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Wales

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

O J Jones & Son Limited

Land at Gelert Ltd
Ffordd Penamser
Porthmadog
Gwynedd
LL49 9SL

Permit number
EPR/EB3697TF

Land at Gelert Ltd

Permit number EPR/EB3697TF

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 3 bespoke permit for the storage and treatment of waste to produce soil, soil substitutes and aggregates.

Only inert and non-hazardous waste shall be accepted. Hazardous waste is not permitted.

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

The total quantity of waste that can be accepted and processed at the site shall be no more than 49,999 tonnes per year.

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

- clean, rainfall dependant drainage from areas of the site not used in connection with the storage and/or treatment of waste, and
- integral discharge(s) from the permitted activity in accordance with the limits set out in Table S1.1.

Run-off from the hardstanding area will drain to both:

- ground, and will be controlled through the 'emission of substances not controlled by emission limits condition' and all relevant process requirements set out in Tables S1.1 and S1.2, and
- to a point source discharge in line with the limits set in Table S1.1. The location is highlighted in Schedule 7 of this permit.

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

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/EB3697TF/A001	Duly made 20/03/15	Application from O J Jones & Son Limited for tier 3 bespoke permit to produce soil, soil substitutes and aggregate.
Additional information received in response to a Schedule 5 notice sent on 28/04/15	15/05/15	Information relating to drainage, waste acceptance, operating techniques and an additional site specific risk assessment.
Additional information received following an informal request for information sent on 22/05/15	26/05/15	Further information relating to drainage.
Additional information received following an informal request for information sent on 28/05/15	29/05/15	Amended site plan.
Additional information received in response to a Schedule 5 notice sent 10/06/15	02/07/15	Confirmation that surface water run-off will go to both ground and surface; and additional management measures for specific waste types
Permit determined EPR/EB3697TF	23/07/15	Tier 3 bespoke permit to produce soil, soil substitutes and aggregate issued to O J Jones & Son Limited.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number

EPR/EB3697TF

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

O J Jones & Son Limited (“the operator”),

whose registered office is

**Adeilad St David’s Building
Stryd Lombard Street
Porthmadog
Gwynedd
LL49 9AP**

company registration number **05887158**

to operate waste operations at

**Land at Gelert Ltd
Ffordd Penamser
Porthmadog
Gwynedd
LL49 9SL**

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

Name	Date
Louise Wild	23rd July 2015

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.

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.
- 3.2.2 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.

4.3.3 Where Natural Resources Wales has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform Natural Resources Wales when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to Natural Resources Wales at least 14 days before the date the monitoring is to be undertaken.

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 waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced) R3: Recycling/reclamation of organic substances which are not used as solvents R5: Recycling/reclamation of other inorganic compounds	All wastes can be stored and treated on either hardstanding, or impermeable surface with sealed drainage. Treatment consisting only of manual and/or mechanical: - sorting - separation - screening - crushing - blending - bulking-up of permitted waste for the purpose of recovery only. Waste types as specified in Table S2.1
Discharge of integral site drainage including from the emission (discharge) point indicated on the plan in Schedule 7 of this permit.	Drainage consisting solely of rainfall dependant run-off from: - the hardstanding or impermeable surface via a suitable well maintained interceptor and 3 stage swale to surface water (Outlet 1). - the hardstanding area, to ground. No visible suspended solids, oil or grease shall be present in the discharge.

Table S1.2 Operating techniques

Description	Parts	Date Received
Guidance Note EPR 1 'How to comply with your environmental permit'	All	N/A
Pollution prevention guidelines: Use and design of oil separators in surface water drainage systems: PPG 3	All	N/A
Application	Water Vole Survey October 2014: - Section 8: Conclusions and recommendations	03/11/14
Response to Schedule 5 Notice dated 28/04/15	- Drainage plan – "Drawing 5001" - Standard Operating Procedure No. 11 - (SOP) Site Drainage Inspection and Maintenance"	15/05/15
Response to Schedule 5 Notice dated 10/06/15	- Standard Operating Procedure No 1 - (SOP) Waste Acceptance Procedure"	02/07/15

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Permitted waste types and quantities for soil and aggregate recycling facility	
Maximum quantity	The maximum quantity for waste to be accepted on site shall not exceed 49,999 tonnes per year.
Exclusions	Notwithstanding the waste types set out in this table, wastes having any of the following characteristics shall not be accepted: • consisting solely or mainly of dusts, powders or loose fibres • hazardous wastes • wastes in liquid form • slags and/or ashes
Waste Code	Description
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 01	wastes from mineral excavations
01 01 01	wastes from mineral metalliferous excavation (comprising of naturally occurring overburden, quarry spoil or slate only)
01 01 02	wastes from mineral non-metalliferous excavation (comprising of naturally occurring overburden, quarry spoil or slate only)
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 (comprising of uncontaminated waste only)
01 04 09	waste sand and clays
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 04	wastes from sugar processing
02 04 01	soil from cleaning and washing beet
10	WASTES FROM THERMAL PROCESSES
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	waste concrete and concrete sludge (comprising of waste concrete 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 03	bituminous mixtures, coal tar and tarred products
17 03 02	bituminous mixtures other than those mentioned in 17 03 01 (comprising of road base and road planings bituminous mixtures from the repair and refurbishment of the asphalt layers of roads and other paved areas. Must not include coal tars or tarred products. Must not include freshly mixed bituminous mixtures)
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 (comprising of waste containing uncontaminated soil or stone only and from uncontaminated sites only)

17 05 06	dredging spoil other than those mentioned in 17 05 05 (comprising of inert aggregates from dredging only. Must not contain contaminated dredgings or fines; and must be dewatered prior to acceptance.)
17 05 08	track ballast other than those mentioned in 17 05 07 (comprising of waste from uncontaminated sites only)
17 08	gypsum based construction material
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01
17 09	Other construction and demolition wastes
17 09 04	mixed construction wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03 (comprising of waste generated from utilities trenching and consisting of sub base aggregates; and only waste that would be described by entries 17 01 01 , 17 03 02 and 17 05 04 if the waste was not mixed.)
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 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 09	minerals (for example sand, stones) (comprising of uncontaminated waste 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 (comprising of uncontaminated soils only)
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 02	garden and park wastes (including cemetery waste)
20 02 02	soil and stones (comprising of uncontaminated stones from garden and parks waste only)

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	
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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
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To be notified within 24 hours of detection unless otherwise specified below	
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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 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

“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.

“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.

“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)

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

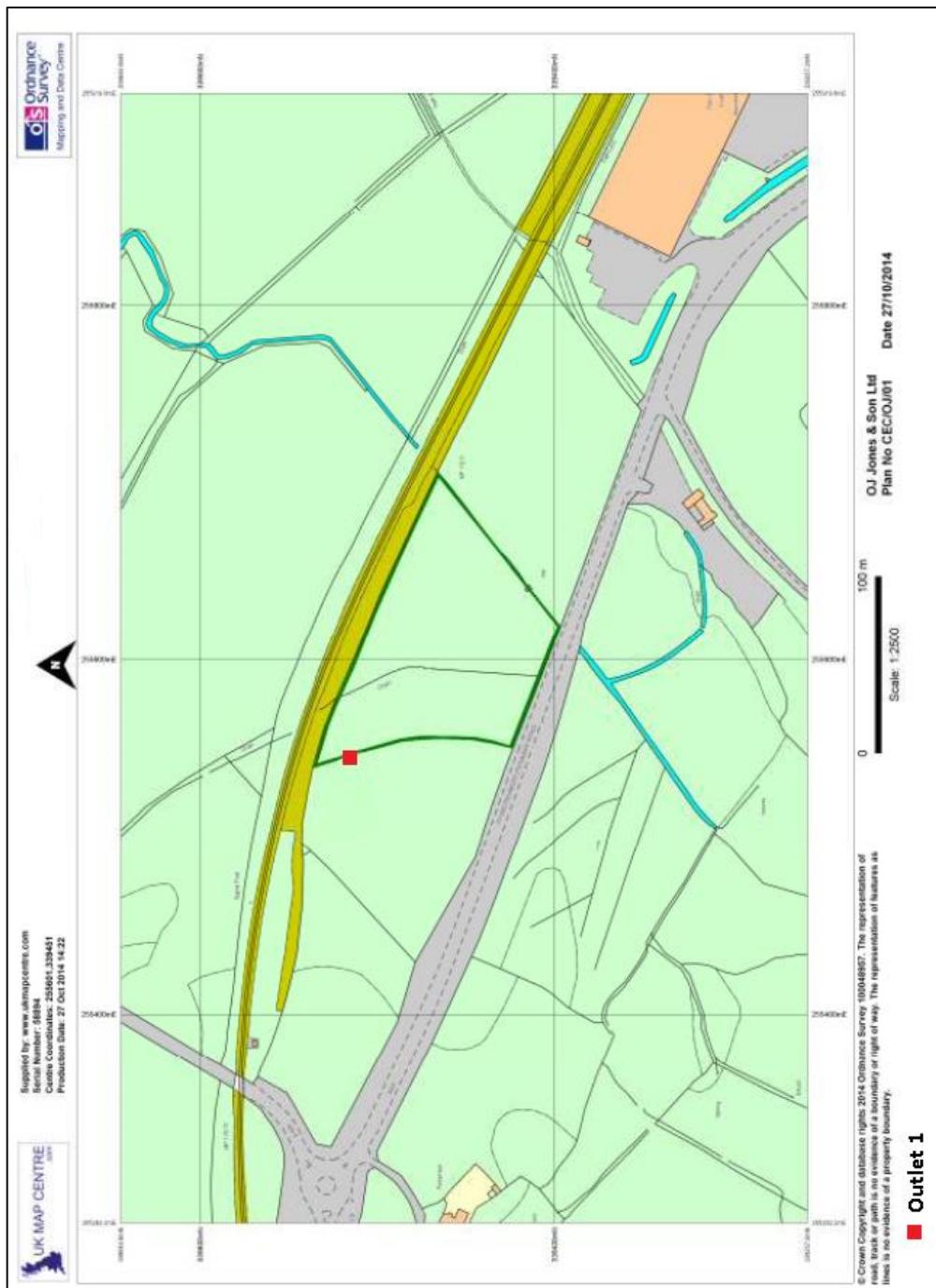
“R” means a recovery operation provided for in Annex IIB to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

“Waste code” means the six digit code referable to a type of waste in accordance with the list of wastes established by Commission Decision 2000/532/EC as amended from time to time (the ‘List of Wastes Decision’) 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