

Natural Resources Wales permitting decisions

Biffa Waste Services Limited

Decision Document

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Variation

The variation number is: EPR/RP3733PC/V010

The applicant /operator is: Biffa Waste Services Limited

The Installation is located at: Trecatti Landfill Site, Fochriw Road, Merthyr Tydfil, CF48 4AB

We have decided to issue the variation for Trecatti Landfill Site operated by Biffa Waste Services Limited.

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.

Key issues of the decision

1. Receipt of application

1.1 Receipt of Application

The Application was accepted as duly made on **11 July 2018**. 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.

1.2 Consultation

As this is a minor technical variation, no consultation was required. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.

A copy of the Application and all other documents relevant to our determination are available for the public to view. Anyone wishing to see these documents could arrange for copies to be made.

1.3 Requests for Further Information

Further information was requested from the applicant about the nature of the waste to be moved from the waste treatment facility. This was requested via email on 26 July 2018.

1.4 The Legal Framework

The variation will be issued, under Regulation 20 of the EPR. 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 *installation* as described by the IED;
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. 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, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in issuing the variation a high level of protection will be delivered for the environment and human health through the operation of the Installation in accordance with the permit conditions.

2 The Installation

2.1 The permitted activities

The Installation is subject to the EPR because it carries out an activity listed in Part 1 of Schedule 1 of the EPR:

- Section 5.2 Part A (1)(a) The disposal of waste in a landfill
- Section 5.4 Part A (1)(a)(i) Disposal of non-hazardous waste in a facility with a capacity exceeding 50 tonnes per day by biological treatment

An installation may also comprise “directly associated activities”, which at this Installation includes:

- Burning of waste as a fuel
- Landfill gas flaring
- Effluent discharge to sewer
- Water discharges to controlled waters
- Fuel storage
- Storage of other raw materials including lubricating oils and antifreeze
- Production and storage of waste oils
- Recovery of waste for restoration above the landfill cap
- Multipurpose waste treatment and remediation pad

Together, these listed and directly associated activities comprise the Installation.

2.2 What the Installation does

Biffa Waste Services Limited operates a landfill site at Trecatti. The site has been subject to a permit since 2005. The site is currently authorised to accept up to 625,000 tonnes per annum of non-hazardous solid wastes, 50,000 tonnes per annum of asbestos waste, 30,000 tonnes per annum of wastes for treatment in the soil treatment facility. The permit also includes a Standard Rules Permit allowing for the composting of up to 74,999 tonnes per annum of green waste.

2.3 Key Issues in the Determination

The operator wants to add two waste codes to the current permitted waste types for disposal in the landfill, or use and daily cover and for disposal in the asbestos cell. The soils treatment facility is to be commissioned and the additional waste codes will allow

for the outputs from the facility to be disposed of in other parts of the larger site. Waste produced by the waste treatment activities on site should be coded as 19 XX XX to indicate it is waste from a waste management facility.

3. Environmental Risk Assessment

3.1 Odour

It is not considered that the additional waste types will increase the potential risk of odour from the facility.

3.2 Fugitive emissions

It is not considered that the additional waste types will increase the risk of fugitive emissions from site. We are satisfied that the operator has appropriate measures in place to prevent or where that is not practicable to minimise fugitive emissions and to prevent pollution from fugitive emissions.

3.3 Operating techniques

The addition of the new waste codes will not result in a change in existing operating techniques.

4. The permit conditions

4.1 Updating permit during consolidation

The new waste codes have been consolidated into the existing permit. During the variation some errors were noted in the permit from the last consolidation in January 2016, and have been corrected. The corrections have been detailed in the variation notice.

4.2 Waste types

The permit already contains permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. The variation adds the following codes:

19 13 02 solid wastes from soil remediation other than those mentioned in 19 13 01 to Table S2.2 of the permit
and

19 13 01* solid wastes from soil remediation containing hazardous substances to Table S2.4 of the permit

We are satisfied that the operator can accept these wastes. The waste treatment facility is currently permitted to accept the codes below (Table S2.5), which apply to the waste prior to it being treated.

17 05 04 soil and stones other than those mentioned in 17 05 03 (in permit)
17 05 03* soil and stones containing hazardous substances (in permit)

These codes are also listed within Tables S2.2 and S2.4 respectively meaning they could be accepted from external sources. The addition of the 19 codes means that the

waste can be moved within the site. There is no increase in the overall risk through the inclusion of these codes.

The permit allows for the acceptance of sludge waste at the waste treatment facility but the new codes being added are only for solid waste. This was queried with the applicant and they confirmed that they are only planning to move solid waste to the landfill.