

Natural Resources Wales permitting decisions

Variation

We have decided to issue the variation for Hendy Quarry Landfill operated by Tarmac Trading Limited.

The variation number is EPR/KP3795FU/V007

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Structure of this document

- Annex 1 the decision checklist

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
Sustainable Management of Natural Resources (SMNR)		
Considerations of SMNR - Compliance with our General Purpose	We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources”	✓
The site		
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .</p> <p>A full assessment of the application and its potential to affect the site has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator’s risk assessment is satisfactory.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The operator has identified suitable measures in accordance with the relevant technical guidance note for waste activities; 'How to comply with your environmental permit'.</p> <p>The operator has submitted a surface water management plan and waste acceptance procedures detailing measures to control the risk from the discharge of surface water and to prevent acceptance of unauthorised wastes.</p> <p>The measures included in the surface water management plan and waste acceptance procedures have been assessed and are considered as suitable.</p>	
The permit conditions		
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> - The proposed waste types are suitable for the nature of the permitted facility - The operator has suitable waste acceptance procedures in place <p>We have excluded the following wastes for the following reasons</p> <ul style="list-style-type: none"> - Liquids (in accordance with the Landfill Regulations). <p>We made these decisions with respect to waste types in accordance with the 'Council Decision 2003/33/EC', 'Waste acceptance at landfills - Guidance on waste acceptance procedures and criteria' and 'Waste Sampling and Testing for Disposal to Landfill'.</p>	✓
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Emission limits	<p>We have decided that emission limits should be set for the discharge volume and rate of discharge as listed in the permit.</p> <p>The operator has submitted an Assessment of discharge based on rainfall and measured discharge data. The proposed maximum volume and rate for the discharge of surface water to soakaway has been assessed and is considered as suitable. The limit of 5,000m³ per day is based on rainfall dependent maximum surface water runoff volume.</p>	✓
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>The monitoring requirements for the discharge volume and rate of discharge are considered to remain suitable.</p>	✓
Operator Competence		
Environment management system	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓