

Standard rules SR2010No18

Storage and treatment of dredgings for recovery

Introductory note

This introductory note does not form part of these standard rules.

When referred to in an environmental permit, these standard rules will allow the operator to temporarily store waste arising from dredging inland waters in lagoons. These standard rules also allow the treatment, by dewatering, of the waste in the lagoons.

Permitted wastes do not include hazardous wastes. The total capacity of the lagoon used for the temporary storage of waste under these standard rules shall not exceed 125,000 cubic metres. These standard rules do not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

The permitted activities shall not be carried out within 500m of a European Site¹, Ramsar site or a Site of Special Scientific Interest (SSSI). The permitted activities shall be outside groundwater Source Protection Zone 1.

The activities shall not be within:

- 10 metres of any watercourse;
- 50 metres from any spring or well, or from any borehole not used to supply water for domestic or food production purposes; and
- 250 metres from any well, spring or borehole used to supply water for domestic or food production purposes.
- 50 metres from any well, spring or from any borehole used for the supply of water for human consumption. This must include private water supplies

These standard rules do not allow any point source emission into surface waters or groundwater. However, under the emissions of substances not controlled by emission limits rule:

- Liquids may be discharged into a foul sewer subject to a consent issued by the local water company.
- Liquids may be taken off-site in a tanker for disposal or recovery.
- Clean surface water from roofs, or from areas of the site that are not being used in connection with storing and treating waste, may be discharged directly to surface waters, or to groundwater by seepage through the soil via a soakaway.

End of Introductory Note

¹ A candidate or Special Area of Conservation (cSAC or SAC) and Proposed or Special Protection Area (pSPA or SPA) in England and Wales.

Rules

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, closure 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 rule 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 these standard rules shall have convenient access to a copy of them 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 Avoidance, recovery and disposal of wastes produced by the activities

1.2.1 The operator shall take appropriate measures to ensure that:

- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
- (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
- (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

The operator shall review and record at least every four years whether changes to those measures should be made and 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 table 2.1 below ("the activities").

Table 2.1 Activities

Description of activities	Limits of activities
R13: Storage of wastes pending the operation numbered R5	The secure storage of waste listed in table 2.3 in a lagoon.
R5: Recycling or reclamation of other inorganic materials	<p>Each load of waste received on site shall not be stored on site for longer than 3 years.</p> <p>The treatment by dewatering of the waste in the lagoon.</p> <p>The lagoon used for the storage and dewatering of waste from table 2.3 shall have a maximum capacity of 125,000 cubic metres.</p>

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 attached to the permit.

2.2.2 The activities shall not be carried out within:

- (a) 500 metres of a European Site or Site of Special Scientific Interest (SSSI);
- (b) Groundwater Source Protection Zone 1;
- (c) 10 metres of any watercourse;
- (d) 50 metres of any spring or well, or any borehole not used to supply water for domestic or food production purposes; and
- (e) 250 metres of any well, spring or borehole used to supply water for domestic or food production purposes.
- (f) 50 metres from any well, spring or from any borehole used for the supply of water for human consumption.

2.3 Waste acceptance

2.3.1 Waste shall only be accepted if:

- (a) it is of a type listed in table 2.3 of these standard rules; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

2.3.2 Records demonstrating compliance with rule 2.3.1 shall be maintained.

Table 2.3 Waste types

Exclusions	
<p>Wastes having any of the following characteristics shall not be accepted:</p> <ul style="list-style-type: none"> • Consisting solely or mainly of dusts, powders or loose fibres • Waste containing Hazardous substances (as defined in the Groundwater Regulations SI 2009 No. 2902) • Waste that may give rise to the introduction into groundwater of any Non-hazardous pollutants so as to cause pollution (as defined in the Groundwater Regulations SI 2009 No. 2902). 	
Waste Code	Description

Table 2.3 Waste types	
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 05	Soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 06	Dredging spoil from inland waters (other than those mentioned in 17 05 05)

- 2.3.3 Records shall be maintained identifying the information as detailed in table 2.4 and shall be submitted to the Environment Agency upon request:

Table 2.4 Waste records	
Ref.	Waste records
1.	Details of the dredging campaigns from which the waste to be deposited and treated arises. Details should include the location and the length of the stretch of inland water dredged and the quantity of waste deposited under this campaign.
2.	Where the location suggests that wastes may be potentially contaminated, analysis of the waste and a pollution risk assessment shall be submitted to the Environment Agency prior to deposit.

Operating techniques

- 2.4.1 The activities shall be operated using the techniques and in the manner described in Table 2.4 below.

Table 2.4 Operating techniques	
1. No waste is stored within 0.75 metres of the top of a lagoon.	

3 – Emissions and monitoring

3.1 Emissions of substances not controlled by emission limits

- 3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule 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.
- 3.1.2 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.
- 3.1.3 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.

3.2 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 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.
- 3.2.2 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.

3.3 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 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.
- 3.3.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to 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 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 Environment 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 land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by these standard rules, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by these standard rules 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 the 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:
- 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;
 - the breach of a limit specified in these standard rules; or
 - 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 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:
 - any change in the operator's trading name, registered name or registered office address; and
 - 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:
 - any change in the operator's name or address; and
 - any steps taken with a view to the dissolution of the operator.
 - In any other case:
 - the death of any of the named operators (where the operator consists of more than one named individual);
 - any change in the operator's name(s) or address(es); 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 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.

"domestic purposes" has the same meaning as in section 218 of the Water Industry Act 1991.

"emissions of substances not controlled by emission limits" means emissions of substances to air, water or land from the activities, either from emission points specified in these standard rules or from other localised or diffuse sources, which are not controlled by an emission limit.

“European Site” means Special Area of Conservation or candidate Special Area of Conservation or Special Protection Area or proposed Special Protection Area in England and Wales, within the meaning of Council Directives 79/409/EEC on the conservation of wild birds and 92/43/EEC on the conservation of natural habitats and of wild flora and fauna and the Conservation (Natural Habitats &c) Regulations 1994. Internationally designated Ramsar sites are dealt with in the same way as European sites as a matter of government policy and for the purpose of these rules will be considered as a European Site.

“food production purposes” means the manufacturing, processing, preserving or marketing purposes with respect to food or drink for which water supplied to food production premises may be used, and for the purposes of this definition “food production purposes” means premises used for the purposes of a business of preparing food or drink for consumption otherwise than on the premises.

“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 Source Protection Zone” has the meaning given in the document titled “Groundwater Protection: Policy and Practice” published by the Environment Agency in 2006.

“hazardous substances and non-hazardous pollutants” have the meaning given in the Groundwater Regulations SI2009 No. 2902

“inland water” has the meaning given by section 221(1) of the Water Industry Act 1991.

“lagoon” means, for the purpose of the deposit of non-hazardous dredgings from small waterways, any area of land, where the deposit takes place, that controls or contains the waste or prevents any direct liquid runoff by either natural or man made methods. This could be for example:

- where waste is deposited in a depression (similar to a pond),
- where bunds are constructed to contain or control the waste, whether or not they totally encompass the waste,
- where a hollow is excavated for the deposit of waste,
- where waste is deposited against an embankment.

“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
- (d) 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.

“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.

“secure storage” means storage where waste cannot escape and members of the public do not have access to it.

“SSSI” means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

“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 commencing on 1st January.

End of standard rules

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