Waste Treatment. However, we also referred to this but there are no standards for pest/fly control in this document. EPR is an outcome focussed legal framework, rather than prescriptive, as such we allow operators to put forward proposals to meet an objective. The operator has gone out to industry and identified other waste sites where these measures are used as part of their proposals. We want to ensure that the operator reviews the effectiveness of these measures at this site and amend as required before we allow them to use other areas of the site, and as such as we have put in pre-operational conditions for future development so that they must demonstrate that. These are explained in further detail in [Section 4.3.6](#) of this Decision Document.
6. Practical experience of running a permitted site is part of the WAMITAB qualification that the operator has registered for. Operator has met the criteria competent operator as specified in DEFRA core guidance and our guidance RGN5. Furthermore, we asked for additional information on training of staff which was supplied and was in line with How to Comply.
7. The operator must comply with the approved PMP and OMP that has been incorporated into Table S1.2 in Schedule 1 of the permit. There is a requirement to alert sensitive receptors, this will depend on the problem and site conditions. It is not within our remit to enforce receptors undertaking their own monitoring. Any arrangements for any receptor to do their own monitoring is of their own undertaking.

8. This has been clarified as meaning incoming deliveries being halted and /or waste already in storage being returned to customers or despatched to landfill.
9. The operator must carry out activities on site in accordance with the conditions in the permit. Our compliance officers will ensure that the operator complies with the permit. Furthermore, under condition 4.3.1 of the permit, the operator must notify us without delay following the detection of 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; the breach of a limit specified in the permit; or any significant adverse environmental effects. We will then investigate in accordance with our Incident Categorisation policy. An environmental permit amenity condition non-compliance has to be substantiated by an NRW officer.
10. We cannot take into account the witness statements and information relating to another permitted facility that was run by a different operator in this permit application determination,

## Response received from our consultation on the application

A number of responses were received from members of the public following publicising the application. Many of the responses referred to the same concerns.

We are only required to consider relevant comments when determining an Environmental Permit application. Relevant comments and how we have considered them during our determination have been listed below. Comments which were not relevant have been included and are listed first

Topic	Brief summary of issues raised	Summary of actions taken or show how this has been covered
Comments not within scope of our determination	<p><u>Comments relating to use of the site for this purpose</u></p> <ul style="list-style-type: none"> <li>- Oppose this type of activity in a populated area and is inappropriate for this location given proximity to residential properties</li> <li>- Can a realistic environment impact assessment be carried out this time? If a visit had been made to a similar facility, like at North Shields on Teeside, it would have been obvious that the previous facility wasn't appropriate to be near a hospital or residential area</li> <li>- Loading jetty is too close to the town</li> <li>- Queried whether there are any other RDF sites in such close proximity to housing and if this is acceptable</li> </ul>	<p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
	<p><u>Comments relating to access, air emissions from traffic, lighting</u></p> <ul style="list-style-type: none"> <li>- Continuous lighting monitoring required</li> <li>- Access from front street is a residential street and wholly inadequate to be considered an access route</li> </ul>	<p>It was unclear from some of the responses what part of the application the concerns in regard to emissions to air were in reference to. Therefore, we have detailed our response as follows:</p>

	<ul style="list-style-type: none"> <li>- Consideration needs to be given to additional road transportation</li> <li>- Concerns on the effect of noise and vehicle pollution. Adding large amount of traffic to this end of town will affect air quality, already congestion at certain times at London Road/A477 and air quality notably poorer at these times</li> <li>- There are at least 42 chimney flue stacks and flares from Milford Havens petrochemical industry and also shipping emissions in the port, with only one air quality monitor</li> <li>- Concerns that health suffers from these emissions, ask the local health board for incidence of cancer. Respondent already has health issues.</li> <li>- No visible independent continuous air monitors in the Haven, even though we suffer with the pollution from other industry in area and there are many people with cancer in the area</li> <li>- Shipping not mentioned for air pollution</li> <li>- We need air monitoring continuously before any planning licences can be issued</li> <li>- Add to considerable effect of pollution throughout area with little benefit to carbon footprint.</li> </ul>	<ul style="list-style-type: none"> <li>- The International Maritime Organisation (IMO) regulates the emissions from ships.</li> <li>- The Local Planning Authority regulates traffic and traffic emissions to and from the site</li> <li>- There are no point source emissions to air from the proposed activity, our response on this is further detailed in <a href="#">section 5.2.3</a> of this Decision Document</li> </ul>
	<p><u>Concerns about the operator's intentions</u></p> <ul style="list-style-type: none"> <li>- They are doing this just for money, project is based on financial incentives not the population</li> </ul>	<p>The commercial decisions or intentions of the operator are not relevant to this application.</p>
	<p><u>Comments in regard to the consultation process</u></p>	<p>We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations</p>

	<ul style="list-style-type: none"> <li>- There was a meeting held to discuss this matter, there has not been much information that we have seen in relations to this to be able to help us understand or to put our thoughts/ objections towards this matter. On having spoken to several locals we find that they were also unaware, the recent meeting held approximately 15 persons to put views across out of a whole town we find this was a poor turn out but having heard people did not know this is probably the case why</li> <li>- This is a PR exercise and the operator will get to do as they like, had difficulty accessing documents from online resource and even with copies emailed it suggests that NRW would rather not hear from the public in this regard</li> <li>- Queried whether the applicant had advised the Sunderland Trust Heritage Centre or Pembrokeshire County Council (PCC) that they plan to surround their entire site with waste storage as they have just signed a 20+ year lease agreement with PCC</li> <li>- There have been no widely dispersed statements of intent regarding possible hazard to health from the operator</li> </ul>	<p>2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail.</p> <p>The Sunderland Trust Heritage Centre was identified by the applicant in their risk assessment and by us in our searches.</p> <p>We encouraged the applicant to undertake their own engagement strategy as part of the permit application, however any community engagement done or not done by the applicant is not of material relevance to our determination of this application.</p>
	<p><u>Concerns about future changes to permit if granted:</u></p> <ul style="list-style-type: none"> <li>- Nothing in application suggests permit could not be “upgraded if granted” which respondent understands would not require further consultation.</li> </ul>	<p>We can only take into account the current application proposals in our determination. We have assessed the permit application based on all the pre-operational and pre-operational measures for future development being</p>

	<ul style="list-style-type: none"> <li>- This facility should be located at a site at a location that would be suitable for further expansion/additional activity.</li> <li>- Concerned the facility will get an approval now and over time there will be an increase in what will be allowed on the site.</li> </ul>	<p>discharged and the site being fully operational. See <a href="#">section 4.3.6</a> of this decision document for further detail.</p> <p>Should the permit be granted, there are occasions when the site-specific conditions in a bespoke permit need to be changed. This process is called a variation.</p> <p>A variation may be initiated by the operator applying for one, or by us requiring one, for example after we have reviewed their permit conditions.</p> <p>When deciding whether to consult we will consider the likely public interest in the change and the scale of any potential environmental impact.</p>
	<p><u>Comments relating to other existing waste facilities in the dockyard:</u></p> <ul style="list-style-type: none"> <li>- The existing waste handling facility proved to be a disaster that took a long time to resolve by the relevant authorities.</li> <li>- suffered a lot when the last waste transfer was in use a few years ago. Last summer and this one so far has seen far fewer flies, it's not an exaggeration to say dramatically less, not to mention the smell is far better. It wasn't until the last one was shut down that I realised how much stress it had caused. Just the thought of going through that again is already affecting my wife and I.</li> </ul>	<p>These comments are not relevant to this specific permit application.</p> <p>The operator must carry out activities on site in accordance with the conditions in the permit. Our compliance officers will ensure that the operator complies with the permit.</p>

	<ul style="list-style-type: none"> <li>- The last company in my opinion was at best shoddy and the thought of having years of what we had to put up with last time doesn't bear thinking about.</li> </ul>	
	<p><u>Other</u></p> <ul style="list-style-type: none"> <li>- Recommend for all NRW staff to read the book "zero waste solution"</li> <li>- South Pembrokeshire Golf Club have noticed bad odours recently - either from the waste water plant or the existing waste transfer site. Respondent queried whether these been reported and addressed.</li> </ul>	These comments are not relevant to the applicant's proposals in this permit application.
The permitted activity	<p><u>Comments relating to what the facility will be doing:</u></p> <ul style="list-style-type: none"> <li>- What will areas A-D on the maps be used for? Where will waste be stored while waiting for a ship to arrive / during loading</li> </ul>	A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.
Discharges	<p><u>Concerns about liquid effluent and risk to the waterway</u></p> <ul style="list-style-type: none"> <li>- Waste will have liquid effluent that will attract flies, smell and possibly run-off into the waterway</li> <li>- The waterside location is a concern and the potential for pollution of the river is real and continuous if permitted.</li> </ul>	No discharges to surface water have been permitted. External areas of the site shall drain to foul sewer, internal areas of the site shall drain to a blind collection point. Full explanation of emissions to sewer and pollution prevent measures is provided in <a href="#">sections 4.3.4 and 4.3.5</a> of this decision document.

<p>Odour</p>	<p><u>Effect of odour from the proposed waste activities:</u></p> <ul style="list-style-type: none"> <li>- Waste will be stored closest to domestic properties so at greater risk of nuisance.</li> <li>- Prevailing wind will blow into the town, ignores the fact that winds are variable and “adverse” winds (a south westerly wind will affect the Front Street residential and amenity area, and potentially the town centre) will be a regular nuisance for people close to this facility.</li> <li>- Concerned that the proposed 5 days to deal with odour issues is unacceptable and will detriment to local domestic properties. Another respondent queried that the contingency action plan of 4-5 weeks from identification of an issue to removal of an odorous batch of waste (as opposed to just the odd bale which needs to be patched and/or quarantined) seems like a very long time and that this could be identified and rectified earlier.</li> <li>- Awful smell when waste was stored outside previously even though it was wrapped. Won't be able to enjoy residential gardens for relaxation purposes.</li> <li>- Concerned about whether odour would be monitored and could the waste operator be required to remove all waste from site within XX days if there was a proven odour or pest issue and whether any time limits be set on resolving any issues and requirements to liaise and compensate be put in place.</li> </ul>	<p>The permit includes a plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Only an authorised officer of NRW can determine whether the odour condition has been breached by the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.4</a> of this decision document.</p> <p>Waste stored at the quayside that is incidental to loading onto a ship is not covered by this permit. A full explanation of this is provided in <a href="#">section 4.1.2</a> of this decision document.</p>
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	<ul style="list-style-type: none"> <li>- Questioned the impartiality of people employed by operator to undertake any monitoring.</li> <li>- Queried how will pests be managed during transfer to and storage dockside.</li> <li>- Queried whether the operator shared their baseline odour surveys with NRW.</li> <li>- There is a coffee roasting facility as an odour source is a mile east of site, there is a high railway embankment that seems to shield closest residential properties from any nuisance. Concerned will add significantly to already high odour levels experienced in this area. Concerned that the operators will try to blame the waste water treatment plant or the PCC waste transfer site for any odour. How can NRW ensure that this isn't the case?</li> <li>- Storage times of 3 months ignores that black bag waste is collected bi-weekly, concerned domestic properties will be blamed is there is a smell arising</li> </ul>	
Pests	<p><u>Effect of pests from the proposed waste activities:</u></p> <ul style="list-style-type: none"> <li>- Plans should not include spraying chemicals.</li> <li>- Pembroke dock has already had a fly issue at the dockyard from waste units. Could not keep windows open or enjoy outdoor space in summer months. Concerns about the hospital, and flies spreading germs to vulnerable patients.</li> </ul>	<p>The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which</p>

	<ul style="list-style-type: none"> <li>- Concerns about rats, vermin and seagulls who will be attracted to refuse, subjected local residents to public health hazards.</li> <li>- Application focuses on odour and not negative effects of upsurge of flies with the impact on health and hygiene for local residents.</li> <li>- Queried if the waste operator be required to remove all waste from site within a certain timescale if there was a proven odour or pest issue</li> <li>- Queried how flies will be managed when waste is entering/leaving the site or moved to the dockside</li> <li>- Queried the 4-5 weeks to establish that a large batch of waste is a source of flies and to rectify the issue as un-necessarily long time</li> </ul>	<p>are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.5</a> of this decision document.</p> <p>Waste stored at the quayside that is incidental to loading onto a ship is not covered by this permit. A full explanation of this is provided in <a href="#">section 4.1.2</a> of this decision document.</p>
Fires	<p><u>Risk of fire from the proposed waste activities:</u></p> <ul style="list-style-type: none"> <li>- Nothing to suggest operator has considered health of local residents, in particular from waste fires and chest conditions and the local hospital who are already in much weakened state.</li> <li>- The application refers to Pembroke dock fire station, this is ill equipped to deal with anything but a minor incident and access to the site might be impacted by high winds where the Cleddau bridge would be impassable.</li> <li>- If there was a fire, the water-run off from firefighting would pollute the river to an unacceptable level.</li> </ul>	<p>The permit includes a written fire prevention and mitigation plan (FPMP) submitted by the applicant to minimise the risk of fire from the site. This plan has been assessed by us against our guidance, and Mid and West Fire and Rescue Service have been consulted on the application.</p> <p>This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control the risk of fire is provided in <a href="#">section 5.2.6</a> of this decision document.</p>

Noise	<p><u>Effect of noise from the proposed waste activities:</u></p> <ul style="list-style-type: none"> <li>- Concerned will add significantly to already high noise levels experienced in this area</li> <li>- We need noise monitoring continuously before any planning licences can be issued</li> </ul>	<p>It was unclear in these responses what part of the application their concerns of noise were from.</p> <p>The noise risk from undertaking the activity in line with the proposed way has been considered low due it being storing waste, and re-wrapping baled using an agricultural baler, where necessary, approximately once a month. Further detail is provided in <a href="#">section 5.2.7</a> of this decision document.</p> <p>Any noise associated with transport to and from the site is under the remit of the Local Planning Authority.</p>
Waste types	<p><u>Concerns on waste types proposed:</u></p> <ul style="list-style-type: none"> <li>- Waste is toxic and lowers everyday life standards</li> </ul>	<p>The permit limits the waste types that the site can accept to non-hazardous only and have additional pre-acceptance and acceptance criteria to ensure that odour, pest and fire risks associated with it are minimised as described above. All waste must be classified and where required hazardous properties assessed in line “Guidance on the classification and assessment of waste: Technical Guidance WM3”.</p>
Operator Competence	<p><u>Concerns on operator competence:</u></p> <ul style="list-style-type: none"> <li>- operator is lacking experience in the handling of large amounts of waste material</li> <li>- what if any track record has the company which is proposing this facility have and are they are competent</li> </ul>	<p>The operator meets the requirements for being considered a competent operator based on our standards in RGN 5: Operator competence (version 4.0).</p> <p>We took additional steps to ensure that the operator would have competent resources on site to meet the permit conditions, but assessing the how many people they would have, what they were already trained in and how the operator had analysed any skill gaps. We assessed these sections of the operator’s EMS to be in line with How to Comply and incorporated them into Table S1.2 as they’ll be</p>

		<p>carrying out the other measures incorporated into S.1.2 to control the key risks from the facility.</p> <p>See <a href="#">section 4.2.2</a> of this document for further detail.</p>
Receptors	<p><u>Potential for environmental damage to receptors:</u></p> <ul style="list-style-type: none"> <li>- Have not considered all local factors, as only a small proportion of these people live close to the town</li> <li>- Martello tower is being sold on by PCC, concerns that new owner will be downwind of odour and pests</li> <li>- Local economy may be impacted if there are environmental problems, there are several businesses in close vicinity that offer food service including café, 3 licenced premises and a convenience store.</li> <li>- NRW should be aware of the SSSI sites. There are more appropriate sites for this use that would not risk SSSI locations.</li> <li>- Proximity to a hospital - although the site has been moved it is still within a few 100 meters.</li> <li>- Can time limits be placed on resolving issues such as operators be required to liaise closely with local residents, the health board and local businesses in the event of any issues</li> <li>- Proximity to heritage centre, Front Street amenity space, market, proposed street food venue and maritime museum</li> </ul>	<p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches.</p> <p>Listed and historical assets have been assessed by the applicant and by us. Cadw did not raise concerns about the Martello Tower specifically for us to consider. The Tower has been closed since 2017, however, we have assessed it on a basis that people may frequent and potentially at risk of odour and pests, rather than the structure itself is at risk from the proposed activity.</p> <p>Environmental designations, including the SSSI, have been identified and for reasons set out in section 6.1.1 we have assessed the activity as not likely to damage any of the flora, fauna or geological or physiological features which are of special interest.</p> <p>In regard to these and all other receptors including but not limited to food businesses and the hospital, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on</p>

		the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.
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### Response received from our draft decision consultation

A number of responses were received from members of the public following our proposed decision to issue the permit during our minded to consultation.

All responses during this consultation and how we have considered them during our determination have been listed below.

Response from	Brief summary of issues raised	Our Response
Public response 12	Previously local issue were flies / smell. What guarantee do we have that this will not be an issue as before. South Pems Hospital was infested with flies.	<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches, this includes the hospital.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the</p>

		<p>permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution.</p> <p>Only an authorised officer of NRW can determine whether the odour, pests or noise condition has been breached by the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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<p>Public response 13, 15</p>	<ol style="list-style-type: none"> <li>1. I would like it noted that many local residents have serious reservations about this project. These relate to unpleasant odours, flies and vermin, noise, traffic and night working.</li> <li>2. The dockyard is situated on the edge of a highly populated residential area and in close proximity to a hospital.</li> <li>3. There is a lot of antagonism at the prospect of our town potentially becoming a malodorous rubbish dump.</li> <li>4. I would like reassurances that residents will have some recourse to appeal, demanding action- should any of these concerns prove founded.</li> <li>5. I would also appreciate details of how to report adverse consequences and how these will be handled and rectified.</li> </ol>	<ol style="list-style-type: none"> <li>1. The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</li> </ol> <p>The noise risk from undertaking the activity in line with the proposed way has been considered low due it being storing waste, and re-wrapping baled using an agricultural baler, where necessary, approximately once a month during the day.</p> <p>The operator has to manage their activities so that odour, pests and noise shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a>, <a href="#">5.2.5</a> and <a href="#">5.2.7</a> for odour, pests and noise respectively of this decision document</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000</p>
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		<p>tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>The Local Planning Authority considers matters such as traffic and hours of operation. We cannot consider this as part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>2. We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This included the residential areas and the hospital. The operator also identified these receptors in their risk assessment.</p> <p>In regards (but not limited) to these receptors, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors.</p> <p>These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are</p>
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		<p>included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.</p> <p>3. The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.</p> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4, 5.2.5</a> for odour and pests respectively.</p> <p>4. If you are dissatisfied with our actions, lack of any actions, or the standard or service provided by us, let us know. This gives us the opportunity to put things right and review the way we do things in the future. If you would like to make a formal complaint, you can do this via our <a href="#">complaints and compliments</a> webpage.</p>
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<p>Public Response no.14</p>	<p>Please note I object most strongly to the grant considered being given to Milford Haven Port Authority with an environmental permit to operate a waste storage and transfer station at Pembroke Dock.</p> <p>Pembrokeshire was been voted the best holiday destination in the UK for last year, a honour I would hope we would be able to build on.</p> <p>Placing this waste storage depot in our beautiful county is totally unacceptable.</p>	<p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
<p>Public Response no.16</p>	<p>1. Please note I am against your decision to grant a permit.</p> <p>The company previously stored waste here and it left a foul odour lingering over the town and also there was an invasion of flies.</p> <p>2. Residents complained and the company failed to do anything about it. I believe this will be the case again. They may state they have provisions in place, but the cynic in me says they will be inadequate.</p>	<p>1. The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution. Only an authorised officer of NRW can determine whether the odour or pests' condition has been breached by the site.</p>

		<p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational measures for future development. We have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>2. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application.</p>
Public Response no.17 and18	<p>Just take a look at the sad rundown state of Pembroke Dock and then rethink this ludicrous idea to agree allow the Port Authority to store waste.</p> <p>Pembrokeshire County Council should be looking at ways to restore this town to its former glory especially as it is the</p>	<p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p>

	<p>only Royal Dockyard in Wales. So far public opinion is a definite no and that is the way it must stay.</p>	<p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
<p>Public Response no.19</p>	<p>1. The proposal is for up to 80,000 tons of waste per annum to be handled by the facility. All of this waste will have to be transported to the site by the existing road infrastructure. The gross vehicle weight for large loads in the UK is 44 tons including the vehicle mass, fuel and load. The maximum permitted load on a articulated lorry with 3 axles on the trailer is 11.5 tons per axle giving a total of 34.5 tons per load. Simple mathematics reveals that 80,000 tons divided by 34.5 tons per load equates to a gross permitted total of 2319 vehicle movements into the site. There will, of course, be a corresponding 2319 vehicle movements departing the site. This is a total of 4,638 additional vehicle movements. However, if smaller vehicles are used this figure of 4638 vehicle movements will be exponentially increased. The main route into Pembroke Dock is via the A477 with a secondary route via the A4076. Both routes combine at Waterloo roundabout in Pembroke Dock. Both routes are trunk roads. From Waterloo roundabout the route to the dockyard is on roads maintained by Pembrokeshire County Council and is already heavily loaded with both local traffic and traffic, including a significant number of heavy goods vehicles destined both to and from the</p>	<p>1. The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>2. Condition 1.2.1(c) is from our generic permit template; generic conditions are explained in section <a href="#">5.2.2</a> of this document. We have also imposed activity specific conditions. The limits of the activities we have granted at this site are specified in Table S1.1 of the permit, this does not include disposal on site.</p> <p>3. The operator has submitted an Odour Management Plan which includes proactive measures to minimise the risk of odour, as well as how they will address complaints of</p>

	<p>ferry terminal. The current road surface on this route is in poor condition and repair work, when undertaken, will dramatically increase congestion as evidenced by the recent changes to Waterloo roundabout and the installation of traffic light at the A477/Ferry Lane junction where additional delays caused by the works caused an estimated conservative minimum of 50,000 hours delays. Many hours with vehicles sitting in traffic queues wasting fuel significantly increasing local air pollution and creating many man-hours lost to businesses. A huge expense to bear. An increase in vehicle movements to and from the site proposed will compound the problems outlined above. In addition both goods and passenger traffic to and from the ferry terminal will also be inconvenienced, possibly causing a reduction on ferry usage in favour of more easily accessible terminal facilities. The increase in traffic movements will also accelerate road surface deterioration, particularly as the vehicle movements necessitated by the site will be by heavy good vehicles. This will create an increase in the frequency of remedial work which in turn will dramatically increase the fuel wastage, air pollution and lost man hours to local businesses.</p> <p>2. In point 1.2.1 (c) of the 'Permit with introductory note' taken from the Natural Resources Wales website states "where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment." This appears to give permission for the port authority permission to dispose of (waste) material without giving</p>	<p>odour. This plan has been incorporated into Table S1.2 of the permit, and the operator has to comply with this plan via condition 2.3.1(a) of the permit.</p> <p>To report an environmental incident call 0300 065 3000, 24 hours day.</p> <p>Any breaches of permit conditions will be considered in line with our <a href="#">regulatory responsibilities</a>.</p> <p>Only one of our authorised officers can verify that the odour permit condition has been breached.</p> <p>4. The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>5. The noise risk from undertaking the activity in line with the proposed way has been considered low due it being storing waste, and re-wrapping baled using an agricultural baler, where necessary, approximately once a month</p>
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	<p>any instruction on how such disposal should be effected or to which regulations or permits &amp; etc. such disposal should comply with. It is an open ended and unregulated permission to dispose.</p> <p>3. In point 3.2.1 of the 'Permit with introductory note' taken from the Natural Resources Wales website it states that (Odour) Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales." While this is an admirable concept it does not take any account of any odours experienced by anyone in the external area around the site and does not put any onus on the site operator to eliminate such odours. Additionally there is no instructions or requirement for the site operator to take heed of, and act upon, any local complaints made by the general public or how the general public should proceed should they wish to raise a complaint</p> <p>4. Pembrokeshire was been voted the best holiday destination in the UK for last year. A greater part of Pembrokeshire businesses depend on tourism, either directly or indirectly. The best UK holiday destination was and is a very hard won accolade to acquire. It is an honour I hope that the county should be rightly proud of. It is also an honour that Pembrokeshire should use as a building block to further improve our counties' attraction to tourists rather than just an accolade to boast about. Any increase in traffic flow, any increase in delays on</p>	<p>during the day. Further detail is provided in <a href="#">section 5.2.7</a> of this decision document.</p> <p>Hours of operation is under the remit of the Local Planning Authority.</p>
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our roads, any increase in inconvenience to visitors will detract from the attractiveness of our county to our visitors. As such, traffic delays caused by the addition of at least 4,638 heavy goods vehicle movements in an area already known for traffic problems will deter rather than encourage visitors thus reducing income to the county's businesses and wider community.

Hywel Dda health board are currently increasingly sending users of their service out of the county for treatment. In addition their published plans are to make additional and new facilities out of the county. This already results in an increase in road usage and their plans will exacerbate that situation. The two routes into and departing Pembroke Dock mentioned earlier already inconvenience users of our health service and in the case of emergency vehicles have the very real possibility to endanger life. A major increase of 4,638 heavy goods vehicles will seriously compound this problem and inevitably increase the risk to life.

'Blue light' attendances to the oil refineries and other business, both major and minor, by the Fire and Rescue Service frequently involve travel through the aforementioned 'pinch points' at Ferry Lane traffic lights and at Waterloo roundabout. Additionally, the road between Waterloo roundabout and Pembroke Dock can and already does at times cause major inconvenience to their vehicles. The addition of such a large number of heavy goods vehicle movements to this proposed facility

within the dock will considerably exacerbate this problem. Once again this has the very real possibility of both endangering life and considerably increasing the risk of additional damage to property caused by increased attendance times.

Pembrokeshire County Council are planning a major change in their recycling collections. This is to comply with the current recycling regulations. It is hoped that the change will encourage more people to recycle more of their waste. We, the population of Pembrokeshire, are being encouraged to be more aware of the effects of waste on the earth's climate and to 'do our bit' to reduce our carbon footprint as much as possible. Clean air is commonly accepted to be a contributing factor in health issues like asthma. By accepting this proposal for a waste transfer facility in Pembroke Dock we will be actively encouraging a considerable amount of air pollution, all by diesel vehicles. This not only flies in the face of our County Councils work to improve our living conditions but will also be detrimental to the populations general health and well-being.

5. It is my understanding that the proposed transfer facility will be required to operate 24 hours per day. It will, of course, involve mechanical handling of all the materials for which it will be designed. Mechanical handling equipment creates noise. It follows then, that out of hours working, i.e. outside normal office hours, the facility will create noise pollution. This will not be

	acceptable. The area around the dock complex is residential. As such, outside of the afore mentioned hours it is a quiet and peaceful area. Noise pollution from the proposed facility will detrimentally affect the residents of the area and serve to depress both living conditions and property prices which will in turn detrimentally affect the overall attractiveness of the town	
Public Response no.20, 41		<p>We could not read this response as it was in the subject line of the email.</p> <p>We responded to the respondent and asked them to supply their comments in the body of the email so we can read them and respond but received no further comments.</p>
Public Response no.21	<ol style="list-style-type: none"> <li>1. I would like to register my thoughts on the application for waste storage at Pembroke Dock Dockyard. I do NOT believe this would be the best place for this to be stored, it is too close to the ferry terminal, too close to residential sites and too close to the area which has been earmarked for redevelopment i.e. Front street, Dockyard entrance etc.</li> <li>2. When Waterloo was used as a waste dump for all rubbish it caused problems like Flies, rats and foul smells, we do not want this if we are trying to develop the area to encourage tourists!!</li> </ol>	<ol style="list-style-type: none"> <li>1. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</li> </ol> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p>

		<p>The operator has to manage their activities so that odour, pests and noise shall not cause pollution.</p> <p>A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> odour and pests and respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
Public Response no.22	<p>1. I am outraged that NRW are considering placing a waste transfer station within the walls of the historic Royal Dockyard in Pembroke Dock. This site is adjacent to a residential area, including a public house with restaurant, and is at the 'gateway' to the ferry terminal. It is also a stone's throw from the marina area proposed for Front Street.</p>	<p>1. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>

	<ol style="list-style-type: none"> <li>2. I believe that in 2017 you were inundated with complaints about the previous transfer station sited within the dockyard walls, why are you considering this proposal again?</li> <li>3. Why are we going to be receiving waste from Swansea, why can't Swansea store their waste in their own larger docks area?</li> <li>4. In the draft permit it implies that any odour or noise will be kept within the walls, unless this isn't possible, but as long as they try then that's acceptable... surely this can't be correct?</li> <li>5. Perhaps your Chief Executive, or indeed the Chief Executive of MHPA wouldn't mind 80,000 tonnes of rotting waste on their door step, but we definitely mind.</li> </ol>	<p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches.</p> <p>In regard to these receptors, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.</p> <ol style="list-style-type: none"> <li>2. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application. We assess every application on the measures that the operator proposes. Furthermore, we have imposed pre-operational measures for future development. We have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. Further details are in section <a href="#">4.3.6</a> of this document.</li> </ol>
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		<p>3. The application does not specify where the waste will be coming from, nor is this required for our determination. We have assessed the pre-acceptance measures and acceptance measures by the operator for waste received from any source. The permit limits the waste types that the site can accept to non-hazardous only and have additional pre-acceptance and acceptance criteria to ensure that odour, pest and fire risks associated with it are minimised as described above.</p> <p>All waste must be classified and where required hazardous properties assessed in line with “Guidance on the classification and assessment of waste: Technical Guidance WM3”.</p> <p>4. We have used relevant generic conditions from our bespoke permit template along with other activity-specific conditions to ensure that the permit provides the appropriate standards of environmental protection.</p> <p>Our generic conditions allow us to deal with common regulatory issues in a common way and help us be consistent across the different types of regulated facility. We have included our generic condition on odour.</p> <p>The odour condition will be not taken to be breached so long as appropriate measures are being used.</p>
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		<p>We have approved the appropriate measures proposed by the operator in their odour management plan which are in line with our guidance “H4 Odour Management”. This has been incorporated into Table S1.2 of the permit. If we approve a plan it means that we have formed a view that it contains what we consider to be appropriate measures in the light of information available to us at the current time. The applicant should not rely on our approval of these plans to mean that the measures in the plan are considered to represent all appropriate measures covering every eventuality throughout the life of the permit. We can enforce the plan being revised at any time using condition 2.3.1(b) of the permit.</p> <p>5. This statement is not of relevance to our determination</p>
Public Response no.23	<p>As a resident of Pembroke Dock I would like to use this opportunity to strongly oppose the current proposal to the locate a Waste transfer station on the doorstep of the residents of Pembroke Dock.</p> <p>It is not welcome hear.</p>	<p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response no.24	<p>We do not want this in our town the flies last time were bad and there was a terrible smell. Why on earth would anyone want this in their hometown please take it somewhere else where people will not be troubled by it.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>

	<p>Just because Pembroke Dock is struggling it should not be thought of as a waste disposal unit. Please do not do this.</p>	<p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The permit includes a management plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.4</a> of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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		<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p>
<p>Public Response no.25</p>	<p>1. As per consultation, I would strongly recommend that you do not agree to any permit that allows the disposal, sorting or storage of waste products, pending onward transportation at Pembroke Dock.</p> <p>This is a densely populated area, in need of regeneration not this retrograde move. I have reason to believe that there will be detrimental affects to the environment.</p> <p>2. There is a hospital nearby and a growing number of restaurants and eateries that will be grossly affected.</p> <p>3. I ask that proper public consultation be conducted before a decision is made.</p>	<p>1. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes the residential areas, hospital and food establishments. In regards, but not limited to, these receptors we have assessed their management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit.</p> <p>Further details on the measures included and how we are controlling this via the permit conditions are included in</p>

		<p><a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5</a> and <a href="#">5.2.6</a> of this Decision Document.</p> <p>2. We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail.</p>
Public Response no.26	Why can this not be put in a non residential area ... we went through hell along with the local hospital , because of the flies .. this should not be put near humans ... please find another site	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes the hospital. In regards, but not limited to, this receptor we have assessed the operator's management plans for key risks of the activity of including pests and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit.</p>

		<p>The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.5</a> of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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<p>Public Response no.27</p>	<p>Sir , I strongly object to this idea. Would you like to come here when we're plagued by flies and smells. It was awful last time so really object to this idea. There must be somewhere less populated that can be used.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>This permit includes management plan to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour, pests and noise do not cause pollution.</p> <p>A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a>, for odour and pests respectively, of this decision document.</p>
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		<p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
<p>Public Response no.28</p>	<p>1. I am opposed to the new proposals for the increase of waste holding in Pembroke dock As I feel it will impact the residents of the town by increasing the lorries in through the town over a road which isn't fit for purpose.</p> <p>2. The smell wasn't contained properly the first time this venture started as the complaints from a Facebook chat group state over and over.</p> <p>Also the fly problems when only 4000 tons were held was not acceptable...I'm sure the port authority own land elsewhere that could be utilised but hope that the people of Pembrokeshire all come together to put a stop to this</p>	<p>1. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>2. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule</p>

		<p>1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
Public Response no.29	<p>1. I would like to object to your proposal for authorising waste to be stored in the dockyard in Pembroke Dock.</p> <p>The road infrastructure is not suitable for extra heavy goods vehicles</p>	<p>1. The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is</p>

	<p>2. This is a residential area and the smell and associated pests - flies and rodents etc., attracted by the trash will not be conducive to a pleasant living environment.</p> <p>3. What consultation has taken place about this? We have only just found about this from an article on Facebook!</p> <p>4. Surely, this sort of waste storage should be placed in the countryside, away from where many people live.</p> <p>We, the residents of Pembroke Dock want to see the town revitalised NOT turned into a giant rubbish dump!</p> <p>I look forward to hearing that you have rejected this unwanted proposal...</p>	<p>required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>2. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques. The operator has to manage their activities so that odour, pests and noise shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p>
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		<p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>3. We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail.</p> <p>4. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p>
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		<p>The activity proposed is the temporary storage of waste, namely woodchip and baled waste fuel, pending onward transfer. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.</p>
<p>Public Response no.30</p>	<p>1. I would like to address my concerns on the waste permit for Pembroke Dock.</p> <p>I have the same concern as others for example the smell, I do not wish to live in conditions in which are uncomfortable to live in. I have no transport to get away from Pembroke Dock and even though I have access to public transport it is at an inconvenient time to suit my lifestyle. So I have to spend my time with my child in Pembroke Dock we often go on walks to pass the time. I do not have a garden so walking is also my only option of fresh air. I am working towards being able to drive but having dyspraxia has prolonged this process.</p> <p>2. However, my main concern is not of that it is of the patient's in the South Pembrokeshire Hospital. I have 2 elderly Grandparents and one Great Gran who often use the services of the hospital.</p> <p>The waste permit in 2017 made the conditions of the hospital poor and uncomfortable. This unacceptable for not just my Grandparents but all patients who use the</p>	<p>1. The permit includes a management plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> of this decision document</p> <p>2. We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches, this includes the hospital.</p> <p>In regard to, but not limited to, the hospital, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with</p>

	<p>hospitals services which include a lot of elderly and disabled people.</p> <p>I hope that the Permit can be reconsidered and recognised as a concern.</p>	<p>our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.</p> <p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p>
<p>Public Response no.31</p>	<p>I wish to make an objection to the proposed plan to store wrapped waste on the site of the dockyard at Pembroke Dock.</p> <p>My objection is based on the fact that on the previous occasion when this waste was stored on an outside concrete pad adjacent to what I believe to be the sorting shed for this waste there was an awful gaseous smell emitted from the waste, even though that this was wrapped and also whilst this operation was in full swing the number of flies in the area rose to such an extent that I was unable to open the windows of the house on many days.</p> <p>The company did try to alleviate the problem of the vile smell by spraying the bales of waste with some kind of</p>	<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application. The site referred to has not been relocated and there remains another operational waste permit in the Royal Dockyard.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on</p>

	<p>liquid but this made no apparent difference to the smell and absolutely no visible difference to the vast number of flies.</p> <p>The fact that this has now been relocated to the site at Gate 1 will now have a detrimental effect upon the residents and also at least 2 eating establishments nearby. Why should we of Pembroke Dock be subjected to such an awful stench in what is effectively an urban area when there are different sites readily available?</p> <p>All that I have stated is fact and can be corroborated by the fact that I have in the past contacted NRW by phone and email. I live behind South Pems Hospital which is adjacent to the previous site where waste bales were stored and can remember all the previous operations carried out by the company to make the storage of these bales environmentally friendly but in the end the bales were moved.</p> <p>Whilst I agree to the fact that all parties involved in this waste management issue need to find a permanent answer to the problem I also cannot agree to the storage of waste in an environment within which there is a hospital and housing so close to the area.</p>	<p>the environment and human health. This is done on a case by case basis.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes, but is not limited to, the residential area and the hospital.</p> <p>The permit includes management plans to minimise the risk of odour and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.4 and section 5.2.5</a> for odour and pests respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher</p>
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		<p>risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
<p>Public Response no.32</p>	<p>This is most certainly not required in Pembroke Dock and the surrounding areas.</p> <p>I live in Llanreath and we have been affected by very offensive smells emanating from the Dock area previously and also this year.</p> <p>It is very easy for people who do not live in the area to say it is a good site !</p> <p>Please do not grant a licence for this.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The permit includes a management plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p>

		<p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.4</a> of this decision document</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
Public Response no.33	<ol style="list-style-type: none"> <li>1. As a resident and tax payer of Pembroke Dock, I would like to register my intense objection to this planning request.</li> <li>2. The last time we had this waste in the Dockyard in Pembroke Dock there was an absolutely horrendous stench in the air and this was also accompanied by swarms of flies in the Town. We were unable to open our windows due to the smell and this cannot be allowed to happen again.</li> </ol>	<ol style="list-style-type: none"> <li>1. This is not a planning application. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</li> </ol> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p>

<p>3. It also cannot be healthy having this waste stored so close to South Pembrokeshire Hospital, which already has patients trying to recover from illnesses.</p> <p>4. I believe that there are alternative sites that would be more suitable where this waste can be stored, away from the lovely area of Pembroke Dock.</p> <p>We are a small Town which is trying hard to regenerate after many years of 'high street austerity' and this waste facility would have a detrimental impact on the Town.</p> <p>I thank you in advance of your decision to revoke this planning request and also advise you that there is very strong feeling in the Town against this plan, but unfortunately many elderly or disadvantaged people cannot use email or computers to let you know.</p>	<p>2. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>The permit includes a management plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.4</a> of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000</p>
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		<p>tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>3. We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes but is not limited to the hospital.</p> <p>We have consulted with the hospital, the local health board and Public Health Wales on the application, their comments and our response is given in <a href="#">Annex 2</a> of this document. We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail.</p> <p>4. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response no.34	<p>I am a resident of Pembroke Dock and I am against the proposal of a waste storage unit on the outskirts of my town.</p> <p>It's been trialed before and was a disaster. The smell and flies were awful. It's also going to be close to hospital that</p>	<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p>

	<p>cares for the sick and elderly as well as patients receiving end of life care. This cannot be healthy for those people or the rest of the community.</p> <p>Pembroke Dock it seems has become the dumping ground of south Pembrokeshire and quite frankly we the residents are sick of it.</p> <p>Do I think you will pay any attention to this email no because frankly I think the decision was made before the so called consultation was put to the public. No resident or business want this waste stored here. Please put it on your own doorstep and keep it away from ours.</p>	<p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes but is not limited to the hospital and residential areas.</p> <p>We have consulted with the hospital, the local health board and Public Health Wales on the application, their comments and our response is given in <a href="#">Annex 2</a> of this document. We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document</p>
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		<p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
<p>Public Response no.35</p>	<ol style="list-style-type: none"> <li>1. I wish to object to your plan to store baled fuel close to Pembroke.</li> <li>2. From the previous experience of this activity in 2017 it appears that uncontrollable swarms of flies and obnoxious odours are common effects on nearby residents, and I do not think people should be exposed to such these intolerable inconveniences and hazards in their homes.</li> <li>3. I also do not want Pembroke to become known as the waste capital of Wales and ruin its reputation as an area of outstanding natural beauty and ruin the tourism trade.</li> </ol>	<ol style="list-style-type: none"> <li>1. The activity proposed is the temporary storage of waste, this includes waste woodchip as well as baled waste fuel. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.</li> <li>2. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated, by a different operator and are not relevant to the determination of this application.</li> </ol> <p>We have consulted with the hospital, the local health board and Public Health Wales on the application, their</p>

		<p>comments and our response is given in <a href="#">Annex 2</a> of this document.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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		<p>3. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
<p>Public Response no.36</p>	<p>I would like to formally object to the application above.</p> <ol style="list-style-type: none"> <li>1. This is residential area with a high number of people living with chronic health conditions and is already an area of some deprivation, (Welsh Index of Multiple Deprivation).</li> <li>2. The proposed facility is also in very close proximity to the local hospital i.e. a few hundred yards, whilst the conditions you suggest may be in place, I feel these would be difficult to monitor and to hold the provider to account on.</li> <li>3. There are numerous other areas within the county this facility could be accommodated in that are not within such a densely populated town.</li> <li>4. Has an equality impact assessment of this been completed?</li> </ol> <p>I ask as I feel it will potentially adversely affect the lives of disabled persons / older person who will potentially be more susceptible to any airborne pollutants, be less able</p>	<ol style="list-style-type: none"> <li>1. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</li> <li>2. We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes Pembroke Hospital situated approximately 235 metres southwest of Area A.</li> </ol> <p>It is not clear from the response what conditions the respondent feels would be difficult to monitor so we cannot respond specifically on this point. However, the conditions used are from our generic permit template, this is explained in section <a href="#">5.2.2</a> of this document.</p> <p>We have used relevant generic conditions from our bespoke permit template along with other activity-specific conditions to ensure that the permit provides the appropriate standards of environmental protection.</p> <p>Our generic conditions allow us to deal with common regulatory issues in a common way and help us be</p>

	<p>to deal with pests / insects that will be attracted to the site.</p> <p>5. Pembroke Dock urgently needs regeneration and redevelopment not a site that will discourage investment and tourism.</p> <p>Acid test for your consideration if you substitute the words Pembroke Dock for Tenby you would not even consider this application. Citizens of Pembroke Dock should have the same value as citizens of more affluent areas, NRW has a chance to demonstrate leadership and moral conscience here and refuse this application at this site.</p>	<p>consistent across the different types of regulated facility. We have included our generic conditions on fugitive emissions, odour, pests, noise/vibration and fire to control emissions from the activity.</p> <p>3. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>4. Considerations of equality are made when introducing new policies or significantly amending existing policies. As this decision is based on processes under existing policy, the need to undertake an equality impact assessment has been deemed as not required.</p> <p>The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p>
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		<p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.5</a> of this decision document.</p> <p>5. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response.37	<p>My husband and I totally disagree with the proposed storage of waste at the port in Pembroke Dock.</p> <p>It is too close to residential areas, not to mention South Pembrokeshire Hospital.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response.38	<p>not on our door step we will be against it and the people of pembroke dock doesn't want to go through this again</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response no.39	<p>I am a resident of Pembroke Dock and have recently been advised of the permit application by MHPA to operate a Waster Transfer Station at Royal Dockyard Pembroke Dock.</p> <p>Please tell me where I may find the Odour Management Plan (Report Number 18503v3d0719) and Pest Management Plan (Report Number 1850r4v3d0719) mentioned in table S1.2 of the permit referenced in the subject.</p>	<p>The requested 2 documents were sent to the respondent. No further comments were received.</p>

	Any other information that will help me gain an insight into this operation would be appreciated.	
Public Response no.40	<p>I would like to express my concerns over the expansion and change of use of the Pembroke Doc Transfer Site.</p> <p>Obviously, it didn't work out well previously and it seems a little optimistic to expand something that did not work before.</p> <p>I personally would think long and hard about expanding this type of operation in high residential areas.</p> <p>I would like confirmation of viability of other Sites available that are already sited in less built up areas.</p> <p>If this tends to be a money-making operation for the Council, I would balance this against the Residents well being And deny this application.</p>	<p>This is an application for a new bespoke environmental permit.</p> <p>There is already an existing permit for a waste transfer station at the Royal dockyard, this is run by a different operator to Milford Haven Port Authority, who is applying for this permit.</p> <p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
Public Response no.42	<p>1. There have been rumors with an article in the local paper, not a good outcome for Pembroke dock if this goes ahead.</p> <p>All you need do is look at the Councillors involved, It is the same scenario as the grant fiddles. I remember the last attempt to store the countries waste, I'm told it was</p>	<p>1. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application.</p>

	<p>infested with vermin with flies invading the hospital close by, residents issued with screens to cover cups of tea etc.</p> <p>2. None of the other ports in Wales will take any residual waste and absorbent hygiene products. Pembroke dock will become a smelly dumping ground.</p>	<p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution. A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>2. Waste types are waste woodchip and baled residual waste. No absorbent hygiene products have been permitted to be accepted under this permit.</p>
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Public Response no.43	<p>This proposed new facility will bring smell, vermin and noise pollution to the area.</p> <p>I’m am trying to bring up a young family a stones throw away from where you propose to store this rubbish.</p> <p>Can guarantees be given that their will be no increase in traffic? No smell from the waste? No contamination from surface run off into the river where by children pal? No vermin and flies in the area? Can all of the above be guaranteed?</p> <p>I look forward to your response?</p>	<p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
Public Response no.44	<p>1. I have recently been made aware of the draft determination regarding PAN-003929. I am extremely disappointed that having submitted a response to the</p>	<p>1. We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation</p>

	<p>previous consultation, I was not informed about the draft determination and only found out by word of month at an unrelated event yesterday. The town council have also not been informed.</p> <p>2. I would like to make the following points on the draft determination document</p> <p>Page 6 - the proposed site is at the most Eastern end of the dockyard and closest part of the dockyard to the main residential and commercial areas of the town.</p> <p>Page 7 - please can you add visitor attractions and food/drink businesses, particularly those with outside seating areas, as receptors.</p> <p>3. I am pleased that the permit states no odour must be allowed to escape from the site. However I am concerned about how quickly and effectively this can be enforced when problems occur.</p> <p>For this reason I remain strongly opposed to the granting of the permit - due to the high risk of adverse health, social and economic impacts on local receptors (residents, hospital, visitor attractions, food and drink businesses) if things do go wrong, particularly given the length of time it took to sort out the problem when things were going wrong with the previous operator.</p>	<p>Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail and a list of who we consulted on the application with.</p> <p>We consulted with Pembroke Dock Town Council. Where we received responses from our consultees, their comments and our response is given in <a href="#">Annex 2</a> of this document.</p> <p>2. We have screened for receptors in line with our screening criteria. We have amended <a href="#">Section 4.1.1</a> of this decision document to specify the type of commercial receptors we searched for to demonstrate this includes food and drink premises. We have also made clearer that whilst we specified the closest residential dwellings to the activity, we searched and have assessed the activity for all receptors within 1km of the site.</p> <p>3. Any odour monitoring by the operator that identifies the 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, must be reported to us by the operator without delay via condition 4.3.1 of the permit.</p>
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		<p>We encourage members of the public to also report an environmental incident to us such as by calling 0300 065 3000, 24 hours day.</p> <p>Complaints of odour will be investigated by the relevant authority. Any breaches of permit conditions will be considered in line with our <a href="#">regulatory responsibilities</a>.</p>
<p>Public Response Nos. 45, 46, 47, 48, 49, 51, 52, 53, 56, 58, 62, 63, 66</p>	<ol style="list-style-type: none"> <li>1. I am writing to oppose Milford Haven Port Authorities proposal to turn my home town, Pembroke Dock, into a rubbish tip by dragging thousands of tonnes of baled waste into our town and dumping it for weeks at a time on our dock side.</li> <li>2. The docks are at the physical heart of our community and are packed in by our homes, hospitals, shops, cafes and schools. The waste will generate dirt, smells, pollution and disease which will inevitably spread from the docks into our community.</li> <li>3. There is no need for any of this to happen. Milford Haven Port Authority do not even have a customer for this rubbish yet. This is a speculative scheme dreamed up by MHPA to somehow make money by turning our home Pembroke Dock into a tip.</li> <li>4. And you, the NRW, have given them your full support. You say that you are impartial in all of this but how can</li> </ol>	<ol style="list-style-type: none"> <li>1. The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in section 4.1.2 of this decision document.</li> </ol> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively.</p>

	<p>you be when the decision that you have made is so obviously wrong?</p> <p>5. Your decision is opposed by our MP, our Town Council and the people of the town and yet you still insist that you are right and we, all of us, are wrong.</p> <p>6. NRW say that there won't be any problem with dumping this rubbish in our town. Well NRW are wrong and, if this goes ahead NRW will be proved to be wrong.</p> <p>When the filth and the pollution and the disease spreads out from the docks into our town, we will demand that NRW and its officers responsible for this are held accountable for your part in allowing this to go ahead.</p> <p>7. I would be grateful if you would send me the name and contact details of your Chief Executive and the officers responsible for allowing this to happen so that we can hold you to account for the damage that you are about to do to our town.</p>	<p>2. We have screened for receptors in line with our screening criteria. Further detail is in Section <a href="#">4.1.1</a> of this decision document of receptors identified in our searches. In regard to these receptors, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in sections <a href="#">4.3.4</a>, <a href="#">4.3.5</a>, <a href="#">4.3.6</a>, <a href="#">5.1.1</a>, <a href="#">5.2.1</a>, <a href="#">5.2.2</a>, <a href="#">5.2.3</a>, <a href="#">5.2.4</a>, <a href="#">5.2.5</a> and <a href="#">5.2.6</a> of this Decision Document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>3. We do not require the operator to have</p>
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		<p>a customer in place prior to granting a permit. This does not mitigate the operator from having the permitted measures in place prior to accepting and storing waste to site, this includes suitable outlets for the waste within the maximum storage time of 3 months. The commercial decisions or intentions of the operator are not relevant to this application.</p> <p>4. We consider in reaching our 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.</p> <p>5. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The respondents' have not specified which parts of the proposals and permit they do not think have been appropriately considered, and therefore we are unable to specifically address their concerns here.</p> <p>Pembroke Dock Town Council were consulted with on the application. Local MPs and AMs were also contacted directly by us to inform them on the application consultation and minded to consultation. All parties that we received comments back from during the consultations are <a href="#">listed in Annex 2</a>. A full explanation on</p>
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		<p>publicising and advertising the application and consulting with others is provided in section <a href="#">2.2</a> of this document.</p> <p>6. Any substantiated complaints, and our Environmental Permit compliance checking will be dealt with in line with our <a href="#">regulatory responsibilities</a>.</p> <p>7. If you are dissatisfied with our actions, lack of any actions, or the standard or service provided by us, let us know. This gives us the opportunity to put things right and review the way we do things in the future. If you would like to make a formal complaint, you can do this via our <a href="#">complaints and compliments</a> webpage.</p>
<p>Public Response no.50</p>	<p>1. I am most concerned and would like to strongly object to the proposed storage of waste at MHPA Dockyard.</p> <p>Pembroke Dock is a largely residential conurbation on the edge of a tourist beauty area. It also provides the gateway to Wales for all travellers from Ireland and the site is close to South Pembs hospital.</p> <p>2. The creation of a rubbish dump in this up and coming town will undoubtedly cause issues with increased lorry traffic, noise, odours flies, rats and unsightly bales.</p>	<p>1. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>2. The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in section <a href="#">4.1.2</a> of this decision document.</p>

	<p>I would ask you to reconsider the negative impact this proposal is likely to have on the town and the local community.</p>	<p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2.</p> <p>A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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<p>Public Response no. 54</p>	<p>I wish to strongly protest against the plan to store and recycle waste in Pembroke Dock yard area.</p> <p>I believe the planned activity would have a negative effect on the town, as a resident of the town I hope you will register my concerns and not proceed.</p>	<p>We are unsure which parts of the activity the respondent considers will bring negative effects and therefore we are unable to respond specifically.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
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<p>Public Response no.55</p>	<p>1. There is already waste recycling at the Royal Dock yard, I operated a small business close to this and the smell was terrible and at times we felt unwell with the potent stench. I advised Pembrokeshire County Council Environment department about this.</p> <p>2. Also there is an increase in flies and rodents. Please do everything you can to stop PCC and MHPA from operating another Waste Transfer Station in our town.</p>	<p>1. This is an application for a new environmental permit by Milford Haven Port Authority. Any incidents referred to are not relevant to the determination of this application as they are from a different operator.</p> <p>We have consulted with Pembrokeshire County Council Environmental Health department on this application. Full explanation on publicising and advertising the application and consulting with others is provided in section <a href="#">2.2</a> of this document, and how we took environmental health comments into consideration in this application are given in <a href="#">Annex 2</a></p> <p>2. We are unsure from this comment whether they respondant is commenting that there is currently an increase in flies and rodents, or they are concerned about an increased risk from this activity.</p> <p>The activity to which this decision document relates to is currently not operational. To report an environmental incident call 0300 065 3000, 24 hours day. Any breaches of permit conditions will be considered in line with our <a href="#">regulatory responsibilities</a>.</p> <p>We recognised the risk of pests from this activity. The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit.</p>
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		<p>The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.5</a> of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
Public Response no.57	I oppose the approval of using MHPAs using Pembroke dock as a rubbish dump. this town has suffered enough for deprivation and under	The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.

	<p>investment to taint it as dump will ruin it forever, it will never recover.</p> <p>There are non-residential areas where the same recycling can be carried out. the health and happiness of my family may also suffer for the pests, flies, smell and rubbish that this will attract.</p>	<p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a>, <a href="#">5.2.5</a> for odour and pests respectively.</p> <p>The Local Planning Authority determines whether the activity is an acceptable use of land. This does not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
Public Response no.59	I write in opposition of this application. Pembrokeshire already has one of the highest rates of childhood asthma and respiratory diseases.	We are unsure from the respondent what part(s) of the activity they believe will contribute to asthma.

	<p>Allowing this application will surely affect the health of people living in the area and should be rejected.</p>	<p>The Local Planning Authority considers matters such as traffic, which do not form part of our environmental permit decision making process.</p> <p>There are no point source emissions to air from the permitted activity.</p>
<p>Public Response no.60</p>	<ol style="list-style-type: none"> <li>1. It has com to our attention that Milford Haven Port Authority are about to be given permission to store up to 80 000 tonnes of waste a year in the centre of Pembroke Dock and that the waste will be held by MHPA in the open storage areas.</li> <li>2. I am writing to put on record my strongest objections to these proposals. To store thousands of baled waste in these docks located at the physical heart of the community closely surrounded by homes, hospitals, shops, cafes and schools, can clearly be nothing but a massive environmental and health hazard which will have a detrimental impact on the quality of life and health of thousands of local residents. The waste will generate dirt, smells, pollution, flies, rats/ other pests and disease which will inevitably spread from the docks into our community.</li> <li>3. Your decision is opposed by our Town Council and the people of the town.</li> </ol>	<ol style="list-style-type: none"> <li>1. We are minded to grant an application to have an annual throughput of 80,000 tonnes per year, and up to 9000 tonnes at any one time. There are 4 areas that the waste may be stored in, 2 are outdoor areas and 2 are inside industrial units.</li> <li>2. As well as baled waste, it is also proposed to store wood chip waste. What the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a>. We have screened for receptors in line with our screening criteria. Further detail is in Section <a href="#">4.1.1</a> of this decision document of receptors identified in our searches. In regard to these receptors we have assessed the operator’s management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5</a> and <a href="#">5.2.6</a> of this Decision Document.</li> </ol>

	<p>4. NRW say that there won't be any problem with dumping this rubbish in our town. Well NRW are wrong and, if this goes ahead NRW will be proved to be wrong. When the filth and the pollution and the disease spreads out from the docks into our town, we will demand that NRW and its officers responsible for this are held accountable for your part in allowing this to go ahead.</p> <p>I would be grateful if you would send me the name and contact details of your Chief Executive and the officers responsible for allowing this to happen so that we can hold you to account for the damage that you are about to do to our town.</p>	<p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>3. Pembroke Dock Town Council were consulted upon the application. All comments received during the consultation are listed in Annex 2. Full explanation on publicising and advertising the application and consulting with others is provided in section <a href="#">2.2</a> of this document.</p> <p>If you are dissatisfied with our actions, lack of any actions, or the standard or service provided by us, let us know. This gives us the opportunity to put things right and review the way we do things in the future. If you would like to make a formal complaint, you can do this via our <a href="#">complaints and compliments</a> webpage.</p>
Public Response no.61	The application for a proposed waste storage operation in MHPA Dock Yard in Pembroke Dock should be refused on the grounds that	1. The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is

<p>1. a) it is situated far too close to both residential areas and an NHS hospital. It is hard to believe that such an operation would be permitted elsewhere and even harder to believe that there is no other more suitable location within S Pembrokeshire eg on derelict brownfield sites to the east of Milford Haven.</p> <p>2. b) The large increase in volume of HGV's delivering the waste will inevitably result in significantly more noise, traffic delays through the town and diesel pollution from what I estimate would be a minimum of some 4000 lorries per year (assuming each would carry 20 tons of waste) It could well be far more and as each lorry has to turn across the main road to enter the Dockyard, the potential for accidents is high.</p> <p>3. c) The inadequate arrangements for dealing with smells, spills, damaged packaging and possible vermin infestation. Temporarily reallocating staff from other duties within the Dockyard to deal with any such situations is an unacceptable compromise and to specify that someone(?) will be the delegated "smeller" responsible for checking that smells do not exceed a satisfactory level, would be funny if it were not for the distinctly unfunny consequences for the local residents if his or her sense of smell happens not to agree with theirs.</p>	<p>required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. In regard to all receptors including but not limited to residential areas and the hospital, we have assessed their management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in sections <a href="#">4.3.4</a>, <a href="#">4.3.5</a>, <a href="#">4.3.6</a>, <a href="#">5.1.1</a>, <a href="#">5.2.1</a>, <a href="#">5.2.2</a>, <a href="#">5.2.3</a>, <a href="#">5.2.4</a>, <a href="#">5.2.5</a> and <a href="#">5.2.6</a> of this Decision Document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to</p>
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		<p>demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>2. The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>3. We have assessed that there is an adequate amount of competent resources including staff to meet the requirements of the permit. Sniff testing is a common form of odour monitoring. The operator has taken into account inconsistencies and provided and using staff that do not work day to day at the waste activity will reduce adaption to odours. These measures meet our “H4 Odour Management Guidance.”</p> <p>Members of the public are encouraged to report an environmental incidents on 0300 065 3000, 24 hours day.</p>
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		<p>Any breaches of permit conditions will be considered in line with our <a href="#">regulatory responsibilities</a>.</p> <p>Only an authorised officer of NRW can determine whether the odour condition of the permit has been breached by the site.</p>
Public Response no.64	<p>I wish to object most strongly to the proposal to store waste at the above site.</p> <p>The residential areas of the town are too close to the site, let alone a hospital and care facility.</p> <p>I think if this is allowed, the actors; your organisation, MHPA and P C C, should prepare themselves for a class action lawsuit for potentially endangering Public Health.</p>	<p>It is unclear from the response what specific environmental risks from the activity the respondent is concerned about.</p> <p>We consulted with Public Health Wales and Pembrokeshire County Council Environmental Health department. Full explanation on publicising and advertising the application and consulting with others is provided in section <a href="#">2.2</a> of this document.</p>
Public Response no.65	<p>1. I strongly object to the proposal to store baled waste at Pembroke Dock Dockyard.</p> <p>MHPA are creating a potential health hazard near the centre of a town which already handles all of the Waste for Pembrokeshire at the County Council Waste Transfer station. These two waste facilities will undoubtedly create a smell problem as no process operates without the occasional mistake and there will undoubtedly be punctured bales happening.</p>	<p>1. The permit includes a plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Bale integrity and the risk of bale punctures is a key risk factor which the operator has recognised. There will be</p>

	<p>2. The extra traffic also will create more jams and poorer air quality for parts of the town which are already over stretched with vehicles.</p>	<p>acceptance checks on site for every load delivered, to make sure that baled waste conforms to the pre-acceptance checks. This will include random bale spot checks prior to accepting the delivery to ensure that the minimum number of layers of wrapping are used, as per the agreed contract. This will involve a small incision made into the wrapping and layers counted and then patched in line with the local work instruction that has been incorporated into Table S1.2. of the permit. If bales do not meet this specification, the delivery will not be accepted. A minimum of 8 layers of durable plastic sheeting has been specified as the expectation in section 2.3. of the risk assessment, this has been incorporated into Table S1.2 of the permit as a pre-acceptance and acceptance measure. This has been deemed appropriate as the waste will be subject to minimal handling on site and the waste is non-containerised.</p> <p>Each bale will be visually inspected for integrity as it is placed and will only be handled by plant with bale telehandlers to minimise the risk of damaging the bales.</p> <p>There will be daily stock inspections to check the integrity of bales and repair, quarantine or remove from site as necessary.</p> <p>Treatment activities that can be carried out at the site include re-wrapping of bales using an agricultural baler that may become damaged on site that patching alone will not be sufficient for.</p>
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		authority stated in the consultation on this application that planning permission will be required for this site.
Public Response no.67	It is unthinkable that you might allow MHPA to dump up to 80,000 tonnes of waste per year in Pembroke Dock. I heard today from a long time resident that the last time this was done, the smell was intolerable. Please register my disapproval of this scheme.	<p>The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in section <a href="#">4.1.2</a> of this decision document.</p> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively.</p>
Public Response no.68	1. PLEASE THINK VERY CAREFULLY BEFORE GRANTING THE MHPA A LICENCE TO DUMP WASTE AT PEMBROKE DOCK. DO YOU WANT TO BE RESPONSIBLE FOR PUTTING ANOTHER NAIL IN PEMBROKE DOCKS COFFIN BECAUSE THE TOWN HAS NOTHING TO GAIN FROM YOUR ACTIONS ONLY DEVASTATION	<p>1. The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in section <a href="#">4.1.2</a> of this decision document.</p> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3</p>

		<p>months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodorous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively.</p> <p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required, which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p>
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<p>Public Response no.69</p>	<p>we do not want you to dump waste at Pembroke dock or any dock, we don't want this, I would be interested to hear how you think you can do this and it not affect our environment or others,</p>	<p>The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.</p> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p> <p>Further contingency measures to remove malodourous waste prior to the maximum of 3 months have also been included in the odour management plan and pest management plan, incorporated into Table S1.2. Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a>, <a href="#">5.2.5</a> for odour and pests respectively.</p> <p>The full reasons as to how we have determined that the operator’s proposals will minimise environmental impacts are set out in this document.</p> <p>The Local Planning Authority determines whether the activity is an acceptable use of land. It considers matters such as visual impact, traffic, access issues and lighting, and whether an environmental impact assessment is required,</p>
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		<p>which do not form part of our environmental permit decision making process.</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>The response is not specific in what parts of the operation are of concern.</p>
<p>Public Response No. 70</p>	<p>1. I vehemently object to you using Pembroke Dock as a waste dumping ground on the grounds of hygiene. The last time you did this, the area was infested with flies and the smell was so bad that none of the windows in South Pembs hospital could be opened for the duration.</p> <p>I'll bet the yacht owners in the marina in Milford Haven would be none too pleased if you tried a stunt like that over there in their back yard!</p>	<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of</p>

		<p>the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
Public Response No. 71	<p>Pembroke Dock is a residential area with historic significance, storing waste would be detrimental to the ongoing revitalisation efforts of the community.</p> <p>Further, there is already an issue with rats that has yet to be resolved, storing waste will only exasperate the issue, risking public health. Waste storage would also result in other vermin and insects such as flies, as previous attempts to store waste here have evidenced.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must</p>

	<p>It may be claimed that lessons have been learned and mistakes won't be repeated but there are even more challenges than previously which optimism and well intended plans, no matter how carefully laid, won't solve. It is simply a poor choice of location.</p> <p>Pembroke Dock houses a hospital, which was greatly affected last time. With talks of increasing the use of this hospital, with Withybush's closing, the potential threat to health and scope of those made victim from this scheme would be even greater.</p> <p>Storing waste in Pembroke Dock would be devastating to the physical, social and economic health of the town. To allow it would be to negligence.</p>	<p>carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section 5.2.5</a> of this decision document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This included the hospital. We have consulted with the hospital, the local health board and Public Health Wales on the</p>
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		application, their comments and our response is given in <a href="#">Annex 2</a> of this document.
Public Response No. 72	I am utterly disgusted that it has even been thought of putting this dirty idea here. there is a number of food serving places just a few metres away from here, being, I quote :- "The Shipwright Inn, the Helm, The Maypole Diner", also there is The Pembroke Dock Heritage Centre which is the flagship museum of Pembroke Dock & also has a coffee shop. This proposal is bound to put people off coming to this end of town & effect the business of these establishments. Are you going to be responsible for the extra traffic damage the roads to here ? I agree we need jobs to come here but you're most probably use the over stretched staff you've already got. This is very bad for the town of Pembroke Dock. You are Milford Haven Port Authority, so put it in Milford Haven, no, you wouldn't have wanted it on your door step so why put it on ours. The old Murco Refinery Site would be a good example of where to put it.	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This included the Heritage Centre and local food establishments.</p>
Public Response No. 73	1. I would like to raise comments regarding the application submitted by the Port of Milford Haven for their permit to store waste in the dockyard. I understand that all our waste needs to go somewhere and when it goes somewhere, it's always going to impact someone in a negative way, but I do not have sufficient faith in the control	1. The activity proposed is the temporary storage of waste, this includes waste woodchip as well as baled waste fuel. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document.

	<p>measures of this operation. Pembroke Dock dockyard has a history of storing of RDF going horribly wrong and from inspecting the documents submitted in conjunction with this application there is not too much dissimilar; storage is outside, control measures are relatively similar and the amount of waste processed is still significant. I recognise there is an improvement to operational processes but I also believe if something were to go wrong, it would negatively impact the town, residents, local business and any visitors. It is a risk that I do not think should be taken.</p> <p>I understand that National Resource Wales are minded to grant this permit but I would request that National Resource Wales reviews the risk of this operation and considers whether or not it will have a detrimental impact on the community of Pembroke Dock.</p>	<p>This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>We have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pest and odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p>
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<p>Public Response No. 74</p>	<p>This is a foolish project. Even short term storage of waste causes problems when it is placed in a town with schools and hospitals nearby.</p> <p>Obviously the solution involves ending the production of such waste. Changing the system will take time, but NRW should be at the forefront of plans for a better environment.</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health. We can only do this in relation to the specific application.</p> <p>It is unclear from the response what parts of the design and/or operation of the waste activity the respondent is concerned about, and so we cannot respond specifically.</p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches.</p> <p>We have assessed their management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document.</p>
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<p>Public Response No. 75</p>	<p>There are several objections and concerns mentioned in Annex 2 of the Draft Decision Document. I, as a lay person in these matters, understand and sympathises with most of the concerns raised. I also understand that ultimate consent for this proposed operation lies with Pembrokeshire County Council's planning department.</p> <p>My main concerns and objections to this scheme relate to the following:</p> <ol style="list-style-type: none"> <li>1. The potential for damage to the environment arising from the inadvertent acceptance of loads of materials contaminated with hazardous substances contrary to what is sanctioned by the permit.</li> <li>2. I also have objections to the damage to the reputation and perceived image of Pembroke Dock in the eyes of the wider community and the damage that this scheme will undoubtedly inflict on the efforts being made to develop the tourist industry within the town.</li> </ol> <p>It is worth noting here that the Milford Haven Port Authority (MHPA) also has the intention, and is seeking tenders for, the effective destruction of two major listed structures within the dockyard – the timber pond (Listed Grade II) and the dry dock</p>	<ol style="list-style-type: none"> <li>1. The operator must comply with the conditions of the permit.</li> </ol> <p>The permit limits the waste types that the site can accept to non-hazardous only and includes additional pre-acceptance and acceptance criteria to ensure that odour, pest and fire risks associated with it are minimised as described above.</p> <p>Any waste types accepted that are not permitted will be a breach of the permit. Breaches will be considered in line with our <a href="#">regulatory responsibilities</a>.</p> <ol style="list-style-type: none"> <li>2. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</li> </ol> <p>The tenders referred to do not form part of the application. A full explanation of our assessment to the historical assets is given in <a href="#">section 6.1.1</a> of this document</p> <p>These commercial decisions or intentions of the operator are outside the scope of what is required for the environmental permit and are not relevant to this application. Alterations, modifications or demolitions of heritage assets may require planning permission.</p>
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<p>(Listed Grade II*), further eroding the important historical structures that define the reason why Pembroke Dock came into existence.</p> <p>The MHPA is effectively, by these measures, squandering the resources that the town will have to call on to develop its own “offer” to the world once the oil industry departs.</p> <p>3. The granting of this permit is not a measure that will improve the wellbeing of the population of Pembroke Dock and its surrounding communities. It should be noted too that Milford Haven Port Authority is a Trust Port. The aims of the Trust Port relating to the community in and around its area of jurisdiction can be read on their Community Page here. Of relevance to this application is the sentence below:</p> <p>We re-invest our profits in the business and develop projects that will create jobs, <b>support economic growth</b> and help deliver a bright outlook for the region. [Emphasis mine.]</p> <p>4. The waste transfer scheme <b>may</b> produce jobs, but I strongly suggest that it will merely support the continuation of jobs that presently exist, but are under threat due to the severely reduced shipping movements at Pembroke Dock. This, in itself, is not an intrinsically bad thing, but when weighed</p>	<p>3. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access</p> <p>The Local Planning Authority must also consider and respond to any objections they may receive on a particular planning application. The local planning authority stated in the consultation on this application that planning permission will be required for this site.</p> <p>4. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p> <p>It is not a requirement for the activity to generate jobs. We are satisfied that sufficient technical and personnel resources are available to the operator to ensure compliance with all the permit conditions, this is explained in section <a href="#">4.2.2</a>.</p> <p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p>
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	<p>against the support of wider economic growth within Pembroke Dock, the establishment of a large waste transfer site so near (and upwind) to the town, as well as in close proximity to many of its historical buildings and assets, the NET gain of jobs is highly likely to be negative. I.e. there will be a loss of employment opportunities within the community. Supporting the economic life of the community is one of the Trust Port's founding principles. This proposal runs counter to that principle.</p> <p>5. The proposed site, as mentioned above, will impinge negatively on adjacent properties within the dockyard, most notably the terrace of (listed) former officers' housing to the south of the site, the Pembroke Dock Heritage Centre and the restored (listed) office buildings to the west. Bizarrely, the MHPA is in the process of putting in a bid to enhance these areas as a focus for:</p> <ul style="list-style-type: none"> <li>• the interpretation of local heritage;</li> <li>• accommodation for start-ups;</li> <li>• a small hotel with apartments; an architecturally significant building that references the old building slip sheds (in the process demolishing part of a Grade II* listed building!);</li> </ul>	<p>5. We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches. This includes the receptors noted by the respondent.</p> <p>The commercial decisions or intentions of the operator are not relevant to this application in regards to overall strategy.</p> <p>6. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health. This is done on a case by case basis.</p> <p>The permit includes management plans to minimise the risk of odours and pests from the site. These plans are included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour and pests shall not cause pollution.</p>
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	<ul style="list-style-type: none"> <li>• and a children’s garden and play area.</li> <li>• All designed to be a tourist attraction – right next to a large waste transfer station! I would suggest that this action does not engender confidence in MHPA’s “joined up thinking” about their long-term strategy for the community of Pembroke Dock.</li> </ul> <p>6. There are other, more widespread environmental considerations that need to be addressed. Others have raised the strong likelihood of there being problems of smell, pest infestations, discharge and the like brought about by the introduction of this waste material into Pembroke Dock. The town has had direct experience of this in the recent past and it is unacceptable. This objection seems to have been glossed over in the draught permit.</p> <p>There are also environmental issues connected with the use of heavy lorries and their associated carbon footprint in the transportation of the bales of RDF, SRF and other materials to Pembroke Port. Much of the material will probably have to come some distance. Pembroke is, relative to the principle areas of waste production, a remote location. As Pembrokeshire County Council has declared a “Climate Emergency”, then long transit distances by lorry clearly run contrary to sensible</p>	<p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in section <a href="#">5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document.</p> <p>The 2 external areas of the site are to go to foul sewer, the 2 buildings will collect any discharges to a blind collection point within the building. The full explanation of the pollution prevention techniques that will be used to control emissions to water is in section <a href="#">4.3.5</a>.</p> <p>7. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>8. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health, in relation to the activity on site. This is done on a case by case basis. The permit is for the temporary storage of the waste, it is not a permit requirement on where or how the waste is removed from site. Waste must not be stored for more than 3 months, and must be moved to a suitably permitted facility.</p>
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measures to combat the emergency. Transferring and exporting both RDF and SRF from Swansea, or even better the Cardiff/Newport area would seem to be more sensible, central locations from which to carry out this type of operation. This, of course, is dependent on the origin of the material and whether MHPA will utilise “back haul” transport.

Neither of these issues are explicitly discussed in the information supplied with the permit. I would expect that such pollution considerations would be part of NRW’s remit.

7. In relation to the above point, I wonder if an environmental assessment has been made by NRW as to the effect of exporting RDF/SRF etc. from a point on the west coast of the UK as opposed to from an east coast port? This may well be a consideration, given that most of these fuels are exported to the Netherlands. Rail transfer (no longer possible at Pembroke Port) would make the transport of the material even more environmentally friendly if the port of export had existing rail links.

I hope that you will take the above points into consideration when finally deciding whether to issue the permit or not.

<p>76</p>	<p>1. It seems farcical that the “consultation” allows you to count very real objections that should weigh against an application as outside of your remit. The suitability of such a facility to be placed in such close proximity to homes and businesses is a basic and important environmental factor, given the possibility for disease to arise from pests attracted to such a facility. Given the rural nature of the area, and the fact that there are several redundant jetty facilities in locations away from homes and businesses this facility is easily identified as being proposed for a wholly unsuitable location where other more suitable locations exist in the local area.</p> <p>I am disappointed to note that you appear to have ignored and otherwise trivialised the very real fears that we have about damage to our homes and businesses from the proposal for this inappropriately sited facility. The whole “consultation has been at best farcical, we have been misled by changing parameters of the application, and have had difficulty obtaining documentation that should have been freely available, on top of that the assumption that people access social media for information is flawed, having been online for over 20 years I consider social media to be a huge privacy issue and like many others I do not involve myself with Facebook or twitter. If you are really concerned</p>	<p>1. The proposed waste types and tonnages to be accepted have not changed since the application was received by us. The application is for a new bespoke environmental permit, not an existing permit to be varied.</p> <p>Any requests made to our consultation mailbox or to our enquiries line were responded to and application documents sent. We received no requests for a hard copy of the application to be sent. A hard copy of the application during the consultation was provided during a drop-in session and left at the council chambers during the consultation period for public viewing.</p> <p>Our Public Participation Statement confirms that we will always advertise applications on our website. We recognised that our advertisements may not always come to the attention of everyone who might wish to be involved over a site of high public interest. Therefore, in addition to advertising on our website, we undertook press releases, contacting the offices of the local AMs and MPs, as well as highlighting the consultation on social media.</p> <p>Furthermore, a drop-in session was held where our officers were available to meet with members of the public on the application and the public could take a response form to provide consultation responses to us.</p> <p>We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations 2016, our statutory Public Participation</p>
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	<p>about connecting with people whose homes are likely to be blighted by ill-considered and badly sited ventures such as this then surely you need to ensure that those closest to the issue are contacted by letter or leaflet drop, if you are serious about consulting with the public about things that will impact their lives for years to come then you have a duty to ensure people are as fully informed as possible, a duty that current process fails in completely. I am still meeting people who live near this site who know nothing about the proposal.</p> <p>2. The fact that the permit seems to allow for the situation where we can be expected to endure days with insect or odour nuisance is completely unacceptable and without such matters being dealt with in a time frame of hours rather than days, this would seem to be a direct attack on our right to quiet enjoyment of our premises. The fact that this situation arising is very likely, this goes to underline our assertion (as a community) that this facility is unsuitable to be located in the vicinity of homes and businesses. There is also the question of dust nuisance from wood products being handled at this site. - again I see nothing that suggests that urgent action will be taken in event of a nuisance, rather that the residents blighted by this development will have to endure it until the operator decides it warrants attention.</p>	<p>Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. See <a href="#">section 2.2</a> of this decision document for further detail</p> <p>2. We have included pro-active and reactive measures included with the applicant's management plans within the permit under Table S1.2 – Operating Techniques. Problem waste identified must be quarantined immediately. A full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">sections 5.2.4</a> and <a href="#">5.2.5</a> for odour and pests respectively of this decision document</p> <p>The risk of emissions of dust has been considered and relevant controls incorporated into Table S1.2, namely damping down of stockpiles. We have amended section <a href="#">5.2.3</a> to specify the operating techniques incorporated into Table S1.2 of the permit to include dust control. Furthermore, we have restricted the waste types accepted in Table S2.1 so that they must not accept dusty wastes.</p> <p>3. These comments correspond with the dominant wind direction indicated in the applicant's risk assessment, and therefore the proposals to place and start with Area A sited furthest from receptors in the path of the dominant wind direction. Furthermore, the applicant's pest and odour routine monitoring concentrates on the southern and eastern boundary.</p>
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	<p>3. I also note a comment in the original documentation regarding the prevailing wind direction. my observation of the local tree and shrub population suggests by the way they lean eastwards that odours and dust from this site are likely to be blown directly across the town - and our homes. I note the assertion that only an officer of NRW can determine if the odour condition for the site has been breached, but we are the ones who will be enduring any issues while such a determination is made, and should your officer decide that it is a minor breach, then we face having to “just live with” a smell (even if only slight) where there is currently now no odour, again a breach of our right to quiet enjoyment of our homes. This is equally true for catering businesses in proximity of the Former Royal Dockyard who have previously had problems of a similar nature as those that are likely to arise from this.</p> <p>4. The environmental considerations in terms of noise and pest issues are likely to have a negative effect on all in close proximity to this proposed facility, and given the number of people likely to be adversely affected it seems common sense that this application should be refused.</p> <p>5. It is also unbelievable that you can approve the storage of combustible waste in close proximity to</p>	<p>We have used relevant generic conditions from our bespoke permit template along with other activity-specific conditions to ensure that the permit provides the appropriate standards of environmental protection.</p> <p>Our generic conditions allow us to deal with common regulatory issues in a common way and help us be consistent across the different types of regulated facility. We have included our generic conditions on fugitive emissions, odour, pests, noise/vibration and fire to control emissions from the activity.</p> <p>Only one of our officers can determine whether the condition has been breached but this does not mitigate from anyone reporting an incident to us to investigate. To report an environmental incident call 0300 065 3000, 24 hours day.</p> <p>Any breaches of permit conditions will be considered in line with our <a href="#">regulatory responsibilities</a>.</p> <p>4. Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health. We consider that noise and pests proposals meet the minimum standards in our published guidance and where relevant the applicant has gone above and beyond these minimum standards in order to control the risk.</p>
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<p>a “white diesel storage facility”. Given the history of fires at this types of waste facility Including Llandow and the more recent one at Beddington, Surrey, this seems too be a very real possibility, and you seem to have rather cavalier attitude to the risk this involves to local people and the homes they occupy.</p> <p>6. Despite the objection of the local health board you propose a 3 month storage limit, it seems that NRW consider the health and wellbeing of local residents, and those who are unfortunately housed within South Pembs Hospital (often near the end of their lives) as a lesser importance than the aims of the applicant, it might have been more appropriate for the applicant to site this facility near its own headquarters, or even in the same town. We see that waste being transferred to a ship is not subject to the permit conditions and will be stored at the quayside prior to loading. Again this seems to highlight that the whole process and the basis for the permit seems flawed. If the waste requires a permit to be accepted and stored then surely it is logical that the conditions of the permit should apply just as stringently until the ship collecting it casts off from Port of Pembroke. given that some of the waste they will be loading will have been “cooking” for 3 months in storage it is unacceptable to have this undertaken under anything less than the most stringently controlled</p>	<p>5. The operator, fire and rescue service (FRS) and us have noted the white diesel tank in our assessment. There is a pre-operational condition to submit the final fire prevention and mitigation plan for approval that shows the waste stockpiles sizes and layout for Area C. Our Regulatory Officers will consider the proximity of the stacks against the white diesel tank in this assessment in accordance with our technical guidance note no.16 “Fire Prevention &amp; Mitigation Plan Guidance – Waste Management” [version 2 August 2017] and, as specified by the FRS in their response in <a href="#">Annex 2</a> of this document, prior to agreeing the fire prevention and mitigation plan and agreeing that that the operator can start using this area of the site for the permitted activity.</p> <p>6. It is outside our remit to apply The Environmental Permitting (England and Wales) 2016 to the temporary storage of waste subject to loading for transport, such as at the quayside.</p> <p>Where waste is to be temporarily stored at the quayside, it does not mitigate the operator from having to meet the obligation provided by Article 4 of the Revised Waste Framework Directive (rWFD) to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment, and in particular:</p> <ul style="list-style-type: none"> <li>• without risk to water, air, soil, plants or animals; or</li> <li>• without causing nuisance through noise or odours; or</li> </ul>
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	<p>conditions - preferably closely observed by enforcement officials.</p> <p>7. You state that transport concerns are the remit of the local authority, however a development of this size and type is going to involve many extra vehicle movements in an already congested area, leading to environmental issues involving exhaust fumes and noise nuisance. I wonder at the dismissal of these factors from an agency that is allegedly responsible for environmental matters. I have seen nothing that suggests that the noise nuisance of vehicles transporting this waste will be limited to during working hours adding to potential night time noise nuisance, and while ferry traffic from the night sailing passes through the town, trucks arriving with this cargo will be manoeuvring and unloading close to our bedroom windows.</p> <p>Locally this was considered by those of us who knew about the application that it was a certainty that one agency would grant a permit to what is in effect another agency, and that the whole “consultation” was a box ticking exercise, when MHPA decided to change the type of waste involved to include general municipal waste, then the consultation should have been re started from day 1, what actually happened was we discovered at a council meeting that the application had been varied.</p>	<ul style="list-style-type: none"> <li>• without adversely affecting the countryside or places of special interest.</li> </ul> <p>The temporary storage subject to loading/unloading is under our regulatory remit to ensure Article 4 rWFD obligations are met.</p> <p>7. We have no legal powers to control the vehicle movements and noise from vehicles to and from site within the permit. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic, operating hours and access.</p> <p>The Local Planning Authority must consider and respond to any objections they may receive on a particular planning application. The Local Planning Authority stated in the consultation on this application that planning permission will be required for this site.</p>
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	<p>The whole procedure seems tainted and has no relation to local democracy, the people are being ignored and in some areas misled by wrong or late information and any permit granted united this application will be forever tainted because of this. We are under no illusions that once this application is nodded through by NRW, that we are likely to be blighted by it for many years to come as removing a permit will prove almost impossible given the nature of the applicant.</p> <p>While we have no objection to the local site that exists and is handling our own local waste, we object to our homes and lives being blighted by the waste from other areas being inflicted upon us and our homes and surroundings by this flawed and badly run process We urge you to reconsider this permit and agree with us that the proposal is unsuitable for the local environment due to its proximity to homes and businesses.</p>	
77	<p>As a resident of Pembroke Dock I hereby register my vehement opposition to the above scheme.</p> <p>I am not at all happy about the proposals for this scheme and the potential it has to affect my health and enjoyment of my town.</p>	<p>We have considered the impact of the proposals on human health and use of amenities or other legitimate uses of the environment.</p> <p>The respondent has not been specific about the parts of the activity they are concerned about with regard or which parts</p>

	<p>It is not only my health and enjoyment that concerns me but also the health of every other resident of Pembroke Dock.</p> <p>This is an affront to the town of Pembroke Dock.</p>	<p>of the applicants proposed procedures they believe will not adequately control the activity.</p>
78	<p>1. I write to object to the decision to permit another refuse storage facility, because I believe the plans reveal only insignificant changes to the fiasco which brought misery to the residents, visitors, workers and businesses of the town of Pembroke Dock.</p> <p>In spite of claims to the contrary it appears this will simply be a repeat of the filthy invasion which we suffered a few years ago.</p> <p>I live a few hundred metres from the proposed storage site, and work at the local hospital. Just a couple of years ago the disgusting debacle which was permitted at the dockside caused severe distress in this town.</p> <p>2. An extra layer of plastic liner will not be adequate to keep rotting waste from occasional accidental leaks, once again attracting pests and spreading disease; I query whether the sewage processing plant at Pembroke Dock is capable of dealing with any run off into the foul sewerage system, which in</p>	<p>1. This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity, operated by a different operator and are not relevant to the determination of this application.</p> <p>2. It is the decision of the local sewerage undertaker as to whether there is adequate capacity in the sewerage system and whether to grant a trade effluent consent for this activity. We consulted with Dŵr Cymru Welsh Water on the application. A full explanation of our assessment of emissions to sewer is given in section <a href="#">5.2.9</a> of this document.</p> <p>3. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic and access.</p> <p>4. All responses received and our response to those comments are listed in <a href="#">Annex 2</a> of this document.</p>

	<p>this area appears already at certain tides to be overloaded;</p> <p>3. The road system &amp; condition around this area is already inadequate to deal with the current amount and type of traffic; There are other more suitable sites for this to be located; The pollution generated by transport of refuse to and from this site on to other countries represents a mockery of any attempt to deal with our environmental calamity.</p> <p>4. Because you did not acknowledge my previous attempt at objection to the proposal for this plan, I am copying my AMs, who I hope will support my request that this plan is binned.</p>	
<p>Naval Dockyards Society</p>	<p>We have summarised the response from the Naval Dockyards Society as below:</p> <p>1. The Draft Decision Document Section 4.1.1 Location:</p> <p>Section does not itemise the listed buildings directly affected in Areas C and D, shown on the Draft Permit Schedule 7 Site Plan (p. 20).</p> <p>2. The Draft Decision Document Section 6. Biodiversity, Heritage, Landscape and Nature Conservation does not mention listed buildings. It states: 6.1.1. 'We consider that the Application will</p>	<p>1. The listed buildings in Areas C and D are directly referred to in section <a href="#">4.1.1</a> and <a href="#">6.1.1</a>, we have clarified this with the full titles of these features.</p> <p>2. We have amended this section to be more explicit about our assessment on the heritage features. A full explanation is given in <a href="#">section 6.1.1</a> of this document.</p> <p>3. We have amended this section to reference Sites of Heritage. Reference is given in this section to a full explanation of our assessment on the sites of heritage in <a href="#">section 6.1.1</a> of this document.</p>

	<p>not affect the features of the designated sites listed below.' But does not itemise any listed buildings. These should be made explicit and the impact of the project on them evaluated.</p> <p>3. The Draft Decision Document Annex 1: Decision checklist states, for Biodiversity, Heritage, Landscape and Nature Conservation (p. 36), that the application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. But does not mention heritage.</p> <p>4. The NRW Draft Decision Document indicates that Natural Resources Wales/Milford Haven Port Authority will need to apply for planning permission and listed building consent to further this project.</p> <p>5. The Draft Permit Document does not mention the listed structures directly affected by this project: these need to be made explicit.</p> <p>6. From the MHPA tender documents for this scheme we note as follows: Infilling of the Timber Pond and Graving Dock. No heritage justification is presented at all for what amounts to the obliteration of a Grade II* listed structure and a Grade II listed structure.</p>	<p>4. This is correct based on the response received from the local planning authority during the initial consultation on the application. The applicant should not start operating until all relevant consents and permissions have been obtained from the relevant bodies.</p> <p>5. We have now made this more explicit in <a href="#">Section 6</a>.</p> <p>6. We have checked the areas that are referred to in the tender documents. These tender documents are not part of the application. The Timber Pond and Graving Dock are not located within the permitted area, nor are the works necessary to meet the conditions of this permit but are for other modifications to the dock that are not the subject of this permit.</p> <p>We consider that the permitted activity will not cause pollution to the Timber Pond or Graving Dock.</p> <p>7. The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact.</p> <p>The respondent has not given any specific environmental emissions that they believe will impact specific features of the historical assets. In regard to the receptors identified, including the historical assets, we have assessed their management plans for key risks of the activity of pests, odour and fire and have determined that the measures</p>
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	<p>There is no statement that any of these processes are reversible. The Timber Pond does not appear to be in Area D, as it is on the west side, and Area D is on the east side, so that is confusing.</p> <p>7. The NDS therefore calls for the permit not to be authorised on the grounds that it will cause irreversible damage to the Grade II* listed Graving Dock and Grade II listed Timber Pond, their settings and future viability. This Project will effectively remove the nationally recognised heritage value from the surviving dry dock and its group Dockyard value with other listed structures, including the Pond. The Project will also threaten nearby Pembroke Dock heritage sites through environmental emissions and its visible impact.</p> <p>Moreover Point 2 of the Draft Decision Document indicates that Natural Resources Wales/ Milford Haven Port Authority will need to apply for planning permission and listed building consent to further this project.</p>	<p>are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. We have also assessed that the risk of discharges impacting on the historical features and have determined this to be minimal. Further details on the measures included and how we are controlling this via the permit conditions are included in sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6 of this Decision Document.</p> <p>We consulted with Cadw on the application, their comments and our response is given in <a href="#">Annex 2</a> of this document.</p> <p>Furthermore, the Local Planning Authority (LPA) stated in their response in the consultation to us that planning permission is required for the site. This is explained in full in <a href="#">Annex 2</a> of this document. Any major alterations to listed buildings or significant changes to the use of a building or piece of land require planning permissions from the LPA.</p>
<p>From the office of Simon Hart MP</p>	<p>Several responses from the general public were received via the office of Simon Hart MP.</p> <p>There were 35 in total, 5 of these were duplicates and had been received directly by us already and have therefore already been considered and included</p>	<p><b><u>Planning</u></b> Our permitting decisions look at the design and operation of the processes, to prevent pollution and minimise impacts on the environment and human health.</p>

<p>above. We have summarised the content of the remaining responses below:</p> <p><b><u>Planning</u></b>  Comments relating to:</p> <ul style="list-style-type: none"> <li>• the choice of use for the development and impact on business such as B&amp;Bs</li> <li>• Traffic to and from the site</li> <li>• Whether the siting close to residential properties is an acceptable use of land for waste activity</li> <li>• Noise in regard to operating hours</li> <li>• Reduction of property value of those in close proximity, concerns about community blight, effect on tourism and community economic impacts</li> <li>• That the site should be regenerated as a leisure space</li> </ul> <p><b><u>Carbon footprint</u></b>  Comments relating to:</p> <ul style="list-style-type: none"> <li>• the carbon footprint of the activity from transporting waste to and from the site</li> </ul> <p><b><u>Previous history of waste sites in area</u></b>  Comments relating to:</p>	<p>The Local Planning Authority determines whether a facility is in the right location, i.e. an acceptable use of land; and considers wider matters associated with the development such as visual impact, traffic, operating hours and access.</p> <p>The site is on an active dockyard and is not comparable to closed dockyards that have been regenerated</p> <p><b><u>Carbon footprint</u></b>  We can only look at the risk of the pollution from the regulated facility itself under the scope of The Environmental Permitting (England and Wales) Regulations 2016.</p> <p><b><u>Previous waste sites in area</u></b>  This is an application for a new environmental permit by Milford Haven Port Authority. The incidents referred to were for a different type of waste activity operated by a different operator and are not relevant to the determination of this application.</p> <p><b><u>Commercial intentions of the operator</u></b>  The commercial decisions or intentions of the operator are not relevant to this application. Under the Environmental Permitting (England and Wales) Regulations 2016 we are not required to consider this.</p> <p><b><u>Council collections</u></b></p>
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	<ul style="list-style-type: none"> <li>• Previous experience of waste activities run in the Dockyard and problems with flies and odour</li> </ul> <p><b><u>Commercial Intentions of Operator</u></b> Comments relating to the operator just doing this for profit</p> <p><b><u>Council collections</u></b> Concerns relating to:</p> <ul style="list-style-type: none"> <li>• Pembrokeshire County Council move to residual waste collection every 3 weeks and so already will be problem in community.</li> </ul> <p><b><u>Odour</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• Odour in the warmer summer months</li> <li>• Wind towards north east (south westerly winds) so odour impacts would be across the town</li> <li>• How is odour monitored, concerned if is only for health not nuisance</li> <li>• Stock rotation, the need for a first in first out system is required</li> <li>• Already smells from other sources, such as Sewer that runs down road from Monken and the sewage plant</li> </ul>	<p>The move to Pembrokeshire County Council residual waste collection every 3 weeks with food waste and recyclable collection remaining as weekly is not of relevance to this application.</p> <p><b><u>Odour</u></b> The permit includes a plan to minimise the risk of odour from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that odour shall not cause pollution.</p> <p>Only an authorised officer of NRW can determine whether the odour condition has been breached by the site. The odour condition states “Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site”. Pollution is defined in The Environmental Permitting (England and Wales) Regulations 2016 and includes to cause offence to a human sense or impair or interfere with amenities or other legitimate uses of the environment. This therefore includes nuisance and not just harmful to human health.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions is provided in <a href="#">section</a></p>
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<p><b><u>Pests</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• Cannot see they will deter gulls from bales</li> <li>• Facility needs to be fully enclosed and have effective pest management programme</li> <li>• The increase of pests, particularly flies in the warmer summer months</li> </ul> <p><b><u>Noise</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• Increase in noise pollution from machinery used on site</li> </ul> <p><b><u>Consultation</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• How we publicised the application, including the drop-in session.</li> <li>• Political impacts in terms of ability of communities to mobilise against future decisions of where waste sites are sited</li> <li>• Application documents no longer available to comment on</li> <li>• Something of detrimental impact should have been highlighted to all households like planning.</li> </ul> <p><b><u>Discharge to sewer</u></b> Comments relating to:</p>	<p><a href="#">5.2.4</a> of this decision document, this includes how wind direction has been taken into account and the stock rotation system.</p> <p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of odour pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for odour are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p>We cannot take into consideration odour from other sources such as the Sewage Treatment Works in our determination, it does not change that the operator must comply with odour permit condition. However, the operator has identified the sewage treatment works in their identification of other sources of odour if they or the relevant authority investigate complaints of odour in the area.</p> <p><b><u>Pests</u></b> The permit includes a specific pest management plan submitted by the applicant to minimise the risk of pests from the site. This plan is included in table S1.2 Operating techniques in Schedule 1 of the permit. The operator must</p>
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<ul style="list-style-type: none"> <li>• Does this mean anything down the sewer is okay?</li> <li>• Introductory note states that there shall be no discharge from buildings on site used to store or treat waste but later refers to waste areas being used to repair and rewrap damaged bales, where will any liquor that may leak from the bales go?</li> </ul> <p><b><u>Permit Conditions</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• The minded to decision advertisement referring to “We will only grant a permit where significant pollution will not be caused” – implies not any pollution not deemed to be significant would be acceptable.</li> <li>• Condition 1.2.1 (c) states that where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment – appears to be a loophole allowing the operator freedom when it should be no impact on the environment.</li> <li>• Condition 1.2.2 states the operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review. This appears to be a long time and a lot could go wrong in 4 years</li> </ul> <p><b><u>Receptors</u></b> Comments relating to the effect of the activity on the following receptors:</p>	<p>carry out activities in accordance with these operating techniques.</p> <p>The operator has to manage their activities so that the activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.</p> <p>Pests is defined in the permit as “Birds, Vermin and Insects”. Whilst the operator has focussed on the risk of insects in more detail, their pest management plan does include all 3 pests’ types.</p> <p>Areas C and D are enclosed buildings. Areas A and B are outdoor areas. Area A will be enclosed by with a fine (2-4mm) high density polyethylene mesh which will cover the entire waste stack and be anchored to the ground. This will minimise the risk of pests escaping from the waste stacks, such as insects, and minimise the risk of attracting pests that may damage the bales, such as birds and vermin.</p> <p>The operator will review their measures as part of discharging their pre-operational condition for Area B, further details of this are below.</p> <p>Full explanation of the techniques that will be used to carry out the activity and control emissions, including the pre-acceptance and acceptance controls, is provided in <a href="#">section 5.2.5</a> of this decision document.</p>
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	<ul style="list-style-type: none"> <li>• Flying Boat Museum</li> <li>• Heritage Centre</li> <li>• Maritime Centre</li> <li>• Anchorage Centre</li> <li>• Hospital</li> <li>• Y Gegin food outlet in old Market building and others trying to set up businesses</li> <li>• Ferry terminal</li> <li>• Shipwright inn</li> <li>• Pembroke Dock Community School</li> <li>• Parks</li> </ul> <p><b><u>Amount of waste</u></b> Comments relating the 9000 tonnes to be stored at any one time seems like too much</p> <p><b><u>Waste types</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>• the organic content of Refuse Derived Fuel (RDF), and how “low organic content” is specified, and how this conflicts with S2.1 of the permit which states no odorous or odour producing waste to be accepted</li> </ul> <p><b><u>Contingencies</u></b> Comments relating to:</p>	<p>Furthermore, we have imposed pre-operational conditions for future development to further control the risk of pest pollution from the site. The operator will not be able to carry out any of the activities listed in Table S1.1 of the permit until these pre-operational conditions for future development are met. This includes being able to demonstrate that measures employed for pests are effective during the higher risk summer period before we agree to them operating in the other 3 areas of the site and can be at maximum storage capacity of 9000 tonnes. Further details are in section <a href="#">4.3.6</a> of this document.</p> <p><b><u>Noise</u></b> The noise risk from undertaking the activity in line with the proposed way has been considered low due it being storing waste, and re-wrapping baled using an agricultural baler, where necessary, approximately once a month during the day. We consider that machinery that may be moved to move waste around on site to be comparable to that already experienced on the operational dockyard. In accordance with the Environmental Risk Assessment provided by the operator, activities will only take place between 7:30 and 17:30.</p> <p>Further detail is provided in <a href="#">section 5.2.7</a> of this decision document.</p> <p><b><u>Consultation</u></b> We consulted on the application in accordance with the Environmental Permitting (England and Wales) Regulations</p>
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	<ul style="list-style-type: none"> <li>Concerns that waste will be left and abandoned where cost of handling becomes unsustainable or because of Brexit.</li> <li>Would like to see clean up clause in that all waste is removed should the operation fail.</li> </ul> <p><b><u>Activity type</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>The activity being incineration and that it is a “temporary 3-year plan”</li> <li>recycling going on at this site as seen A D Howells lorries going in and out</li> <li>The carbon footprint of the activity as waste appears to be travelling to get to the site and then onwards transfer</li> </ul> <p><b><u>Litter</u></b> Comments relating to:</p> <ul style="list-style-type: none"> <li>Litter concerns of waste on trucks to and from site</li> <li>Litter concerns when loading and unloading</li> </ul>	<p>2016, our statutory Public Participation Statement, Working Together Agreements and our own Regulatory Guidance Note No 6: Determinations involving sites of high public interest. The application was advertised on our website as standard practice for new bespoke environmental permit applications.</p> <p>We also took the additional steps of social media messages that the application was available to comment on and contacted local community groups about the application consultation. Local press outlets were made aware of the application, as were local MPs and AMs. Furthermore, we organised a drop-in session at Pembroke Dock Town Council Chambers where members of the public could talk to our officers about the application, the operator’s proposals. This drop-in session was advertised on our website, our social media feeds and via local community groups online.</p> <p>See <a href="#">section 2.2</a> of this decision document for further detail.</p> <p><b><u>Discharge to sewer</u></b> Discharge of trade effluent to public sewer by a business can only be done under a trade effluent consent from the sewage undertaker, Dŵr Cymru Welsh Water. This consent will contain the conditions of the discharge. A full explanation of the discharge to sewer is given in <a href="#">section 5.2.9</a> of this document</p>
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		<p>Outside areas used to store and treat waste must discharge to foul sewer. There shall be no discharges from the 2 buildings used to store and treat waste. We have incorporated in Table S1.2 of the permit the operators process for site infrastructure and drainage (to a blind collection point with no discharge point), as well ensuring bale integrity procedures.</p> <p>A full explanation of the discharge conditions and pollution prevention measures is explained in sections <a href="#">4.3.5</a>, <a href="#">5.2.8</a> and <a href="#">5.2.9</a>.</p> <p><b><u>Permit Conditions</u></b></p> <p>We determine pollution in line with definition of pollution in The Environmental Permitting (England and Wales) Regulations 2016. For a waste operation this means any emission as a result of human activity which may be harmful to human health or the quality of the environment, cause offence to a human sense, result in damage to material property, or impair or interfere with amenities or other legitimate uses of the environment. Only where specific legislation specifies the scope of our assessment do we reference the term significant, for example in our Habitats risk assessment detailed in <a href="#">section 6.1.1</a> of this document.</p> <p>The wording in conditions 1.2.1 (c) and 1.2.2 is from our bespoke permit template and are regulated facility-specific conditions, this is explained in <a href="#">section 5.2.2</a> of this document. We have used relevant generic conditions from</p>
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		<p>our bespoke permit template along with other activity-specific conditions to ensure that the permit provides the appropriate standards of environmental protection. Our generic conditions allow us to deal with common regulatory issues in a common way and help us be consistent across the different types of regulated facility. Conditions 1.2.1(c) and 1.2.2 are included in all waste activity permits to ensure that relevant Waste Framework Directive controls are implemented. They condition that operators must ensure that they manage waste arriving onto site and arising from the site is handled in line with the waste hierarchy, and that the measures they use to do that are reviewed every 4 years. For example, if the waste is accepted to this site for storage pending incineration elsewhere, that they store the waste in a way that means that the waste is still capable for of being burnt for energy and doesn't degrade to such an extent that it then has to be disposed of by other means.</p> <p><b><u>Receptors</u></b></p> <p>We have screened for receptors in line with our screening criteria. Further detail is in <a href="#">Section 4.1.1</a> of this decision document of receptors identified in our searches, this includes the following specified in the responses:</p> <ul style="list-style-type: none"><li>• Other dock users, including the ferry terminal</li><li>• Heritage Centre (includes the flying boat museum)</li><li>• South Pembrokeshire Hospital</li><li>• Shipwright inn</li><li>• Pembroke Dock Community School</li><li>• Parks</li></ul>
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		<p>The following were not picked up in our searches:</p> <ul style="list-style-type: none"><li>• Maritime Museum</li><li>• Anchorage Centre</li><li>• Y Gegin food outlet in old Market building and others trying to set up businesses</li></ul> <p>However, in regard to these, we consider that these types of receptors are similar to ones we have identified that are based closer or in the same dominant wind direction as other receptors we have identified. Therefore, our assessment of the receptors identified is to be taken as our assessment for the receptors identified in the responses too.</p> <p>In regard to these receptors, we have assessed the operator's management plans for key risks of the activity of pests, odour and fire and have determined that the measures are suitable and in line with our guidance, including when to alert receptors. These plans have been incorporated into Table S1.2 of the permit. Further details on the measures included and how we are controlling this via the permit conditions are included in <a href="#">sections 4.3.4, 4.3.5, 4.3.6, 5.1.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.6</a> of this Decision Document</p> <p><b><u>Amount of Waste</u></b></p> <p>We have assessed the maximum amount of waste to be stored at any one time in line with the key risks of the activity.</p>
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		<p>We have used objective-based conditions to specify what we want the operator to achieve, but do not tell them how to achieve it. Prescriptive conditions by contrast will tell the operator how to act. There is no standard classification or composition for Refuse Derived Fuel or Residual Combustible Fuel, therefore the organic content cannot be specified. The operator has therefore included waste pre-acceptance and waste acceptance measures to control the risk of odour. We have incorporated these operating techniques into Table S.1.2 of the permit, are explained in full in <a href="#">section 5.2.4</a> and <a href="#">5.2.5</a> of this document. Overarching this is the Table S2.1 requirement to, notwithstanding the waste types in the table, accept odorous or odour producing waste. The term notwithstanding means that despite the waste types listed in the table, they still must meet the exclusions.</p> <p><b><u>Contingencies</u></b></p> <p>Waste is not permitted to be “dumped” or left permanently at the site. Waste will be stored for a maximum of 3 months, prior to being removed by ship. If there are delays or a ship is cancelled, there are contingency measures (included in the fire prevention and mitigation plan also incorporated into Table S1.2 of the permit) to remove the waste off site to another facility.</p>
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		<p>We have assessed the financial competency of the operator to meet the permit conditions. This is explained in <a href="#">section 4.2.3</a> of this document.</p> <p><b><u>The activity</u></b></p> <p>The activity proposed is the temporary storage of waste. A description of what the facility does and what the permit covers is outlined in <a href="#">section 4.1.2</a> of this decision document. The activity is not for an incineration plant. The current intention of the operator is to send this for incineration by ship, however the only requirement is that they must send their waste to a suitably permitted facility when it leaves site, whether in the UK or not, and whether this be for incineration or other type of waste site.</p> <p>The site to which this determination relates is not currently operational. Comments relating to seeing other waste vehicles are likely in reference to other waste activity permits within the dockyard.</p> <p>The comments in relation to a 3-year plan were not part of the application. The permit once granted will be in place until an application to surrender the permit is agreed by us.</p> <p>We can only look at the pollution risk of the waste management activity itself i.e. the storage and re-wrapping of bales, in our determination.</p>
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