Notice of variation with introductory note

Environmental Permitting (England & Wales) Regulations 2010

CRS Bio Limited

High Heavens Waste Complex
Clay Lane
Booker
High Wycombe
Buckinghamshire
SL7 3DJ

Variation application number

EPR/BP3895EY/V009

Permit number

EPR/BP3895EY

High Heavens Waste Complex
Permit number EPR/BP3895EY

Introductory note

This introductory note does not form a part of the notice.

The following notice gives notice of the variation of an environmental permit.

This is an Environment Agency initiated variation to add bioaerosol monitoring requirements to the permit. This is in accordance with the revised position statement on composting and the potential health effects from bioaerosols. The bioaerosol monitoring frequency given in Table S1.1 may be reduced to twice a year after the first year of monitoring if agreed in writing by the Environment Agency.

The Schedules specify the changes made to the original permit.

Schedule 1 of the notice lists any conditions that have been deleted, Schedule 2 of the notice lists any amended conditions and Schedule 3 of the notice lists any conditions that have been added.

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

Status Log of permit		
Detail	**Date**	**Response Date**
Waste Management Licence EAWML 86302 issued to Buckinghamshire County Council	09/01/04	
Modification to EAWML 86302	24/07/04	
Modification to EAWML 86302	24/07/04	
Transfer of licence to Thames Water Services Ltd	15/08/05	
Transfer of licence to Cambridge Recycling Services Ltd	27/03/07	
Application received EPR/BP3895EY/V006	28/05/09	
Permit varied EPR/BP3895EY/V006	04/06/09	
Application received EPR/BP3895EY/V007	11/06/09	
Permit varied EPR/BP3895EY/V007	22/06/09	
Application received EPR/BP3895EY/V008	24/03/10	
Permit varied EPR/BP3895EY/V008	24/06/10	
Environment Agency initiated application EPR/BP3895EY/V009	01/02/11	
Environment Agency Initiated Variation determined EPR/BP3895EY/V009	29/03/11	

End of Introductory note

Notice of variation
Environmental Permitting (England and Wales) Regulations 2010

Permit number
EPR/BP3895EY

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies the environmental permit issued to

CRS Bio Limited

whose registered office is

Willingham House
Flexon Business Park
Stretham Road
Wilburton
Ely
Cambridgeshire
CB6 3RY

company registration number 03820032

to operate a regulated facility at

High Heavens Waste Complex
Clay Lane
Booker
Marlow
Buckinghamshire

to the extent set out in the schedules.

The notice shall take effect from 29/03/11

Name	Date
Helen Smith	**29/03/11**

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

The following conditions are deleted following an Environment Agency initiated variation:

7 Interpretation.

Schedule 2 – conditions to be amended

None.

Schedule 3 – conditions to be added

The following conditions are added following an Environment Agency initiated variation:

5.6 Emissions to water, air or land

5.6.1 The limits given in schedule 1 shall not be exceeded.

5.7 Monitoring

5.7.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 1 to this permit:

(a) bioaerosol monitoring specified in table S1.1

6.4 Reporting

6.4.1 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.

6.4.2 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

(a) in respect of the parameters and emission points specified in schedule 2 table S2.1;

(b) for the reporting periods specified in schedule 2 table S2.1 and using the forms specified in schedule 2 table S2.2 ; and

(c) giving the information from such results and assessments as may be required by the forms specified in those tables.

6.5 Notifications

6.5.1 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.

6.5.2 Any information provided under condition 6.5.1 shall be confirmed by sending the information listed in schedule 3 to this permit within the time period specified in that schedule.

6.5.3 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.

6.6 Interpretation

6.6.1 In this permit the expressions listed in schedule 4 shall have the meaning given in that schedule.

6.6.2 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 – Emissions and monitoring

Table S1.1 Bioaerosol monitoring requirements

Location or description of point of measurement	Parameter	Bioaerosol threshold limits CFU m^{-3}	Monitoring frequency	Monitoring standard or method	Other specifications
At a minimum of three separate locations, as described in the Industry Standard Protocol	Gram-negative bacteria	300	Quarterly. This may be reduced to twice a year after the first year of operation if agreed in writing by the Environment Agency.	In accordance with the Industry Standard Protocol, and, for gram-negative bacteria, together with the Environment Agency's "Guidance on the evaluation of bioaerosol risk assessments for composting facilities"	As described in the Industry Standard Protocol, including all the additional data requirements specified therein.
	Total bacteria	1000			
	Aspergillus Fumigatus	500			

Schedule 2 - Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S2.1 Reporting of monitoring data

Parameter	Reporting period	Period begins
Bioaerosol monitoring as required by condition 5.7.1	Every 3 months or as agreed in writing by the Environment Agency	1 January, 1 April , 1 July, 1 October

Table S2.2 Reporting forms

Media/parameter	Reporting format
Bioaerosol monitoring	As specified in the Industry Standard Protocol or other form as agreed in writing by the Environment Agency

Schedule 3 - 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 4 Interpretation

"accepted" for waste being delivered to the site, shall mean accepted as waste input to the site for storage and/or processing and/or disposal under the specified waste management operations.

"accident" means an accident that may result in pollution

"Aerobic" means in the presence of oxygen.

"Authorised officer of the Agency" means any person(s) authorised in writing by the Agency pursuant to section 108(1) of the 1995 Environment Act to exercise any of the powers in subsection 4 of that section.

"48 hour M5 Rule" a rule which uses the worst rainfall event in any 48 hour period, which is taken to occur every 5 years, to calculate the volume of any potential run-off from an area of impermeable pavement. The volume of run-off =rainfall* in metres multiplied by the area of impermeable pavement in square metres.

* Uses the 48 hour rainfall data in the Centre for Ecology and Hydrology's "Flood Estimation Handbook".

"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*.

"composting" means the biological decomposition and stabilisation of organic substrates, under conditions that are predominantly aerobic and that allow the development of thermophilic temperatures as a result of biologically produced heat. It results in a final product that has been sanitised and stabilised, is high in humic substances and can be beneficially applied to land."

"Container" means a container which does not permit either the ingress or egress of liquids, or the escape of dusts or wastes contained within it.

"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**.**

"engineered" for works specified in these conditions means carried out and completed using the relevant engineering process specified in these conditions.

"engineering" for engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions.

"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 any water contained in underground strata.

"hazardous" means a property that in particular circumstance could lead to harm.

"immediately" for carrying out of actions under the conditions, shall mean without delay and within a reasonable time, taking into account any more immediate direct action necessary to prevent or minimise risk to human health and the environment. For carrying out notifications to the Agency, shall also mean by the fastest effective means available(for example telephone) and confirmed in writing within 1 working day (or such other time as may be ageed by the Agency within the conditions).

"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.

"Maintenance" for engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions.

"moisture touch test" means taking a sample of composting material and gently compressing it, if the material adheres together without liquid seeping out, then the moisture content is between 40 and 60% (w/w). If liquid seeps out, then the moisture content is above 60%(w/w). If the material fails to adhere together, then the moisture content is below 40%(w/w).

"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.

"received" for waste being delivered to the site, shall mean delivered to the site and undergoing the waste acceptance procedures, including storage of those wastes during those procedures prior to acceptance of the waste.

"relevant offences" are offences within the meaning of regulation 3 of the Waste Management Licensing Regulations 1994 or any statutory provisions or regulations amending or replacing them.

"special waste" has the meaning as defined by regulation 2 of the Special Waste Regulations 1996 or any statutory provisions or regulations amending or replacing them.

"specified waste management operations" means the waste management operations authorised by condition 1.1 of this licence.

"surface water" means any lake, pond, river or watercourse whether natural or artificial.

"the 1994 Regulations" means the Waste Management Licensing Regulations 1994 and any statutory provisions or regulations amending or replacing them.

"the Agency" means the Environment Agency.

"the Licence Holder" means the Licence Holder specified in this licence or other person to whom the licence is transferred in accordance with section 40 of the Environmental Protection Act.

"the operator" means any person who is in occupation of the site and has responsibility for carrying out day to day activities at the site.

"the site" means the land, structures, plant and equipment to which this licence relates.

"time periods, eg annually, quarterly, monthly per year etc" where periods are referred to in conditions, they shall be calculated in the following way:

- Annually or per year: 1 April to 31 March;
- Quarterly: 1 April to 30 June, 1 July to 30 September, 1 October to 31 December, 1 January to 31 March.:
- Monthly: calendar month
- Weekly: Monday to Sunday

Where the issue of the licence does not coincide with the start of ant of these periods, then any relevant limits for the first period shall apply pro-rata.

"waste" means controlled waste as defined in section 75(4) of the 1990 Act and the Controlled Waste Regulations 1992 or any statutory provisions of regulations amending or