

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Derwen Plant Company Limited

Derwen Plant Company Limited
Neath Abbey Wharf
Neath Abbey
Neath
West Glam
SA10 6BL

Permit number
EPR/GB3831AM

Derwen Plant Company Limited

Permit number EPR/GB3831AM

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

This permit allows the storage of waste and the treatment of waste by sorting, separation, screening, crushing, blending and washing to produce soil, soil substitutes and aggregate.

Permitted wastes do not include hazardous wastes. The annual throughput of the site must not exceed 300,000 tonnes per year.

All wastes shall be treated and stored upon impermeable surface with sealed drainage or hard standing.

This permit does not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

The wash plant is a closed loop system any additional water required for the plant will come from on-site storage (lagoon, silt traps or rainwater storage tanks), mains water or off-site source (tankered into site).

This permit does not allow any emission into surface waters or groundwater except:

- clean water from roofs and parts of the site not used for waste activities including storage of wastes, and
- rainfall dependant run off from areas of the site used in connection with the storage and/ or treatment of waste provided that the water passes through two silt traps and a storage lagoon prior to entering the water course via an invert.

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

Status log of the permit

Description	Date	Comments
Application EPR/GB3831AM/A001	Duly made 23/04/12	Application for waste treatment facility for the treatment of waste to produce soil, soil substitutes and aggregates.
Permit determined	20/06/12	Permit issued to Derwen Plant Company Limited

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number
EPR/GB3831AM

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010

Derwen Plant Company Limited ("the operator"),
whose registered office is

Neath Abbey Wharf
Neath Abbey
Neath
West Glam
SA10 6BL

company registration number **03104740**
to operate waste operations at

Derwen Plant Company Limited
Neath Abbey Wharf
Neath Abbey
Neath
West Glam
SA10 6BL

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Stephen Attwood	20/06/12

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.
- 1.1.4 The operator shall comply with the requirements of an approved competence scheme.

1.2 Avoidance, recovery and disposal of wastes produced by the activities

- 1.2.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
 - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.2.2 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.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

- 2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.
- (b) If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan specified in schedule 1, table S1.2 or otherwise required under this permit, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 2.3.2 Waste shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 2 table(s) S2.1 [, S2.2 etc]; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

3 Emissions and monitoring

3.1 Emissions of substances not controlled by emission limits

- 3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.1.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.2 Odour

- 3.2.1 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 the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.
- 3.2.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan;
- (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.3 Noise and vibration

- 3.3.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.
- 3.3.2 The operator shall:
 - (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan;
 - (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
 - (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

- 4.2.2 Within one month of the end of each quarter, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
 - (b) the breach of a limit specified in the permit; or
 - (c) any significant adverse environmental effects.
- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:
- Where the operator is a registered company:
- (a) any change in the operator's trading name, registered name or registered office address; and
 - (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- Where the operator is a corporate body other than a registered company:
- (a) any change in the operator's name or address; and
 - (b) any steps taken with a view to the dissolution of the operator.
- In any other case:
- (a) the death of any of the named operators (where the operator consists of more than one named individual);
 - (b) any change in the operator's name(s) or address (es); and
 - (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “without delay”, in which case it may be provided by telephone.

Schedule 1 - Operations

Table S1.1 activities

	Description of activities for waste operations	Limits of activities
A1 Waste treatment facility for the production of soil, soil substitutes and aggregates	<p>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)</p> <p>R3: Recycling/reclamation of organic substances which are not used as solvents</p> <p>R5: Recycling/reclamation of other inorganic compounds</p>	<p>Storage of waste for submission to the wash plant shall take place on impermeable surface with sealed drainage.</p> <p>All other waste must be stored upon hard standing or an impermeable surface with sealed drainage.</p> <p>Treatment consisting only of</p> <ul style="list-style-type: none"> - sorting - separation - screening - crushing - blending - washing <p>of waste for recovery as soil, soil substitute or aggregate only.</p> <p>Treatment of waste by use of the wash plant shall take place on impermeable surface with sealed drainage.</p> <p>All other waste must be treated upon hard standing or impermeable surface with sealed drainage.</p> <p>Waste types as specified in Table S2.1</p> <p>Notwithstanding the waste types permitted in table S2.1 wastes which have any of the following characteristics shall not be accepted;</p> <ul style="list-style-type: none"> - hazardous wastes - contaminated wastes - wastes consisting solely or mainly of dusts or powders - wastes which are odour producing or likely to be odourous

Table S1.2 Operating techniques

Description	Parts	Date Received
How to comply with your environmental permit	All	N/A
Application	Annex 8 – AWP Working Plan v1-0 Mar 12 sections:	04/04/12

Table S1.2 Operating techniques

Description	Parts	Date Received
	Section 1 General Considerations sections (a) Waste Acceptance (b) Waste Leaving site	
	Section 2 - Site Engineering for pollution prevention 2.1 - Design and construction of aggregates washing plant area 2.1.1 - Drainage design	
	Section 4 - Site operations 4.1 – Control of mud and debris 4.2 - Potentially polluting leaks and spillages of waste 4.3 – Fires on site 4.4 – Waste acceptance and control systems and procedures 4.4.1 – Waste acceptance and controls 4.4.2 – Unacceptable waste	
	Section 5 – Pollution control, monitoring and reporting systems 5.1 – Surface water monitoring and reporting	
	Section 6 – Amenity management and monitoring 6.1 – Control, monitoring and reporting of dust, fibres and particulates 6.2 – Control of odours 6.3 – Control and monitoring of noise 6.4 – Control of pest 6.5 – Control of litter	

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Permitted waste types and quantities for

Maximum quantity No more than 300,000 tonnes per year.

Waste code	Description
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 04	Wastes from physical and chemical processing of non-metalliferous minerals
01 04 08	Waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	Waste sand and clays
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 02	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 02 02	Shellfish shells from which the soft tissue or flesh has been removed
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD
03 01	Wastes from wood processing and the production of panels and furniture
03 01 01	Waste bark and cork
10	WASTES FROM THERMAL PROCESSES
10 01	Wastes from power stations and other combustion plants (except 19)
10 01 01	Bottom ash and slag only
10 01 02	Pulverised fuel ash
10 01 05	Gypsum (solid) only
10 01 07	Gypsum (sludge) only
10 01 15	Bottom ash and slag only from co-incineration other than those mentioned in 10 01 14
10 11	Wastes from manufacture of glass and glass products
10 11 12	Waste glass other than those mentioned in 10 11 11
10 12	Wastes from manufacture of ceramic goods, bricks, tiles and construction products
10 12 08	Waste ceramics, bricks, tiles and construction products (after thermal processing)
15	WASTE PACKAGING, ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	Packaging (including separately collected municipal packaging waste)
15 01 07	Glass packaging
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	Concrete, bricks, tiles and ceramics
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles and ceramics
17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02	Wood, glass and plastic
17 02 02	Glass
17 03	Bituminous mixtures, coal tar and tarred products
17 03 02	Bituminous mixtures other than those mentioned in 17 03 01

Table S2.1 Permitted waste types and quantities for

Maximum quantity No more than 300,000 tonnes per year.

Waste code	Description
17 05	Soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 04	Soil and stones other than those mentioned in 17 05 03
17 05 06	Dredging spoil other than those mentioned in 17 05 05
17 05 08	Track ballast other than those mentioned in 17 05 07
17 08	Gypsum-based construction material
17 08 02	Gypsum-based construction materials other than those mentioned in 17 08 01
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 05	Wastes from aerobic treatment of solid wastes
19 05 03	Compost from source segregated biodegradable waste only
19 08	Wastes from waste water treatment plants not otherwise specified
19 08 02	Waste from desanding
19 08 99	Stone filter media if free from sewage contamination only
19 09	Wastes from the preparation of water intended for human consumption or water for industrial use
19 09 02	Sludges from water clarification
19 12	Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 05	Glass
19 12 09	Minerals (for example sand, stones)
19 12 12	Other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11
19 13	wastes from soil and groundwater remediation
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 04	Sludges from soil remediation other than those mentioned in 19 13 03
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	Separately collected fractions (except 15 01)
20 01 02	Glass
20 02	Garden and park wastes (including cemetery waste) separately collected fractions (except 15 01)
20 02 02	Soil and stones

Schedule 3 – Emissions and monitoring

There are no emission limits or associated monitoring requirements.

Schedule 4 - Reporting

There is no reporting under this schedule.

Schedule 5 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution

To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit

To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 - Interpretation

“accident” means an accident that may result in pollution.

“Annex I” means Annex I to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“emissions to land” includes emissions to groundwater.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2010 No.675 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit..

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

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“R” means a recovery operation provided for in Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“Waste code” means the six digit code referable to a type of waste in accordance with the List of Wastes (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

“Waste Framework Directive” or *“WFD”* means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

Schedule 7 - Site plan



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END OF PERMIT