

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

I G Hughes and J G Hughes

Ty Mawr
Llanbeulan
Ty Croes
Gwynedd
Anglesey
LL63 5UR

Permit number
EPR/FB3630AY

Ty Mawr
Permit number EPR/FB3630AY

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

This open windrow composting site was previously operated under a Paragraph 12 exemption.

As part of the composting operations, street sweepings are segregated. The resultant organic material is composted in open windrows along with other biodegradable wastes.

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/FB3630AY/A0001	Duly made 02/03/12	Application for inert and excavation waste transfer station and composting facility.
Additional information received	24/04/12	
Permit determined	19/06/12	Permit issued to I G Hughes and J G Hughes

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number
EPR/FB3630AY

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

I G Hughes and J G Hughes (“the operator”),
whose principal office is

Ty Mawr
Llanbeulan
Ty Croes
Gwynedd
Anglesey
LL63 5UR

to operate waste operations at

Ty Mawr
Llanbeulan
Ty Croes
Gwynedd
Anglesey
LL63 5UR

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

Name	Date
Katie Sanders	19/06/2012

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; 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.

3.2 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.

3.3 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.

3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following table in schedule 3 to this permit:
- (a) process monitoring specified in table S3.1;
- 3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

- 3.5.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.3.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.
- 3.5.4 Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 table S3.1, 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.
- 4.3.5 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
- 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.
- 4.3.6 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) the Environment Agency 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

Activity reference	Description of specified activity and WFD Annex I and II operations	Limits of specified activity and waste types
A1	R13: Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)	Secure storage of wastes listed in table S2.1
	R3: Recycling/reclamation of organic substances which are not used as solvents	Physical treatment, composting and maturation of the types of waste listed in table S2.1

Table S1.2 Operating techniques

Description	Parts	Date Received
Application	Complies with 'How to comply with your environmental permit'	02/03/12
Additional Information	Site Risk Assessment, referenced 'RA tipping at Ty Mawr'	05/04/12
Additional Information	Infrastructure and drainage referenced in email dated: 24/4/2012 titled: 'Information on Drainage plan'	24/04/12
Additional Information	Receipt, storage and processing of waste information Referenced 'Revised Non-Technical Summary'	24/04/12

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Waste types and quantities for open windrow composting	
Maximum Quantities	
The total quantity of waste accepted at the site shall be less than 4,999 tonnes a year.	
Exclusions	
Wastes having any of the following characteristics shall not be accepted:	
• Consisting solely or mainly of dusts, powders or loose fibres • Catering waste and other wastes containing animal by-products covered by the Animal By-Products Regulations 2005 and The Animal By-Products (Wales) Regulations 2006. • Wastes that are in a form which is liquid • Hazardous wastes	
Waste Code	Description
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 01	wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 03	plant-tissue waste
02 01 07	wastes from forestry (comprising wood and plant tissue)
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION/INDUSTRIAL USE
19 05	wastes from the aerobic treatment of solid wastes
19 05 03	off-specification compost (resultant organic material from rural road sweepings)
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 01	biodegradable waste
20 03	other municipal wastes
20 03 03	street-cleaning residues

Schedule 3 – Emissions and monitoring

Table S3.1 Process monitoring requirements

Monitoring point	Substance or parameter	Monitoring frequency	Monitoring method	Other specifications
Internal for each windrow and for any sample of waste or compost	Temperature	None specified	Thermocouple probe	Monitoring equipment shall be available on-site and used as required to ensure compliance with this permit.

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.

“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.

“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 limit..

“year” means calendar year ending 31 December.

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

“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.

“compost” means solid particulate material that is the result of composting, which has been *sanitised* and *stabilised*, and which confers beneficial effects when added to soil, used as a component of growing media or used in another way in conjunction with plants.

“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.

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

“maturation” means a stage when by agitating and turning the compost it no longer results in reheating and the monitored temperature falls to ambient without the compost being too dry or anaerobic. Phytotoxins that are formed during the 'active' composting phase are metabolised by micro-organisms, which will result in the final material not being harmful to plants. This usually coincides with drop in pH toward neutral, and the conversion of ammonia into nitrates and recolonisation of beneficial micro-organisms. The maturation phase may need active management by turning to prevent the material becoming anaerobic.

“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.

“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

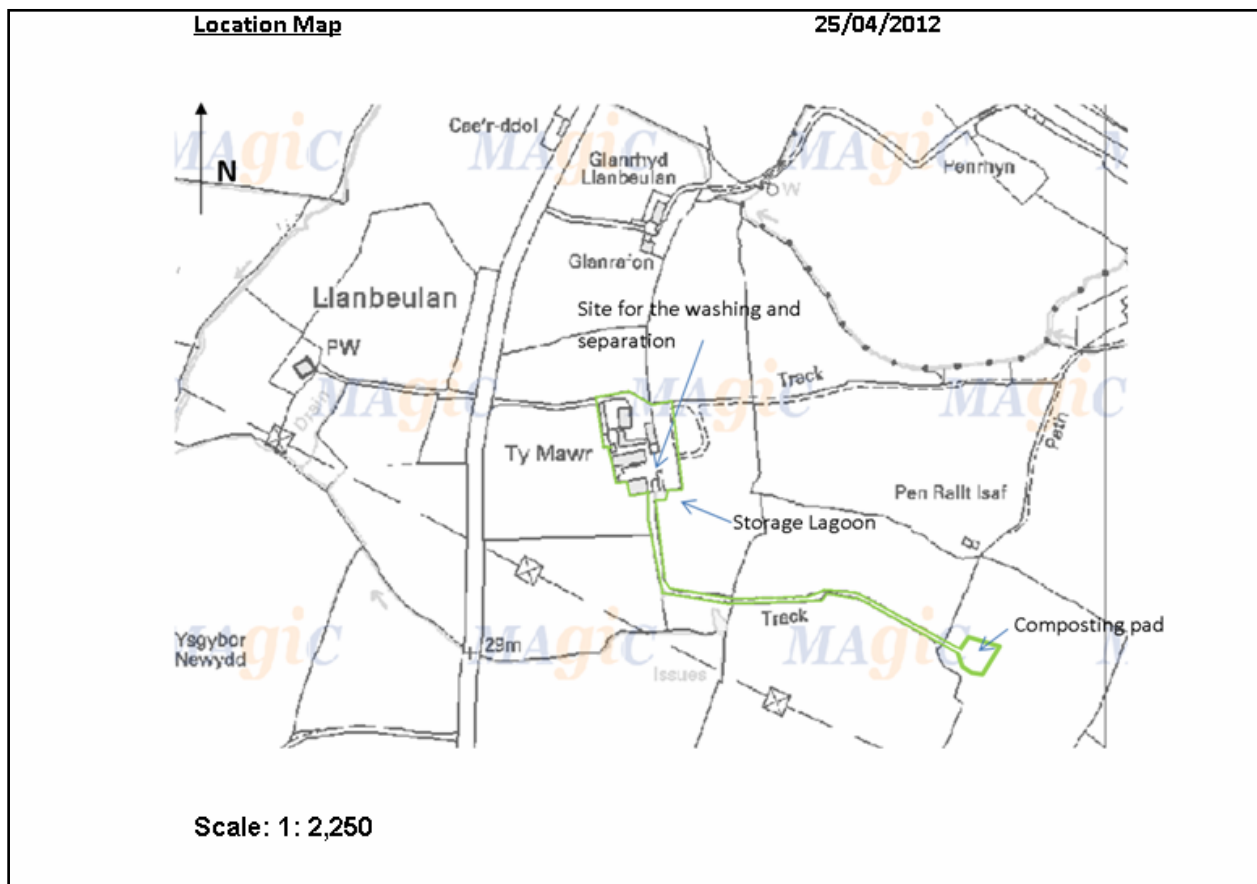
attributable to the composting operations. The maximum acceptable concentrations are respectively 300, 1000 and 500 CFU m⁻³ for gram-negative bacteria, total bacteria and *Aspergillus fumigatus*,

“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.

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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