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Ty Mawr West Quarry

Talysarn

Gwynedd

Environmental Permit Application

Waste Recovery Plan

SLR Ref : 421.03735.0003

April 2015

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1.0 INTRODUCTION

Ty Mawr West Ltd has retained SLR Consulting Ltd (SLR) to prepare a waste recovery plan (WRP) in support of an application for an environmental permit (EP) for undertaking site restoration work as part of the permitted site operations at Ty Mawr West Quarry, Talysarn, Gwynedd.

1.1 Site Location

Ty Mawr Quarry (NGR 249636E 352410N) is operated by D & E Jones (Ty Mawr West Ltd) being located south of the B4418 approximately 1km south east of the village Talysarn and 2.8km to the east of Penygroes. The site the subject of this submission extends to 0.4 hectares lying within a total landholding of 7.8 hectares being situated 60 metres to the north of the Snowdonia National Park boundary. The entrance to Ty Mawr West Quarry is off the B4418. The location of the site is shown on Drawing Ref TMW-01. See Appendix K

1.2 Development Control History

The Applicant Company has been winning and working both dimension slate and aggregates from the mineral working deposits since its establishment in 2004. Permission C01A/0646/22/MW for the removal of waste from a mineral working deposit was granted on 23 April 2004, within a designated area of 2 hectares within the total Ty Mawr site, being subject to conditions relating to traffic, access, working hours, dust emissions, restricted annual output etc.

During January 2009 a planning application was submitted for :

The extension of the working area by 1.45 hectares

- The modification and regularisation of workings permitted by Consent C01A/0646/22/MW
- The extension of time limit beyond 31 December 2012 Condition 2 of Consent C01A/0646/22/MW.

Planning Permission C09A/0046/22/MW was granted on 22 April 2009 for the extension of mineral waste extraction area and rationalisation of existing development to include a revised scheme of working and restoration to that previously approved under Planning Permission C01A/0646/22/MW for the removal of material from a mineral working deposit.

Planning Permission C11/1139/22/MW was granted on 13 June 2012 for the resumption of primary extraction of slate from the Old East Quarry.

1.3 Planning Consents

A planning history for Ty Mawr West Quarry is included in Table 1.2(a) below.

Table 1.2(a)
Planning History at Ty Mawr West

Reference	Submitted	Description	Decision	Date
C01A/0646/22/MW	16.10.2001	Removal of Waste from a Mineral Working Deposit at Ty Mawr West Quarry	Approved	21.04.2004
C09A/0046/22/MW	26.01.2009	Extension of mineral waste extraction area and rationalisation of existing development to include a revised scheme of working and restoration to that previously approved under Planning Permission C01A/0646/22/MW for the removal of material from a mineral working deposit	Approved	22.04.2009
C11/1139/22/MW	13.12.2011	Resumption of Primary Extraction of Slate from Old East Quarry, Ty Mawr West Slate Quarry	Approved	13.06.2012

A copy of the Planning Application and subsequent Permission C11/1139/22/MW are attached at Appendix A.

1.4 Pre-application discussions with NRW

Discussions have been held with Mr Thomas at Llwyn Brain who was made aware of and copied into the previous permit submission reference EPR/EB/3297TL/A001 subsequently withdrawn on 14 April 2015.

1.5 Technical Reports

Technical reports for:

- Restoration – See Appendix B
- Geology and Geotechnical Structure – See Appendix C
- Ecology – See Appendix D
- Archaeology – See Appendix E
- Landscape – See Appendix F.

1.6 Waste Recovery

A legal test derived from the Waste Framework Directive and European Case Law is used to decide whether an activity constitutes disposal or recovery. The European Court has said that “the essential characteristic of a waste recovery operation is that its principal objective is that the waste serves a useful purpose in replacing other materials which would have had to be used for that purpose thereby conserving natural resources”. This WRP has been developed in order to demonstrate that the works of restoration at Ty Mawr West Quarry constitute recovery and not disposal by satisfying the requirements of the EA Guidance Defining Waste Recovery : Permanent Deposit of Waste on Land (EPR 13). The WRP specifically addresses the questions set out in Section 4 of the EA Guidance and also

demonstrates that the proposals satisfy the specific criteria outlined in Appendix 1 of WPR 13 : Applying the Recovery Test in Practice.

2.0 WASTE RECOVERY CRITERIA

Section 4 of the EPR13 contains a list of questions that need to be addressed in order to demonstrate that a proposed activity is recovery not disposal and these questions are considered as follows:

2.1 Is there a clear benefit from the activity?

The benefits of the proposed activity at Ty Mawr West Quarry are as described below:

- The restoration works proposed will afford added protection and stability in ground stabilisation and minimise potential failure mechanisms.
- The removal of the slate mass will not impact significantly upon the regime of the site groundwater and therefore the restoration proposal will not be affected by same.
- The restoration of the site as permitted in planning terms will bring benefits to the after use of the site in terms of ecological and visual matters.
- The use of inert waste to replace other non-waste materials will achieve a beneficial outcome in an environmentally sound manner.
- The defined placement of the inert waste is designed to conform with the physical and quantitate EPR requirements and does not involve the infilling of the excavation.

Full details on the proposed scheme are included in Appendices A - G inclusive.

In view of the foregoing it is concluded that there are clear benefits from the proposed activities.

2.2 Is the recovered waste material suitable for its intended use?

It is confirmed that only waste material that is suitable for its intended use will be used in the restoration works. The waste categories to be used in the restoration scheme are detailed as follows:

Table 2.2(a)
Ty Mawr West Restoration Scheme – Waste Types

Waste Code	Description	Use
01.01.02	Waste from non-metalliferous excavation excluding silt and tailings.	Restoration of mineral working
01.04.09	Waste sand and clays	Restoration of mineral working
17.05.04	Soil and stones excluding wastes from contaminated sites	Restoration of mineral working
19.12.09	Minerals – Slate waste	Restoration of mineral working
20.02.02	Soils and stones	Restoration of mineral working

The waste types listed on Table 2.2(a) above are included in Appendix 2 of EPR Waste Types that may be suitable in typical waste recovery to land uses.

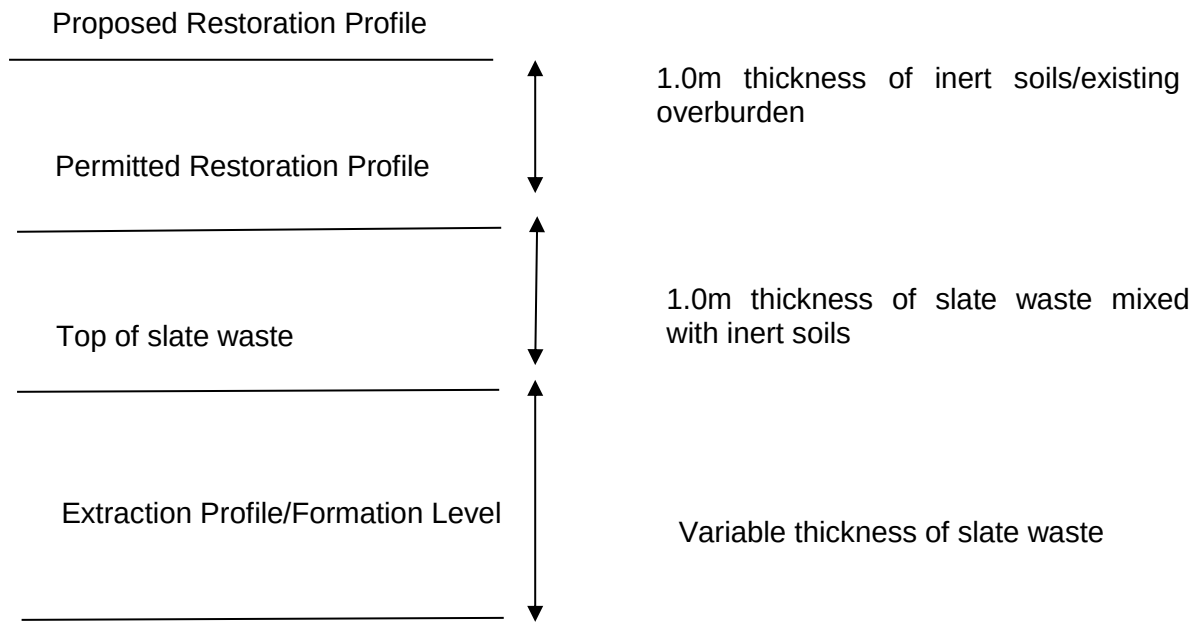
All waste accepted at Ty Mawr West Restoration Works will be inert. There is no intention of accepting contaminated materials. Strict waste acceptance procedures will be implemented at the site to ensure only uncontaminated inert wastes are accepted.

2.3 Is the minimum amount of waste being used to achieve the intended benefit?

The amount of waste used in the restoration scheme is dictated by the requirement to provide a 1 metre thickness of suitable growing medium to achieve the final restoration profile for the establishment of native trees and shrubs.

3D ground modelling and materials balance calculations reveal that 7928 tonnes (3964 m3) of inert waste in the form of imported soils will be required to achieve the permitted restoration profiles. The proposed order of placement and stratification or restoration materials is shown in Table 2.3(a) below.

Table 2.3(a)
Placement of Restoration Materials



This profile is illustrated in Drawings TMW-005 to 008 inclusive at Appendix K.

On the basis of the above discussion the total requirement for imported materials is considered to be 3964 cubic metres (7928 tonnes) over a period of 5 years i.e. 793 cubic metres (1586 tonnes) per annum. The use of less waste than that permitted would not achieve the objectives of the restoration scheme. Materials produced on site in the form of slate waste already exist and materials will only be imported to provide the 1 metre growing medium for tree and shrub planting. Accordingly it is concluded that the minimum amount of waste is being used to achieve the intended benefits.

2.4 Is the waste being used as a substitute for non-waste materials?

In the event that the waste as specified could not be used the restoration scheme as permitted would not be achieved. The use of non-waste materials is not considered to be sustainable as it would represent an unnecessary waste of natural resources.

2.5 Will the proposal be completed to an appropriate standard?

The restoration afteruse has been designed specifically to ensure that the restored permitted site will both satisfy and conform with MTAN (Wales 2000) Guidance, contributing as a low

level amenity site containing agricultural and nature conservation elements in accord with the UK Biodiversity Action Plan.

All restoration work and importation will be supervised by a technically competent person who holds the necessary Certificate of Competence (CC) under WAMITAB and the Chartered Institute of Waste Management (CIWM) as approved by DEFRA and the Welsh Assembly Government – Refer to Appendix H. The permitted development will be carried out in accordance with the conditions of Planning Permission C11/1139/22/MW. It is therefore concluded that the foregoing factors will ensure that the permitted restoration scheme will be completed to an appropriate standard.

3.0 APPLYING THE RECOVERY TEST IN PRACTICE.

Appendix 1 of the EA Guidance EPR13 provides examples of activities that can be considered as recovery. The appendix includes the following examples which are considered to be relevant to the proposed restoration work at Ty Mawr West Quarry.

- Landscaping
- Making land safe
- Restoration of former mineral workings

This WRP together with the supporting information contained in Appendices A to H (Reports) inclusive together with Appendix K (Drawings 1 – 6 inclusive) address all the issues raised in Appendix 1 of EPR 13 namely:

Scheme Drawings – detailed scheme drawings including both plans and cross sections are included at Appendix K. These drawings illustrate the current and proposed levels which can be used to determine the quantity of material required to complete the work to the design specification. The drawings will also allow compliance monitoring as the scheme progresses.

Standard of Work – All work will be carried out in accordance with recognised codes of practice and the design enclosed at Appendices A - K inclusive.

4.0 CONCLUSION

In view of the foregoing details it is concluded that the permitted scheme of restoration at Ty Mawr West Quarry satisfies the requirements of a recovery operation as:

- There are clear benefits from the activity
- The recovered waste material is suitable for its intended use
- The minimum amount of waste is being used to achieve the intended benefits.
- The waste is being used as a substitute for a non-waste material
- The proposal will be completed to an appropriate standard

The approval of this WRP will enable the site restoration work to be undertaken in accordance with the planning permission so conforming with MTAN (Wales 2000) Guidance.

5.0 CLOSURE

This report has been prepared by SLR Consulting Ltd with all reasonable skill, care and diligence and taking account of the manpower and resources devoted to it by agreement with the Client. Information reported herein is based on the interpretation of data collated and has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of Ty Mawr West Ltd, no warranties or guarantees are expressed or should be inferred by any third party. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of work.

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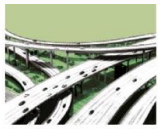
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Appendices