Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Tarmac Limited

Millfields Road
Ettingshall
Wolverhampton
West Midlands
WV4 6JP

Permit number

EPR/HP3334HC

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Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

This permit authorises the use of mobile plant to treat asphalt and road planings containing tar. Plant can be used at sites in England & Wales approved by the Environment Agency through the deployment process to produce aggregate from specified wastes.

The operator is permitted to carry out the treatment and associated storage of asphalt and road planings containing tar. Treatment consists of sorting, separation, screening, crushing, blending of waste for recovery as an aggregate and the manufacture of foamed asphalt (cold mix) for use on civil engineering schemes.

This permit limits the quantity of:

- hazardous waste to be treated by the plant under any one deployment to 10,000 tonnes; and
- hazardous waste treated for recovery is limited to 2,000 tonnes per day.

A deployment form must be submitted and approved by the Environment Agency before the activity can commence.

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

Status Log of the permit		
Detail	**Date**	**Comments**
Application EPR/HP3334HC/A001	Duly made 09/09/10	
Additional Information Received	29/10/10	
Permit determined	05/01/11	

End of Introductory Note

Permit

Permit number
EPR/HP3334HC

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

Tarmac Limited ("the operator"),

whose registered office is
Millfields Road
Ettingshall
Wolverhampton
West Midlands
WV4 6JP

company registration number **00453791**

to operate waste mobile plant to the extent authorised by and subject to the conditions of this permit.

Name	Date
Hosne Jahan	**05 January 2011**

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 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 Energy efficiency

1.2.1 The operator shall:

(a) take appropriate measures to ensure that energy is used efficiently in the activities;

(b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and

(c) take any further appropriate measures identified by a review.

1.3 Efficient use of raw materials

1.3.1 The operator shall:

(a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;

(b) maintain records of raw materials and water used in the activities;

(c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and

(d) take any further appropriate measures identified by a review.

1.4 Avoidance, recovery and disposal of wastes produced by the activities

1.4.1 The operator shall:

(a) take appropriate measures to ensure that waste produced by the activities is avoided or reduced, or where waste is produced it is recovered wherever practicable or otherwise disposed of in a manner which minimises its impact on the environment;

(b) review and record at least every four years whether changes to those measures should be made; and

(c) 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").

2.1.2 Treatment activities under this permit shall not begin at any site until the Environment Agency has agreed a deployment form in writing for that particular site.

2.1.3 All process plant and equipment shall be commissioned, operated and maintained, and shall be fully documented and recorded, in accordance with the agreed deployment form.

2.2 Operating techniques

2.2.1 (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.

2.2.2 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.

2.2.3 The total quantity of waste treated at any site shall not exceed that listed in schedule 2 table S2.2 and that stated in the agreed deployment form for that particular site.

2.2.4 Only those wastes listed in schedule 2 table S2.2 and the agreed deployment form can be stored and treated under this permit.

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, except from the sources listed in the agreed deployment form.

3.1.2 The limits given in the agreed deployment form shall not be exceeded.

3.2 Emissions of substances not controlled by emission limits

3.2.1 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.

3.2.2 The operator shall:

(a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;

(b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.2.3 All liquids in containers, 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 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.

3.3.2 The operator shall:

(a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment 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 Environment 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 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.

3.4.2 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.

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.

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 each 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.

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 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.

4.3.6 The operator shall notify the Environment Agency at least 7 days prior to commencement of agreed deployment.

4.3.7 The operator shall notify the Environment Agency at least 7 days prior to the end of agreed deployment.

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 listed in Schedule 1 of the EP Regulations	Description of specified activity and WFD Annex IIA and IIB operations	Limits of specified activity and waste types
S5.4 A(1) (c) (iii)	R13: Storage of wastes pending any of the operations numbered R01 to R12 (excluding temporary storage pending collection on the site where it is produced). R5: Recycling or reclamation of other inorganic materials.	Treatment of wastes listed in table S2.2 using mobile plant consisting only of sorting, separation, screening, crushing and blending of waste for recovery as an aggregate and the manufacture of foamed asphalt (cold mix) for use on civil engineering schemes. Secure storage of wastes listed in table S2.2 ,in association with the treatment described in the agreed deployment form only. This permit limits the quantity of: • hazardous waste to be treated by the plant under any one deployment to 10,000 tonnes; and • hazardous waste treated for recovery is limited to 2000 tonnes per day. Waste types as specified in Table S2.2

Table S1.2 Operating techniques

Description	Parts	Date Received
Response to Schedule 5 Notice dated 11/10/10	Response to question 2, table 3a – Technical standards, Part B3 of the application form	29/10/10
Response to Schedule 5 Notice dated 11/10/10	Response to question 2, 'Types and Amounts of Raw Materials' in response to section 3c – Types and amounts of raw materials, Part B3 of the application form	29/10/10
Response to Schedule 5 Notice dated 11/10/10	Response to question 2, 'Emissions & Monitoring Summary' in response to section 4a – Monitoring, Part B3 of the application form	29/10/10
Response to Schedule 5 Notice dated 11/10/10	Response to question 2, 'Waste Acceptance Procedure' in response to Appendix 5 section 1 and 2 – Acceptacne procedures, Part B3 of the application form	29/10/10

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
Cement / Cement replacement	Cement shall be CEM1 in accordance with EN 197-1 or equivalent.
Bitumen / Bitumen emulsion	Bitumen for foaming shall comply with BS EN 12591. Bitumen shall be purchased from a BS EN ISO 9001 certified supplier.
Pulverised Fuel Ash (PFA)	PFA shall meet the standards set out in the Quality Protocol for the production of PFA and shall be purchased from a BS EN ISO 9001 certified supplier to the following minimum specification: - Condition PFA (screened lagoon ash not permitted) - Mimimum 65% passing 0,063mm - Mimimum and maximum moisture contents
Secondary aggregate (including road planings)	Secondary aggregate shall meet the standards set out in the Quality Protocol for the Production of Aggregates from Inert Wastes.

Table S2.2 Permitted waste types and quantities	
Maximum quantity	The total quantity of waste treated shall be less than 10,000 tonnes per deployment.
Waste code	Description
17	Construction and demolition wastes (including excavated soil from contaminated sites)
17 03	bituminous mixtures, coal tar and tarred products
17 03 01*	asphalt and road planings containing tar

Schedule 3 – Emissions and monitoring

Emission limits or associated monitoring requirements are as detailed in the agreed deployment form.

Schedule 4 - Reporting

Reporting under this schedule is as required for the emissions and monitoring detailed in the agreed deployment form.

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 Tarmac Limited

Schedule 6 - Interpretation

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

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

"annually" means once every year.

"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 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.

"deployment form" means the Environment Agency form that requires site specific information and control measures to be provided and agreed prior to the use of any mobile plant at a site.

"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.

"disposal" means any of the operations 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 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 or background concentration 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 1 and 2" have the meaning given in the document titled "Groundwater Protection: Policy and Practice" published by the Environment Agency in 2006.

"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 calander 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.

"recovery" means any of the operations 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.

"WFD" means Waste Framework Directive (Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste).

"year" means calendar year ending 31 December.

Where a minimum limit is set for any emission parameter, for example pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

(a) in relation to emissions from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 3% dry for liquid and gaseous fuels, 6% dry for solid fuels; and/or

(b) in relation to emissions from non-combustion sources, the concentration at a temperature of 273K and at a pressure of 101.3 kPa, with no correction for water vapour content

Schedule 7 - Site plan

No site plan is required under this schedule.

END OF PERMIT