

**Natural Resources Wales permitting decisions**

# Drumcastle Limited (Nine Mile Point Waste Transfer Facility) Decision Document

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## Full transfer

We have decided to grant the transfer for Nine Mile Point Waste Transfer Facility from Hazrem Environmental Limited to Drumcastle Limited.

The permit number is EPR/AB3695CH/T003.

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.

### Control of the facility

The Environmental Permitting (England and Wales) Regulations 2016 require that the operator of the facility is correctly identified. As part of this, we must ensure that the proposed operator will have direct control over the activities on site. The applicant was asked to provide evidence that the proposed operator, Drumcastle Limited, will have sufficient legal control of the facility. The applicant confirmed that Drumcastle Limited has been managing another permitted waste facility for nearly 5 years and provided the associated Environment Agency environmental permit as evidence (in an email dated 23/11/2022). They also provided a document detailing how they satisfy the criteria of having sufficient control of the site as defined in EPR RGN 1 Understanding the meaning of operator (see supporting information dated 08/12/2022).

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of part of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.

### Environment Management System

The applicant has stated in the application forms that they will be implementing their own Environmental Management System (EMS) which will meet the requirements set out in our guidance. A copy of this EMS was provided as supporting information with the application. This EMS also contained information relating to a proposed future

variation to site activities and permit by Drumcastle Limited (submitted on 22/11/2021 – not yet determined and awaiting allocation at time of writing this report). Nevertheless, it contained all the relevant expected sections and evidenced that the operator will be able to implement a sufficient management system for the currently permitted activities. The applicant has been made aware that for this transfer application no aspects of the proposed variation has been assessed or granted.

The permit contains an Improvement Condition which requires the operator to submit a report outlining how they are progressing towards obtaining accreditation to ISO14001 following the commencement of operation. This improvement condition will remain in the permit following the transfer.

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 based on the regulated facility types in the permit.

The operator is a member of an agreed scheme (WAMITAB). A Continuing Competence Certificate was provided with the application and the applicant has confirmed that the named person on this certificate will be based at the facility and be employed directly by Drumcastle Limited (in an email dated 08/12/2021).

The operator satisfies the criteria in RGN 5 on Operator Competence.

### **Relevant convictions**

The National Enforcement Database (COLINS) has been checked to ensure that all relevant convictions have been declared.

The operator satisfies the criteria in RGN 5 on Operator Competency.