Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2007

Mobile Treatment Plant

Portway Plant Limited
Holly Farm
Whitepits Lane
Portway
Birmingham
B48 7HP

Permit number

EPR/AP3896LU

EA WMC 100513

[redacted]

Permit

Permit number
EPR/AP3896LU

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

Portway Plant Limited ("the operator"),

whose registered office is

Holly Farm, Whitepits Lane, Portway, Birmingham, B48 7HP

company registration number **3862555**

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

Under regulation 27(2) of the Regulations, standard rules **SR2008No27** are conditions of this permit.

Name **Karen Andrews**	Date
[redacted]	20th August 2008

Authorised on behalf of the Agency

Standard rules

Chapter 4, The Environmental Permitting (England and Wales) Regulations 2007

Environment Agency

Standard rules SR2008No27 - mobile plant for the treatment of soils and contaminated material, substances or products

Introductory note

This introductory note does not form part of these standard rules

When referred to in an environmental permit, these rules will allow the operator to operate mobile plant. The mobile plant shall be for the treatment of soils and the treatment of contaminated material, substances or products, for the purpose of remedial action with respect to land or controlled waters.

The operator is allowed to use the following technology and associated plant necessary to facilitate the treatment or remedial action, including the use of that technology and plant in combination with others listed:

- Air sparging
- Bioremediation – insitu and exsitu (windrows, biopiles, in-vessel bioreactors)
- Biosparging
- Bioventing
- Chemical Treatment (including oxidation, dehalogenation)
- Soil Vapour Extraction (including dual phase SVE)
- Soil Flushing (including steam injection)
- Soil Washing
- Solidification
- Stabilisation
- Thermal treatment (including thermal desorption and steam injection), and
- Treatment plant for blending, mixing, bulking, screening, shredding, particle size reduction and / or particle separation in order to facilitate remedial action.

End of introductory note

Rules

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 rule 1.1.1 shall be maintained.

1.1.3 Any persons having duties that are or may be affected by the matters set out in these standard rules 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 table 2.1 below ("the activities").

2.1.2 Treatment activities under these rules shall not begin at any site until the 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.

Table 2.1 activities	
Description of activities	**Limits of activities**
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) **R3**: Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes) **R4**: Recycling/reclamation of metals and metal compounds **R5**: Recycling/reclamation of other inorganic materials	Storage and treatment for recovery consisting only of use of the following technology and associated plant including the use of that technology and plant in combination with others listed: ▪ Air sparging ▪ Bioremediation – insitu and exsitu (windrows, biopiles, in-vessel bioreactors) ▪ Biosparging ▪ Bioventing ▪ Chemical Treatment (including oxidation, dehalogenation) ▪ Soil Vapour Extraction (including dual phase SVE) ▪ Soil Flushing (including steam injection) ▪ Soil Washing ▪ Solidification ▪ Stabilisation ▪ Thermal treatment (including thermal desorption and steam injection), and ▪ Treatment plant for blending, mixing, bulking, screening, shredding, particle size reduction and / or particle separation in order to facilitate remedial action.

2.2 Waste acceptance

2.2.1 The total quantity of waste soils and contaminated material, substances or products treated at any site shall not exceed that stated in the agreed deployment form for that particular site.

2.2.2 Only those waste soils and contaminated materials, substances or products types listed in the agreed deployment form can be stored and treated under these standard rules.

3 – Emissions and monitoring

3.1 Emissions to air, water 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 Fugitive emissions of substances

3.2.1 Fugitive emissions of substances (excluding odour and noise) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including those specified in Table 3.2 below and any approved fugitive emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

Table 3.2 Appropriate measures for fugitive emissions

Measures
1. Unless otherwise stated in the agreed deployment form, waste soils and contaminated materials, substances or products shall be kept and treated on an impermeable surface with sealed drainage system.
2. Inert wastes shall be kept and treated on hard standing or on an impermeable surface with sealed drainage system.

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 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.

3.5 Pests

3.5.1 Scavenging animals, scavenging birds and other pests shall not cause nuisance, unless the operator has used appropriate measures to prevent or where that is not practicable, to minimise, such nuisance.

3.6 Monitoring

3.6.1 The operator shall undertake monitoring for the parameters, at the locations and not less than the frequencies specified in the agreed deployment form.

3.6.2 The operator shall maintain records of all monitoring required by these standard rules 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.

4 – Information

4.1 Records

4.1.1 All records required to be made by these standard rules 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 by the Agency, for at least 6 years from the date when the records were made.

4.1.2 All records, plans and the management system required to be maintained by these standard rules shall be held on the site.

4.2 Reporting

4.2.1 All reports and notifications required by these standard rules shall be sent to the Agency using the contact details supplied in writing by the Agency.

4.2.2 Within one month of the end of each quarter, the operator shall submit to the 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 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 these standard rules and the agreed deployment form; or

(c) any significant adverse environmental effects.

4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.

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:

a) Where the operator is a registered company:
- any change in the operator's trading name, registered name or registered office address
- 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
- any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

b) Where the operator is a corporate body other than a registered company:
- any change in the operator's name or address; and
- any steps taken with a view to the dissolution of the operator.

c) In any other case:
- the death of any of the named operators (where the operator consists of more than one named individual); 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 them being in a partnership, dissolving the partnership.

4.4 Interpretation

4.4.1 In these standard rules the expressions listed below shall have the meaning given.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification being made "without delay", in which case it may be provided by telephone.

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

"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.

"contaminated material, substances or products" means contaminated material, substances or products for the purpose of remedial action with respect to land and controlled waters.

"deployment form" means the Environment Agency form (WML2) that requires site specific information and control measures to be provided and agreed prior to the use of any mobile plant at a site.

"emissions to land", include emissions to groundwater.

"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.

"impermeable surface" means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the pavement surface, and should be read in conjunction with the term "sealed drainage system" (below).

"pollution" means emissions as a result of human activity which may—

(a) be harmful to human health or the quality of the environment,

(b) cause offence to a human sense,

(c) result in damage to material property, or

impair or interfere with amenities and other legitimate uses of the environment.

"*quarter*" means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

"sealed drainage system" in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

(a) no liquid will run off the surface otherwise than via the system;

(b) except where they may lawfully be discharged, all liquids entering the system are collected in a sealed sump.

"*site"* means the place where mobile plant is deployed as detailed in the agreed deployment form(s).

"year" means calendar year commencing on 1st January.

End of standard rules