

Natural Resources Wales permitting decisions

Variation

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

The variation number is EPR/RP3733PC/V009

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

- Key issues If applicable see OI/notes below
- Annex 1 the decision checklist
- Annex 2 the consultation, web publicising responses

Key issues of the decision

- Biodiversity, heritage, landscape and nature conservation:
 - Given the industrial legacy of the area surrounding this site, the proposed variation is highly unlikely to cause significant impacts to the biodiversity, heritage, landscape or nature conservation within 2 km of the site:
 1. The MWTRP will be constructed on top of a temporarily capped area subject to permanent deposit of non-hazardous wastes so the ground has already undergone development.
 2. The area falls within a region of historic open cast coal and ironstone workings.
 3. The site is immediately surrounded by common land which includes vegetated colliery spoil tips and used for rough grazing.
 4. There are no designated sites within 2 km of the site, however there are many listed buildings associated with the regions industrial past. Activities at the site are unlikely to cause any significant impacts upon the listed buildings.

- Operator is certified to operate the site under WAMITAB. All approved awards are listed within the application under Appendix 2.
- Odour:
 - The WTF will be operated to minimise potential odour emissions and in accordance with the conditions of the permit:
 1. Extraction ventilation to a biofilter to prevent emissions of odour;
 2. Strict waste acceptance procedures (see application);
 3. Only accept wastes listed in the permit;
 4. Control of odour governed by STF Operations Manual and Biffa Procedure DGNL/02 Environmental Management;
 5. Implementation of perimeter modelling as part of Environmental Management Programme;
 6. Implementation of risk management measures;
- Noise:
 - The MWTRP will be located on the existing footprint of Trecatti Landfill Site and will be operated in such a way to minimise noise and vibrations by:
 1. Maintaining vehicles and plant;
 2. Site plant will be fitted with silencing equipment where appropriate;
 3. Fixed plant operating continually will be housed in a container to minimise noise levels;
 4. Noise screening bund will be implemented where necessary;
 5. Routing internal haul roads to allow maximum acoustic screening and separation distances from sensitive receptors;
 6. Keeping haul roads clear and in a good state with a speed limit of 20 mph to avoid unwanted rattle;
 7. Site manager shall enforce risk management measures; and
 8. A noise risk assessment was carried out in the planning applications and concluded that the rating level of the MWTRP does not exceed the background sound level by more than 2Db (A).
- Dust:
 - Dust is unlikely to appear at the new MWTRP and indicates that moisture content of the biopiles is too low. Should dust be identified, water will be added to the biopiles by either automatic or manually deployed irrigation pipes.

- Risks to waters:
 - Groundwater:
 1. There are no direct discharges containing List I or List II substances to groundwater from the WTF. The site specific impermeable, engineered containment system proposed at the WTP will sever any pathway from the WTP to groundwater.
 2. Water from the biopiles/windrows will be collected and managed in a separate sealed drainage system thereby ensuring that emissions to groundwater are prevented.
 3. There will be no underground storage tanks. The underground structures installed at the facility are air/water separator sumps and foundations.
 - Surface Water:
 1. The point source emission to surface water from the WTF is the release of clean surface water collected at Lagoon 1 and pumped to join the existing permitted surface water management system at the Trecatti Landfill where it will be tested and subject to this testing released to surface waters.
 2. Process water from the WTP will be routed to the process water tanks prior to discharge to a suitable permitted facility. Again, subject to testing the water will either be released to surface water management system or Trecatti Landfill Leachate Management system.
 3. Bunding will be surrounding the WTP. Water run-off from within this bund will be managed as potentially contaminated water and routed to the process water tank where it will be stored and once tested released to either the surface water management system or Trecatti Landfill Leachate Management system.
 4. Surface water run-off from Biopile covers and empty pads will be routed to the surface water management lagoons.
 5. The surface water lagoon will have a cut-off valve. Should any contamination become evident, the water will be prevented from entering the existing surface water management system and controlled waters.

Annex 1: decision checklist

This document should be read in conjunction with the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Responses to consultation, web publicising	The web publicising, consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including the location of the part of the installation to which this permit applies on that site. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Planning permission	We are satisfied that planning permission is in place and is appropriate for the relevant waste operation(s) applied for.	✓
Site condition report	The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5). Geoscience report states that no significant effect from proposed operation to both land or water. Risk assessment complete for proposed activity	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Deposit for recovery	We have agreed that the activity is deposit of waste for recovery.	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . Given the surroundings of Trecatti Landfill Site, it is highly unlikely that the proposed variation will cause any significant harm to the surrounding environment given its historic industrial legacy.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator will be following BAT procedures on the site in order to minimise environmental impacts. The operating techniques are detailed in the application and follow TGN's: - EPR1.0 How to Comply - Sector Guidance Note IPPC S5.06	✓
The permit conditions		
Updating permit conditions during consolidation.	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s). The operator has agreed that the new conditions are acceptable.	✓
Odour alternative conditions	The application states that daily olfactory inspections will be carried out by staff at the site. All operations will take place in accordance with procedures to ensure that any issues associated with odours will be identified and appropriate remedial actions implemented as soon as is practicable.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	The applicant has also provided an odour risk assessment and management plan within their H1 Environmental Risk Assessment. We consider that the Applicant's proposals represent the appropriate measures to prevent/ minimise odour from the permitted activities.	
Noise alternative conditions	The application states that waste acceptance, processing and physical treatment will only be carried out during operational hours. All equipment will be maintained and operated in accordance with the manufacturers guidance and will be maintained in good working order. The applicant has listed measures that will be taken to minimise noise in the application. The applicant has also provided a noise risk assessment and management plan within their H1 Environmental Risk Assessment. We consider that the applicant has provided sufficient mitigation measures to minimise the level of noise generated by activities carried out at the site.	✓
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. We are satisfied that the operator can accept these wastes for the following reasons: • They have the appropriate facilities to accept the waste types listed; • The operator has certified competence in accepting the waste types; • A detailed waste acceptance procedure for the WTP has been provided which assesses all wastes for treatment prior to acceptance on site.	✓
Incorporating the application	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. These descriptions are specified in the Operating Techniques table in the permit.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. We have added relevant emission points and limits which are associated with the Multipurpose Waste Treatment and Remediation Pad to the tables in Schedule 3 for the following: • Biofilter; • Biopiles; • Process Water Tanks; • Lagoon 1 & 2 The emission limits for these sources of point emissions are listed in the tables under Schedule 3 of the permit and are deemed appropriate limits to ensure the environment is protected.	✓
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. Additional monitoring has been added to the tables for some of the activities associated with the Multipurpose Waste Treatment and Remediation Pad. For example, monitoring of the following has been required: • Biofilter • Effluent from biopiles, process water tanks and lagoon1 before discharge to surface waters. These monitoring requirements have been imposed in order to minimise pollution and protect the environment.	✓
Reporting	We have specified reporting in the permit for biofilter efficiency.	✓
Operator Competence		
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 (WAMITAB).	✓
Relevant	Our Enforcement Database has been checked to ensure that all relevant convictions have been declared.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
convictions	Relevant convictions were found and declared in the application. A post-conviction plan was submitted by the operator and assessed as satisfactory. The operator satisfies the criteria in RGN 5 on Operator Competence.	
Financial provision	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 and web publicising responses

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

Response received from
Brief summary of issues raised
Summary of actions taken or show how this has been covered