

Notice of variation and consolidation with introductory note

Environmental Permitting (England & Wales) Regulations 2007

Whitby Waste Treatment & Transfer
Facility

Marcus Richardson (Environmental
Services) Ltd
Fairfield Transfer Station
Fairfield Business Park
Whitby
North Yorkshire
YO22 4PU

Variation and consolidation notice
number
EPR/FP3290ZP/C003

Permit number
EPR/FP3290ZP

Whitby Waste Treatment & Transfer Facility

Permit number EPR/FP3290ZP

Introductory note

This introductory note does not form a part of the permit

This notice is to advise you of the variation of environmental permits A & B referred to in the status logs below and the replacement of those permits with a consolidated environmental permit.

This consolidation is to consolidate 2 permits which operate on the same site with the same operator. The variation is to increase the input of waste from a current total of 22049 tonnes per annum across the two sites to a total throughput of 46700 tonnes per annum across the two sites.

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

Status Log of permit EPR/FP3290ZP (Permit A)

Detail	Date	Response Date
Waste Management Licence (EAWML 60177)	12/09/96	
Modification (EAWML 60177)	20/03/97	
Modification (EAWML 60177)	31/03/98	
Modification (EAWML 60177)	17/12/99	
Transfer (EAWML 60177)	23/05/06	
Variation Application EPR/FP3290ZP/C003	Duly Made 02/11/09	
Additional Information Received		04/02/10
Additional Information Received		15/02/10
Variation determined	26/02/10	
Consolidated permit number EPR/FP3290ZP		

Status Log of permit B: EPR/FG1234HI (Permit B)

Detail	Date	Response Date
Waste Management Licence (EAWML 66188)	31/01/06	
Transfer (EAWML 66188)	23/05/06	
Variation Application EPR/AP3096ZL/V003	Duly Made 02/11/09	
Additional Information Received		04/02/10
Additional Information Received		15/02/10
Variation determined	26/02/10	
Consolidated permit number EPR/FP3290ZP		

End of Introductory note

Notice of variation and consolidation

**Environmental Permitting
(England and Wales) Regulations 2007**

Permit number
EPR/FP3290ZP

The Environment Agency in exercise of its powers under Regulation 20 of the Environmental Permitting (England and Wales) Regulations 2007 (SI 2000 No 3538) (the Regulations) varies the environmental permits as set out below and in exercise of its powers under Regulation 18 of the Regulations replaces them with a consolidated environmental permit in the form set out in Schedule 2.

Permit	Site address	Type of regulated facility	Original permit number
A	Fairfield Business Park Whitby North Yorkshire YO22 4PU	Waste Transfer Facility	EPR/FP3290ZP
B	Fairfield Business Park Whitby North Yorkshire YO22 4PU	Waste Treatment Facility	EPR/AP3096ZL

The conditions of environmental permits A & B held by:

Marcus Richardson Environmental Services Ltd ("the operator"),

whose registered office

**Mount View
Standard Way
Northallerton
North Yorkshire
DL6 2YD**

company registration number 03831144

are varied to the extent set out in the Schedule 1 to this notice and replaced with a consolidated environmental permit in the form set out in Schedule 2.

This notice shall take effect from 26th February 2010

Name	Date
	26 th February 2010

Jane McNamara Authorised on behalf of the Environment Agency

Schedule 1: Variations to Environmental Permits

Permit A: EPR/FP3290ZP

All conditions were replaced with new template conditions.

Permit B: EPR/AP3096ZL

All conditions were replaced with new template conditions.

Schedule 2 – Form of consolidated environmental permit

Please see attached.

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 and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

3 Emissions and monitoring

3.1 Fugitive emissions of substances

3.1.1 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, but not limited to, those specified in any approved fugitive emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.1.2 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.

3.2 Odour

3.2.1 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 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.

3.2.2 The operator shall:

- (a) if notified by the Agency that the activities are giving rise to pollution 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.

3.3 Noise and vibration

3.3.1 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 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.

3.3.2 The operator shall:

- (a) if notified by the Agency that the activities are giving rise to pollution 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 where practicable, or other location agreed in writing and controlled by the operator.

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

4.2.2 Within 1 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 the 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 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; 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 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.

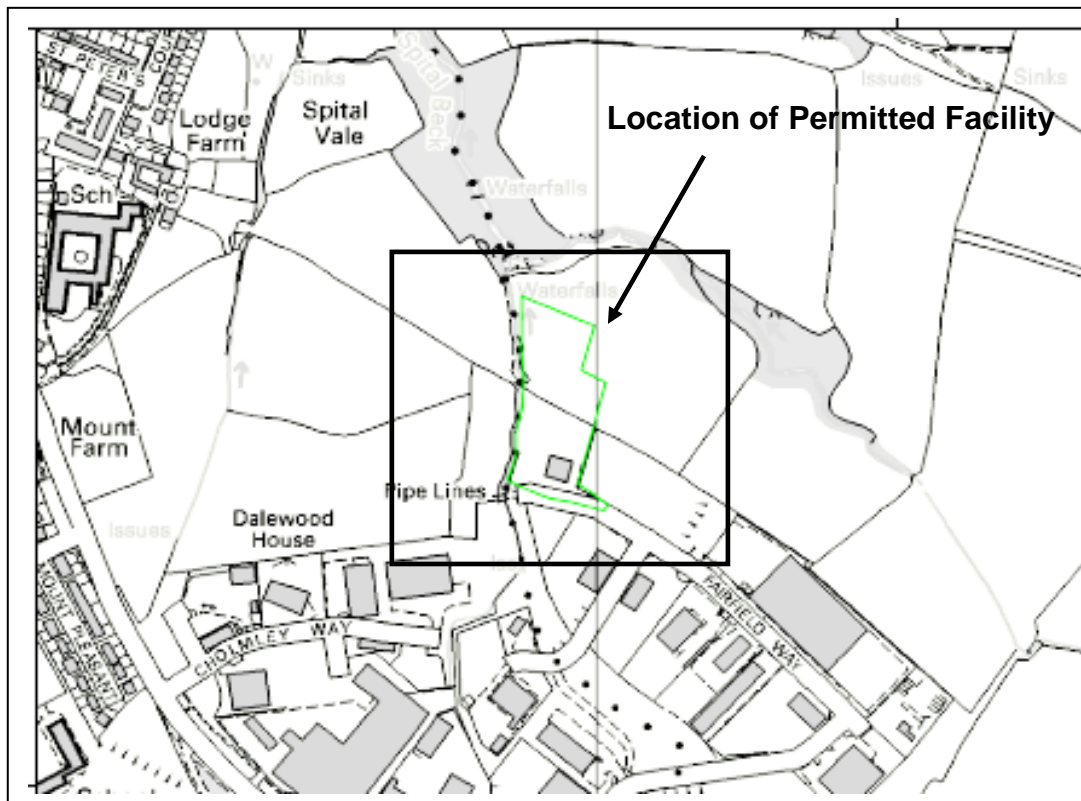
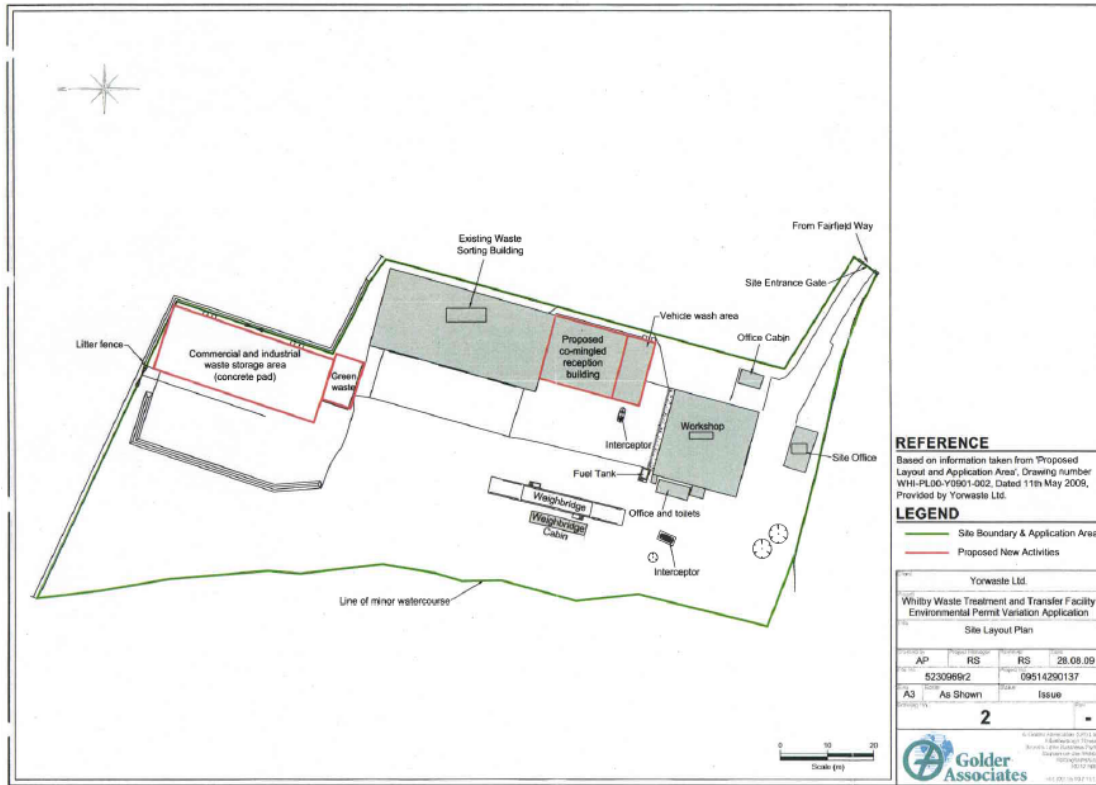
4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “without delay”, in which case it may be provided by telephone.

Schedule 1 - Operations

Table S1.1 activities	
Description of activities for waste operations	Limits of activities
<p>D15: Storage pending any of the operations numbered D01 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>D9: Physico-chemical treatment not specified elsewhere which results in final compounds or mixtures which are disposed of by any of the operations numbered D01 to D12</p> <p>R3: Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)</p> <p>R4: Recycling/reclamation of metals and metal compounds</p>	<p>Treatment operations shall be limited to:</p> <p>Physical treatment consisting of sorting, screening, crushing or separation into different components for the purpose of disposal (no more than 50 tonnes per day), or recovery.</p> <p>All bulking, transfer or treatment of waste shall be carried out inside a building on an impermeable surface with sealed drainage system; except for 01 04 08; 02 01 03; 02 01 07; 03 01 01; 03 03 01; 10 13 14; 17 01 01; 17 01 02; 17 01 03; 17 01 07; 17 02 01; 17 02 02; 17 02 03; 17 04 01; 17 04 02; 17 04 03; 17 04 04; 17 04 05; 17 04 06; 17 04 07; 17 04 11; 17 05 04; 17 06 04; 17 08 02; 17 09 04; 20 02 01 & 20 02 02 shall be stored and treated on a concrete pad, outside with drainage to foul sewer via an interceptor.</p> <p>Any WEEE (20 01 36) shall be stored within a secure container awaiting removal from site.</p>

Table S1.2 Operating techniques		
Description	Parts	Date Received
Accident Management Plan	All Parts	04/02/10
Working Plan	All Parts	15/02/10
Environmental Work Practice	S05.01; S02.03; S02.04; S10.01; 10.02 & S02.31	11/09/09
Environmental Risk Assessment Ref: 09514290137.504	All Parts	11/09/09
Getting the Basics Right	Section 1; 2; 3; 4 & Annexe 1	

Schedule 2 - Site plan



Schedule 3 - Waste types

Table S 3.1. Permitted waste types and quantities for Whitby Waste Transfer & Treatment Facility	
Maximum Quantities	
The total quantity of waste accepted at the site shall be less than 46,700 tonnes a year.	
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
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 04	Wastes from physical and chemical processing of non-metalliferous minerals
01 04 08	Waste gravel and crushed rocks other than those mentioned in 01 04 07
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 01	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 03	Plant-tissue waste
02 01 04	Waste plastics (except packaging)
02 01 07	Wastes from forestry
02 01 10	Waste metal
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD
03 01	Wastes from wood processing and the production of panels and furniture
03 01 01	Waste bark and cork
03 01 05	Sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04
03 03	Wastes from pulp, paper and cardboard production and processing
03 03 01	Waste bark and wood
03 03 08	Wastes from sorting of paper and cardboard destined for recycling
10	WASTES FROM THERMAL PROCESSES
10 13	Wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 14	Waste concrete and concrete sludge
11	WASTES FROM CHEMICAL SURFACE TREATMENT AND COATING OF METALS AND OTHER MATERIALS; NON-FERROUS HYDRO METALLURGY
11 05	Wastes from hot galvanising processes
11 05 01	Hard zinc
12	WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS

Table S 3.1. Permitted waste types and quantities for Whitby Waste Transfer & Treatment Facility	
12 01	Wastes from shaping and physical and mechanical surface treatment of metals and plastics
12 01 01	Ferrous metal filings and turnings
12 01 03	Non-ferrous metal filings and turnings
15	WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	Packaging (including separately collected municipal packaging waste)
15 01 01	Paper and cardboard packaging
15 01 02	Plastic packaging
15 01 03	Wooden packaging
15 01 04	Metallic packaging
15 01 05	Composite packaging
15 01 06	Mixed packaging
15 01 07	Glass packaging
15 01 09	Textile packaging
15 02	Absorbents, filter materials, wiping cloths and protective clothing
15 02 03	Absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	End-of-life vehicles from different means of transport [including off-road machinery] and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)
16 01 17	Ferrous metal
16 01 18	Non - ferrous metal
16 01 19	Plastic
16 01 20	Glass
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	Concrete, bricks, tiles and ceramics
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles and ceramics
17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02	Wood, glass and plastic
17 02 01	Wood
17 02 02	Glass
17 02 03	Plastic
17 04	Metals (including their alloys)
17 04 01	Copper, bronze, brass

Table S 3.1. Permitted waste types and quantities for Whitby Waste Transfer & Treatment Facility	
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	Iron and steel
17 04 06	Tin
17 04 07	Mixed metals
17 04 11	Cables other than those mentioned in 17 04 10
17 05	Soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 04	Soil and stones other than those mentioned in 17 05 03
17 06	Insulation materials and asbestos-containing construction materials
17 06 04	Insulation materials other than those mentioned in 17 06 01 and 17 06 03
17 08	Gypsum-based construction material
17 08 02	Gypsum-based construction materials other than those mentioned in 17 08 01
17 09	Other construction and demolition wastes
17 09 04	Mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION/INDUSTRIAL USE
19 10	Wastes from shredding of metal-containing wastes
19 10 01	Iron and steel waste
19 10 02	Non - ferrous waste
19 12	Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 01	Paper and cardboard
19 12 02	Ferrous metal
19 12 03	Non-ferrous metal
19 12 04	Plastic and rubber
19 12 05	Glass
19 12 07	Wood other than that mentioned in 19 12 06
19 12 09	Minerals (for example sand, stones)
19 13	Wastes from soil and groundwater remediation
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	Separately collected fractions (except 15 01)
20 01 01	Paper and cardboard
20 01 02	Glass

Table S 3.1. Permitted waste types and quantities for Whitby Waste Transfer & Treatment Facility	
20 01 08	Biodegradable kitchen and canteen waste
20 01 36	Discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 38	Wood other than that mentioned in 20 01.37
20 01 39	Plastics
20 01 40	Metals
20 02	Garden and park wastes (including cemetery waste)
20 02 01	Biodegradable waste
20 02 02	Soil and stones
20 03	Other municipal wastes
20 03 01	Mixed municipal waste
20 03 02	Waste from markets
20 03 03	Street-cleaning residues
20 03 06	Waste from sewage cleaning
20 03 07	Bulky waste
20 03 99	Municipal wastes note otherwise specified

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 Marcus Richardson Environmental Services

Schedule 7 - 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 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 from a localised or diffuse source which is 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.

"*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.

"*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.

"*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.

"*WEEE*" means waste electrical and electronic equipment.

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

END OF PERMIT