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Wales

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Mrs Marlene John and Mr David Keith
Hughes

Hughes & John Haulage Contractors &
Aggregates Recycling
The New Croft Garage
Whitehill
Cresselly
Kilgetty
SA68 0TU

Permit number
EPR/KB3597TE

Hughes & John Haulage Contractors & Aggregates Recycling

Permit number EPR/KB3597TE

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

This is a Tier 2 bespoke permit based on standard rule set SR2010_No12. The permit will allow the operator to store waste at a specified location and treat it to produce soil, soil substitutes and aggregate. Hazardous waste is not to be accepted on site. Only dry, inert, non-hazardous waste shall be accepted.

Wastes can be treated by sorting, separation, screening, crushing and blending.

The total quantity of waste that can be stored and subsequently treated at the site under this permit shall be no more than 75,000 tonnes per year.

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

Surface water run off from the storage and processing areas is infiltrated by made ground hardstanding before discharging to groundwater. A watercourse running underneath the site is culveted. These discharges are controlled through the emission of substances not controlled by emission limits condition.

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/KB3597TE/A001	Duly made 12/03/14	Application from Mrs Marlene John and Mr David Keith Hughes for a Tier 2 bespoke permit for the treatment of waste to produce soil, soil substitutes and aggregate.
Additional information received in response to a Schedule 5 notice sent on 08/05/2014	22/05/14	Site specific risk assessment.
Permit determined EPR/KB3597TE	26/06/14	Tier 2 bespoke permit for the treatment of waste to produce soil, soil substitutes and aggregate issued to Mrs Marlene John and Mr David Keith Hughes.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number
EPR/KB3597TE

The Natural Resources Body for Wales (“Natural Resources Wales”) authorises,
under regulation 13 of the Environmental Permitting (England and Wales)
Regulations 2010

Mrs Marlene John and Mr David Keith Hughes (“the operator”),

whose principal office is

The New Croft Garage
WhitehillCresselly
Kilgetty
SA68 0TU

to operate waste operations at

Hughes & John Haulage Contractors & Aggregates
Recycling
The New Croft Garage
Whitehill
Cresselly
Kilgetty
SA68 0TU

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

Name	Date
Holly Noble	26/06/2014

Authorised on behalf of Natural Resources Wales

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 Natural Resources Wales.
- (b) If notified by Natural Resources Wales that the activities are giving rise to pollution, the operator shall submit to Natural Resources Wales for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.
- 2.3.2 Waste shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 2 table S2.1 [, S2.2 etc]; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.
- (c) its chemical, physical and biological characteristics make it suitable for its intended treatment;
- (d) any excavated soil from potentially contaminated sites has been shown by prior chemical analysis and assessment to be suitable for the intended use without significant risk of pollution; and
- (e) it is visually inspected on arrival and before it enters the treatment process to ensure that it complies with these standard rules.
- 2.3.3 Any waste that does not comply with 2.3.2 shall be rejected and shall be;
- (a) removed from the site; or
- (b) moved to a designated quarantine area pending removal.
- 2.3.4 Records demonstrating compliance with rule 2.3 (including analysis and assessment of any excavated soil from potentially contaminated sites) shall be maintained.

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 Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

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 Natural Resources Wales, 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.

3.2.3 The operator shall:

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

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 Natural Resources Wales, 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 Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

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 Natural Resources Wales, 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 Natural Resources Wales.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by the permit to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.

4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales 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 Natural Resources Wales 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.

4.3.4 Natural Resources Wales 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.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) Natural Resources Wales shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

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
R13: Storage of wastes pending the operations numbered R3 and R5 R3: recycling or reclamation of organic substances which are not used as solvents R5: recycling or reclamation of other inorganic materials	Treatment of wastes listed in Table S2.1 consisting only of: -sorting; -separation; -screening; -crushing; and -blending of waste for recovery as a soil, soil substitute or aggregate. Secure storage of wastes listed in Table S2.1 pending treatment. Storage of wastes listed in Table S2.2 shall not exceed 10,000 in total at any one time. All other waste stored shall not exceed 40,000 tonnes in total at any one time. No more than 75,000 tonnes of waste shall be treated per year. Waste shall be stored and treated on hard standing. Waste types as specified in Table S2.1 Wastes having any of the following characteristics shall not be accepted: • wastes consisting solely or mainly of dusts, powders or loose fibres • hazardous wastes • wastes in liquid form • wastes comprised of or contaminated with invasive plant species including Japanese Knotweed
Discharge of site drainage to groundwater water via soakaway	Drainage consisting solely of: - clean, rainfall dependant drainage from areas of the site used in connection with the storage or treatment of permitted waste only Discharge of site drainage shall be controlled though condition 3.1 and the provision of appropriate measures as set out in relevant management plans.

Table S1.2 Operating techniques

Description	Parts	Date Received
Guidance Note EPR 1 How to Comply With Your Environmental Permit	All	N/A
Additional information received in response to request for information sent on 27/02/14	Site Operation Management Plan (No5) indicating 5 meter buffer zone for plant or equipment	13/03/14
Additional information received in response to request for information sent on 08/05/14	Site specific risk assessment	22/05/14

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Permitted waste types and quantities for soil and aggregate recycling facility.

Maximum quantity	No more than 75,000 tonnes of waste shall be accepted 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 the preparation and processing of meat, fish and other foods of animal origin
02 02 02	animal-tissue waste (shellfish shells from which the soft tissue or flesh has been removed only)
10	WASTES FROM THERMAL PROCESSES
10 01	wastes from power stations and other combustion plants (except 19)
10 01 02	pulverized fuel ash only
10 11	wastes from manufacture of glass and glass products
10 11 12	glass other than those mentioned in 10 11 11 (clean glass only)
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)
10 13	wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 14	wastes from calcination and hydration of lime (waste concrete only)
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 (clean glass only)
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 (clean glass only)
17 03	bituminous mixtures, coal tar and tarred products
17 03 02	bituminous mixtures other than those mentioned in 17 03 01 (road base and road planings (other than those containing coal tar) only)
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 08	track ballast other than those mentioned in 17 05 07
17 08	gypsum-based construction material
17 08 02	gypsum only other than that mentioned in 17 08 01

Table S2.1 Permitted waste types and quantities for soil and aggregate recycling facility.

Maximum quantity	No more than 75,000 tonnes of waste shall be accepted per year.
Waste code	Description
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	off-specification compost
19 08	wastes from waste water treatment plants not otherwise specified
19 08 02	waste from desanding (washed sewage grit free from sewage contamination only)
19 08 99	wastes not otherwise specified (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 (clean glass only)
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 (clean glass only)
20 02	garden and park wastes (including cemetery waste)
20 02 02	soil and stones

Table S2.2 Wastes limited to no more than 10,000 tonnes storage on site at any one time. Operating techniques

Waste Code	Description
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
03 03 01	waste bark and wood
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 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

Table S2.2 Wastes limited to no more than 10,000 tonnes storage on site at any one time. Operating techniques

17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 06	dredging spoil other than those mentioned in 17 05 05
17 08 02	gypsum only other than that 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 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 12	treated bottom ash including IBA and slag other than that containing dangerous substances only
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

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.

“Annex II” means Annex II 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 Natural Resources Wales 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.

“dangerous substances” means any substance that has been or will be classified as dangerous in Directive 67/548/EEC and its subsequent amendments.

“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..

“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.

“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.

“hazardous waste” has the meaning given in the Hazardous Waste (England and Wales) Regulations 2005 No.894, the Hazardous Waste (Wales) Regulations 2005 No. 1806 (W.138), the List of Wastes (England) Regulations 2005 No.895 and the List of Wastes (Wales) Regulations 2005 No. 1820 (W.148).

“hardstanding” is a compacted solid surface capable of withstanding the operation and the loading / unloading of wastes.

“IBA” means incinerator bottom ash derived from the incineration or pyrolysis of waste.

“MCERTS” means Natural Resources Wales’s Monitoring Certification Scheme. *“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.

“Natural Resources Wales” means the Natural Resources Body for Wales established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. The Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

“pollution” means emissions as a result of human activity which may—

- (a) be harmful to human health or the quality of the environment,
- (b) cause offence to a human sense,
- (c) result in damage to material property, or
- (d) impair or interfere with amenities and other legitimate uses of the environment.

“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 IIB to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

“*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.

“*sealed drainage system*” in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

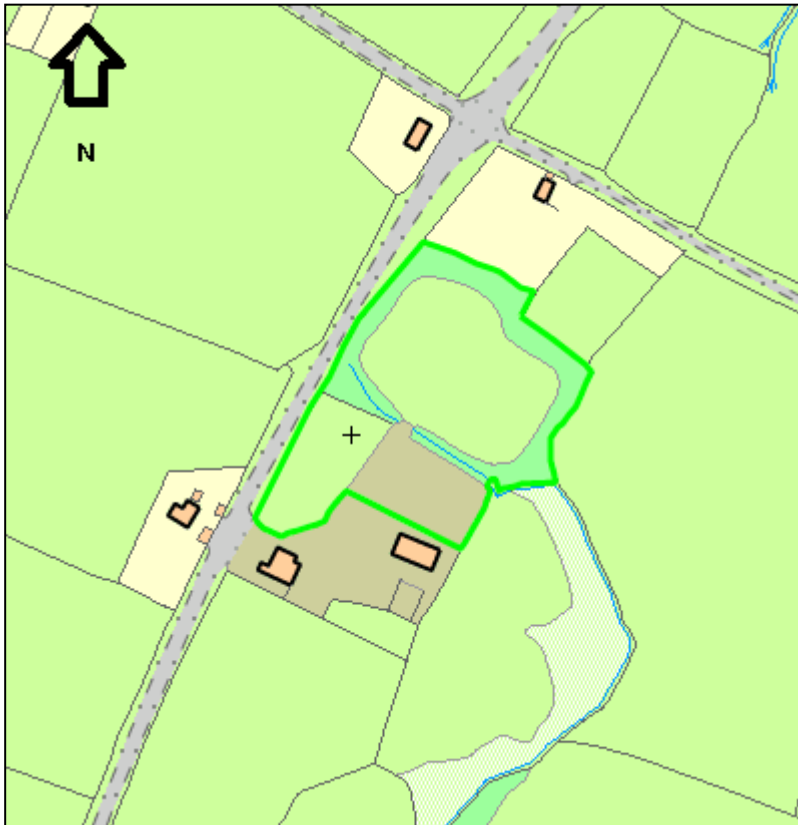
“*secure storage*” means storage where waste cannot escape and members of the public do not have access to it.

“*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.

“*year*” means calendar year ending 31 December.

Schedule 7 - Site plan



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END OF PERMIT