

Notice of variation with introductory note

Environmental Permitting (England & Wales) Regulations 2010

Waste Recycling Limited

Bryn Lane Waste Recycling and
Composting Facility
Bryn Lane
Wrexham Industrial Estate
Wrexham County
LL13 9UT

Variation application number
EPR/ZP3795ER/V004

Permit number
EPR/ZP3795ER

Bryn Lane Waste Recycling and Composting Facility

Permit number EPR/ZP3795ER

Introductory note

This introductory note does not form a part of the notice.

The following notice gives notice of the variation of an environmental permit.

This is an Environment Agency initiated variation to amend bioaerosol monitoring requirements in the permit. This is in accordance with the revised position statement on composting and the potential health effects from bioaerosols. The bioaerosol monitoring frequency given in Table S3.1 may be reduced to twice a year after the first year of monitoring if agreed in writing by the Environment Agency.

The Schedules specify the changes made to the original permit.

Schedule 1 of the notice lists any conditions that have been deleted, Schedule 2 of the notice lists any amended conditions and Schedule 3 of the notice lists any conditions that have been added.

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

Status Log of permit		
Detail	Date	Response Date
Waste Management Licence EAWML 100079 issued	27/11/07	
Application EPR/ZP3795ER/V002	Duly made 30/03/09	
Variation determined EPR/ZP3795ER	16/04/09	
Application EPR/ZP3795ER/V003	Duly made 21/02/11	
Environment Agency initiated application EPR/ZP3795ER/V004	25/02/11	
Variation EPR/ZP3795ER/V003 Issued	3/3/2011	
Environment Agency Initiated Variation EPR/ZP3795ER/V004 issued	05/05/11	

End of Introductory note

Notice of variation

Environmental Permitting (England and Wales) Regulations 2010

Permit number
EPR/ZP3795ER

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies the environmental permit issued to

Waste Recycling Limited (the operator)

whose registered office is

Ground Floor West
900 Pavilion Drive
Northampton Business Park
Northampton
Northamptonshire
NN4 7RG

company registration number 2674166

to operate regulated facilities at

Bryn Lane Waste Recycling and Composting Facility
Bryn Lane
Wrexham Industrial Estate
Wrexham County
LL13 9UT

to the extent set out in the schedules.

The notice shall take effect from 05/05/11

Name	Date
Tim Ross	05/05/11

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

The following conditions are deleted following an Environment Agency initiated variation:

Schedule 4

Schedule 2 – conditions to be amended

The following conditions are amended as detailed, following an Environment Agency initiated variation:

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to air, water or land except from the sources and emission points listed in schedule 2, table 2.1 and schedule 3, table 3.1.
- 3.1.2 The limits given in schedule 3 shall not be exceeded

3.7 Monitoring

- 3.7.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
 - (a) bioaerosol monitoring specified in table 3.1
 - (b) process monitoring specified in table 3.2

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 A summary report of the waste types and quantities accepted and removed from the site shall be made for each quarter. It shall be submitted to the Agency within one month of the end of the quarter and shall be in the format required by the Agency.
- 4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
 - (a) in respect of the parameters and emission points specified in schedule 5 table 5.1;
 - (b) for the reporting periods specified in schedule 5 table 5.1 and using the forms specified in schedule 5 table 5.2 ; and
 - (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

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 6 to this permit within the time period specified in that schedule.

4.3.3 Prior written notification shall be given to the Agency of the following events and in the specified timescales.

- (a) as soon as practicable prior to the permanent cessation of any of the activities;
- (b) cessation of operation of all or part of the activities for a period likely to exceed 3 months;
- (c) resumption of the operation of all or part of the activities after a cessation notified under (b) above.

4.3.4 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.

4.3.5 The Agency shall be notified within 7 days of any changes in technically competent management and the name of any incoming person together with evidence that such person has the required technical competence.

4.3.6 The Agency shall be notified with 14 days of the licence holder and/or any relevant person being convicted of a relevant offence (unless such information has already been notified to the Agency), with details of the nature of the offence, the place and date of conviction and the sentence imposed.

4.3.7 The Agency shall be notified with 14 days of the licence holder and/or any relevant person lodging an appeal against a conviction for any relevant offence and of the outcome when the appeal is decided.

4.3.8 The Agency shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

- (a) Where the licence holder is a registered company:
 - any change in the licence holder's trading name, registered name or registered office address;
 - any change to particulars of the licence holder's ultimate holding company (including details of an ultimate holding company where a licence holder has become a subsidiary);
 - any steps taken with a view to the licence holder going into administration, entering into a company voluntary agreement of being wound up; and

- if the licence holder is not the operator, any change in the operator's trading name, address, registered name or registered office address.

(b) Where the licence holder is a corporate body other than a registered company:

- any change in the licence holder's name or address
- any steps taken with a view to the dissolution of the licence holder and
- if the licence holder is not the operator, any change to in the operators trading name, address, registered name or registered office address.

(c) In any other case:

- the death of any of the named licence holders (where the licence holder consists of more than one named individual).
- any steps taken with a view to the licence holder 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; and
- if the licence holder is not the operator any change in the operators trading name, address, registered name or registered office address.

4.3.9 The Agency shall be notified at least 7 days in advance of the commencement of any of the activities.

Schedule 3 – Emissions and monitoring

Table 3.1 Bioaerosol monitoring requirements

Location or description of point of measurement	Parameter	Bioaerosol threshold limits CFU m ⁻³	Monitoring frequency	Monitoring standard or method	Other specifications
At a minimum of three separate locations, as described in the Industry Standard Protocol	Gram-negative bacteria	300	Quarterly. This may be reduced to twice a year after the first year of operation if agreed in writing by the Environment Agency.	In accordance with the Industry Standard Protocol, and, for gram-negative bacteria, together with the Environment Agency's "Guidance on the evaluation of bioaerosol risk assessments for composting facilities"	As described in the Industry Standard Protocol, including all the additional data requirements specified therein.
	Total bacteria	1000			
	<i>Aspergillus</i> <i>Fumigatus</i>	500			

Table 3.2 Process monitoring requirements

Monitoring Point	Substance or parameter	Monitoring frequency	Monitoring method	Other specifications
Internal for each enclosed composting vessel	Temperature	continuous	Thermocouple probe	None
	Oxygen		Oxygen meter	None
	Moisture		Moisture meter	none
Internal for each windrow and for any sample of waste or compost	Temperature	None specified	Thermocouple probe	Monitoring equipment must be available on site and used as required to ensure compliance with the conditions of this licence.
	Oxygen		Oxygen meter	
	Moisture		Moisture meter	
Biofilter	-	-	-	A report must be submitted annually to the Environment Agency detailing the efficiency and effectiveness of the biofilter.

Schedule 5 - Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table 5.1 Reporting of monitoring data

Parameter	Reporting period	Period begins
Bioaerosol monitoring as required by condition 3.7.1(a)	Every 3 months or as agreed in writing by the Environment Agency	1 January, 1 April , 1 July, 1 October

Table 5.2 Reporting forms

Media/parameter	Reporting format
Bioaerosol monitoring	As specified in the Industry Standard Protocol or other form as agreed in writing by the Environment Agency

Schedule 6 - 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 3 – conditions to be added

The following conditions are added following an Environment Agency initiated variation:

4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 4 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 4 - Interpretation

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

“authorised officer” means any person authorised by the 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.

“bioaerosol threshold limits” means the maximum acceptable bioaerosol concentrations at the nearest sensitive receptor, or at an equivalent distance downwind of the composting operations, which are attributable to the composting operations. The maximum acceptable concentrations are respectively 300, 1000 and 500 CFU m⁻³ for gram-negative bacteria, total bacteria and *Aspergillus fumigatus*,

“building” means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“composting” means the biological decomposition of organic materials, under conditions that are predominantly aerobic and that allow the development of thermophilic temperatures as a result of biologically produced heat.

“emissions to land” includes emissions to groundwater.

“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 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.

“fugitive emission” means an emission to air, water or land from the activities which is not controlled by an emission 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.

“groundwater protection zones” are as defined in The Agency’s Policy and Practice For the Protection of Groundwater.

“Impermeable surface” means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the pavement surface and should be read in conjunction with the term “sealed drainage system”(below).

“Industry Standard Protocol” means “A standardised protocol for the monitoring of bioaerosols at open composting facilities” published by the Association for Organics Recycling and developed in conjunction with the Environment Agency

“nearest sensitive receptors” means the nearest place to the composting operations where people are likely to be for prolonged or frequent periods. This term would therefore

apply to dwellings (including any associated gardens) and to workplaces where workers would frequently be present. It does not apply to the operators of composting facilities or their staff while carrying out the composting operation as their health is covered by Health and Safety legislation.

"notify/notified without delay" means that a telephone call can be used, whereas all other reports and notifications must be supplied in writing, either electronically or on paper.

"Pollution" means pollution of the environment, harm to human health and serious detriment to the amenities of the locality, resulting from the licensed activities.

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

"relevant person" and *"relevant offence"* shall have the meaning given to them in the Environmental Protection Act 1990.

"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 other than via the system;
- (b) except where they may lawfully be discharged, all liquids entering the system are collected in a sealed sump.

"sewer" means sewer within the meaning of section 219(1) of the Water Industry Act 1991.

"technically competent management" and *"technical competence"* shall be as prescribed under section 74 of the Environmental Protection Act 1990.

"waste code" means the code specified in The List of Waste (England) Regulations 2005 (SI 2005 No. 895) or The List of Waste (Wales) Regulations 2005 (SI 2005 No. 1820) (W.148) as amended. Codes marked with an * are hazardous waste, as defined in those regulations. Licence conditions apply to those wastes listed with a six digit code.

"Waste Management Licensing Regulations" means the Waste Management Licensing Regulations 1994 (SI1994 No.1056) (as amended).

"year" means a calendar year commencing on 1st January.

