

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2007

Mike Cuddihy
Longship Road
Cardiff Docks
Cardiff
CF10 4LU

Permit number
EPR/DP3394LA

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Introductory note

This introductory note does not form a part of the permit

The main features of the facility are as follows. The site operated by Mike Cuddihy at Longships Road, Cardiff Docks, Cardiff, CF10 4LU, occupies an area of approximately 4.5 acres. Mike Cuddihy intends to treat and store <75,000 tonnes of soil and stones. The site is surrounded by a 2.5 metre high bund wall, all operations will take place on hard standing, within the area edged in green on the site plan shown in schedule 2 of this permit.

Status Log of the permit		
Detail	Date	Response Date
Application EPR/DP3394LA/A001	Duly made 24/10/08	
Additional Information Received		08/01/09
Permit EPR/DP3394LA determined	01/06/09	

End of Introductory Note

Permit

Permit number

EPR/DP3394/LA

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2007

Mike Cuddihy ("the operator"),

Of

Old Spillers Wharf,

Clippers Road,

Cardiff Docks,

Cardiff,

CF10 4ED.

company registration number N/A

to operate a facility comprising a waste operation at


Longships Road,

Cardiff Docks,

Cardiff,

CF10 4LU.

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

Name	Date
	2-Jun-09

Authorised on behalf of the Agency

1 Management

1.1 General management

- 1.1.1 The activities shall be managed and operated:
- (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.
- 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 or shall hold an appropriate certificate of technical competence or other approval issued by the Agency.

1.2 Accident management plan

- 1.2.1 The operator shall:
- (a) maintain and implement an accident management plan;
 - (b) review and record at least every 4 years or as soon as practicable after an accident, (whichever is the earlier) whether changes to the plan should be made;
 - (c) make any appropriate changes to the plan identified by a review.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is 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 2 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 Agency.
- (b) If notified by the Agency that the activities are giving rise to pollution, the operator shall submit to the 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 Agency.
- 2.3.2 Waste shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 3 table(s) S3.1 [, S3.2 etc]; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

3 Emissions and monitoring

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to air, water or land.

3.2 Fugitive emissions of substances

- 3.2.1 Fugitive emissions of substances (excluding odour, noise and vibration) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including those specified in any approved fugitive emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Agency that the activities are giving rise to pollution, submit to the Agency for approval within the period specified, a fugitive emissions management plan;
- (b) implement the approved fugitive emissions management plan, from the date of approval, unless otherwise agreed in writing by the Agency.
- 3.2.3 All liquids, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, including those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.
- 3.3.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to annoyance outside the site due to odour, submit to the Agency for approval within the period specified, an odour management plan;
 - (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Agency.

3.4 Noise and vibration

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, including those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.
- 3.4.2 The operator shall:
- (a) if notified by the Agency that the activities are giving rise to annoyance outside the site due to noise and vibration, submit to the 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 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 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 All records, plans and the management system required to be maintained by this permit shall be held on the site.

4.2 Reporting

- 4.2.1 All reports and notifications required by the permit shall be sent to the Agency using the contact details supplied in writing by the Agency

4.3 Notifications

- 4.3.1 The Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or fugitive emission 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 Where the 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 Agency when the relevant monitoring is to take place. The operator shall provide this information to the Agency at least 14 days before the date the monitoring is to be undertaken.

- 4.3.4 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:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address;
- (b) any change to particulars of the operator's ultimate holding company (including details of an ultimate holding company where an operator has become a subsidiary); and
- (c) 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) the 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

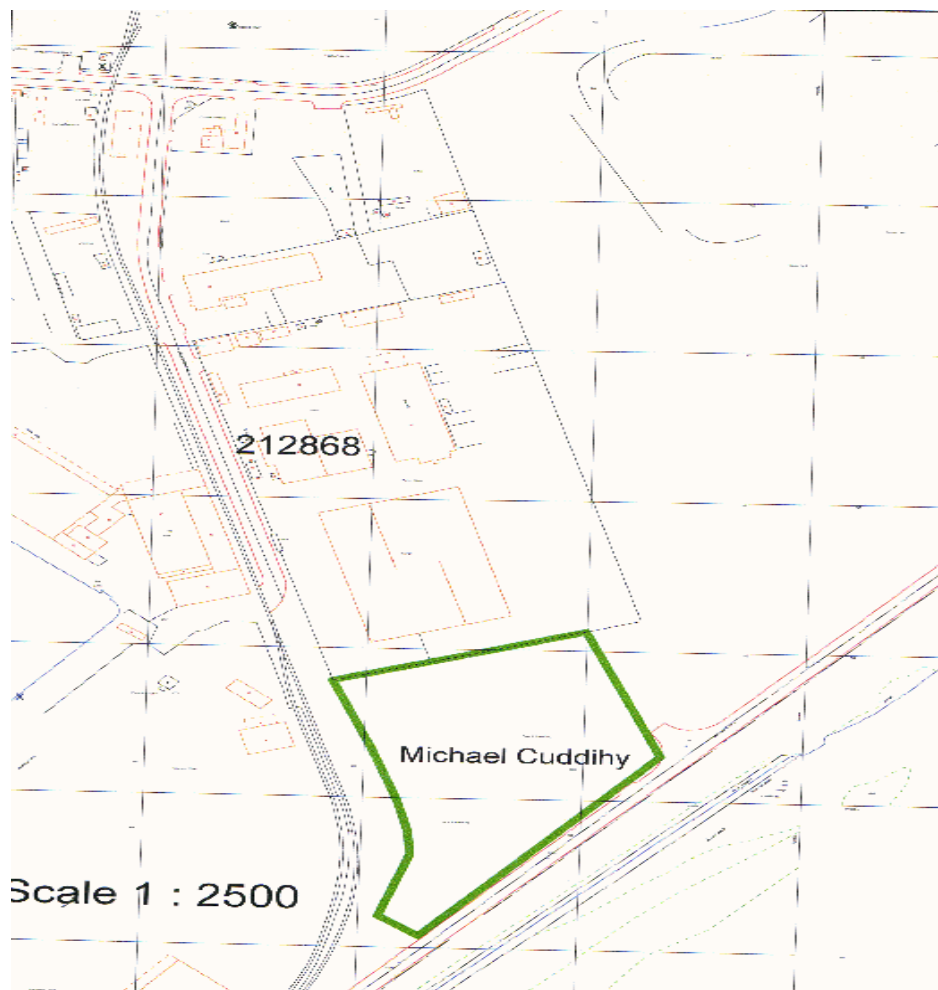
- 4.4.1 In this permit the expressions listed in schedule 7 shall have the meaning given in that schedule.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “without delay”, in which case it may be provided by telephone.

Schedule 1 - Operations

Table S1.1 activities	
Description of activities for waste operations	Limits of activities
<p>D15: Storage pending any of the operations D1 to D14 (excluding temporary storage, pending collection, on the site where it is produced).</p> <p>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).</p> <p>D14: Repackaging prior to submission to any of the operations numbered D1 to 13.</p> <p>D9: Physico-chemical treatment not specified elsewhere in Annex IIA which results in final compounds or mixtures which are discarded by means of any of the operations numbered D1 to D8 and D10 to D12.</p> <p>R3: Recycling/reclamation of organic substances which are not used as solvents.</p> <p>R5: Recycling/reclamation of other inorganic compounds.</p>	<p>Treatment operations shall be limited to:</p> <ol style="list-style-type: none"> 1. Treatment consisting only of manual sorting, separation, screening or crushing of waste into different components for disposal, (no more than 50 tonnes per day) or recovery.

Table S1.2 Operating techniques		
Description	Parts	Date Received

Schedule 2 - Site plan



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Schedule 3 - Waste types, raw materials and fuels

Table S3.2 Permitted waste types and quantities for Inert and excavation waste transfer station with treatment	
Maximum quantity	75,000 tonnes annually
Exclusions Wastes having any of the following characteristics shall not be accepted: <ul style="list-style-type: none"> • Consisting solely or mainly of dusts, powders or loose fibres • Wastes that are in a form which is either sludge or liquid 	
Waste code	Description
17 05 04	Soil and stones other than those mentioned in 17 05 03

Schedule 4 – Emissions and monitoring

There are no emission limits or associated monitoring requirements.

Schedule 5 - Reporting

There is no reporting under this schedule.

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 fugitive emission 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 Mike Cuddihy

Schedule 7 - Interpretation

"*accident*" means an accident that may result in pollution.

"*annually*" means once every year.

"*Annex IIA*" means Annex IIA to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 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 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.

"*D*" means a disposal operation provided for in Annex IIA to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

"*emissions to land*", includes emissions to groundwater.

"*EP Regulations*" means The Environmental Permitting (England and Wales) Regulations SI 2007 No.3538 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.

"*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 (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

"*year*" means calendar year ending 31 December.

END OF PERMIT