

Guidance notes on part E2 – Surrender application (installations, waste operations, medium combustion plant/specified generator and mining waste operations only)



Please read these guidance notes carefully before you fill in the forms.

This guidance will help you complete part E2 of the application form pack.

Where you see the term ‘document reference’ on the form, give the document references and send the documents with the application form when you’ve completed it.

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1 About your permit

1a Discussions before your application

If you have already discussed this application with us, either tell us the permit reference number or give details in a separate document and tell us its document reference number.

We can then refer to the information you’ve already given us, to help us determine your application.

If you wish to have a pre-application discussion call 03708 506 506 or go to <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>.

1b Permit number

Tell us what the current permit number is.

1c Site details

Fill in the site name, address and postcode.

1d Type of permit

Tell us whether the surrender application relates to a site, or mobile plant permit, or a standalone medium combustion plant/specified generator. If it’s for a site permit, go to section 2, if it’s for a mobile plant permit go to section 5, if it’s for a standalone medium combustion plant/specified generator permit go to section 7.

2 About your application

2a Low risk surrender

Tell us whether the surrender application is a low risk surrender application.

A ‘low risk’ surrender application is where you are applying to surrender a permit for an activity where the evidence burden to demonstrate that the site is in a satisfactory condition is small or non-existent. This will include permits where the operation never started. If we have confirmed that the facility you wish to surrender is low risk and we do not have to carry out an intrusive investigation (except in the case of a landfill surrender; see below), tick this box and you pay a reduced fee. You must also send a copy of the evidence with the application.

Surrendering a landfill

Low risk landfill surrender will include an intrusive investigation; check the guidance and talk to us. If we confirm that the criteria for low risk landfill surrender are met, tick this box and you will pay a different reduced fee. You must also send a copy of the evidence with the application.

You can find guidance on landfill surrender reports by searching for ‘Landfill (EPR 5.02) and other permanent deposits of waste: how to surrender your environmental permit’ at www.gov.uk/government/organisations/environment-agency.

Surrendering a permit where operations have not commenced

If we have confirmed that the facility you wish to surrender is low risk because operations have not started and so we do not have to carry out an intrusive investigation, tick this box and you pay a different reduced fee. You must also send a copy of the evidence with the application.

Guidance on low risk surrender

You can find guidance on low risk surrender in ‘Regulatory guidance note 9 surrender’, ‘Horizontal guidance note 5 site condition report’ and ‘Landfill (EPR 5.02) and other permanent deposits of waste: how to surrender your environmental permit’ at <http://www.gov.uk/government/organisations/environment-agency> or by calling 03708 506 506.

For details of the fees for sites where either operations never started or they are low risk for other reasons see the environment permit charging scheme guidance at www.gov.uk/government/organisations/environment-agency.

2b Have we confirmed during discussions we have had with you before your application that this will be a low risk surrender? Have there been any changes to your proposal since the discussions?

If you are applying for a low risk surrender you must fill in these questions.

Please read our guidance (see above section 2a for references) which will help you decide if the application will meet the requirements of a low risk surrender.

Please get in touch with us to discuss this so we can confirm, either way, what type of application this will be. It is very much in your interests to agree with us first that your application is a low risk surrender.

2c Tick to show whether you are applying to surrender all or part of your permit.

3 About the parts of the permit you want to surrender

Tell us whether the surrender application is for part or all of the permit.

If it’s for part of the permit, go to section 3. If it’s for all, go to section 4.

A partial surrender is where you apply for surrender in respect of some but not all of the activities covered by your permit. If the application is accepted, you will still be able to operate the activities that were not covered by the partial surrender. For example, if you run a manufacturing process and a dedicated waste treatment facility, improvements to the former may eliminate waste production, making the latter redundant. In this case you might want to surrender the permit in respect of the waste facility.

If you are applying for a partial surrender, you will need to supply a map or plan identifying the part of the permit to which the surrender application relates, and a map or plan identifying the part (or parts) of the permit you will be keeping (please clearly mark the new boundary).

3a Fill in Table 1 with details of all the activities you no longer operate or plan to stop operating

Complete a separate table for each installation, waste facility or mining waste operation.

Standard facilities

Installation, waste facility or mining waste operation reference: Use a unique identifier for each facility you are applying to partially surrender.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste operation: Leave this column blank.

Description of the mining waste operation: Leave this column blank.

Standard facility: Identify which standard rule set or sets you want to surrender.

If you are applying to partially surrender installations

Installation, waste facility reference or mining waste operation: Use a unique identifier for each installation you are applying to partially surrender.

Schedule 1 references: Quote the section number, part A(1) or A(2) or B, then paragraph and sub paragraph number as shown in Part 1 of Schedule 1 to the regulations of the activities you are applying to surrender.

Description of the activity: Use the descriptions as used in Schedule 1 of the regulations.

Description of the waste facility: Leave this column blank.

Standard facility: Leave this column blank.

If you are applying to partially surrender waste facilities

Installation, waste facility or mining waste operation reference: Use a unique identifier for each waste facility you are applying to partially surrender.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste facility: Identify which parts of the waste facility you want to surrender.

Description of the mining waste operation: Leave this column blank.

Standard facility: Leave this column blank.

If you are applying to partially surrender mining waste operations

Installation, waste facility, mining waste operation reference: Use a unique identifier for each mining waste operation you are applying to partially surrender.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste facility: Leave this column blank.

Description of the mining waste operation: Identify which parts of the mining waste operation you want to surrender.

3b It might be necessary, as a result of a partial surrender, to vary some of the permit conditions in the remaining permit. For example, the conditions could regulate an aspect of a relationship between two different activities. If the permit were to be surrendered in respect of one of those activities, the conditions relating to the other may have to be changed.

If you think the surrender for which you are applying requires any variations to the remaining permit conditions, you should also fill in the relevant part C of the application form pack to apply for those changes.

Give the document reference here for your completed part C so we can reference it when determining your surrender application.

4 For all applications (except medium combustion plant/specified generator and mobile plant)

4a You must supply a surrender site condition record/baseline report (for Industrial Emission Directive sites) describing the condition of the site of your permit (or the relevant part of the site in the case of a partial surrender). This report should demonstrate that there has been no deterioration in the site condition as a result of permitted activities since the permit was issued (but excluding areas of landfill or permanent deposits of mining wastes). If pollution has occurred, you must demonstrate that the site has been returned to a satisfactory condition.

Search for 'Environmental permitting: H5 site condition report and template' at www.gov.uk/government/organisations/environment-agency or call 03708 506 506.

You can find guidance on landfill surrender reports by searching for 'Landfill (EPR 5.02) and other permanent deposits of waste: how to surrender your environmental permit' at www.gov.uk/government/organisations/environment-agency.

Give the document reference here and send the document with the application form when you've completed it.

4b Tell us whether any steps have been taken to avoid any pollution risk or to return the site to a satisfactory state. In most cases we will need to be satisfied that any pollution risks that have resulted from the operation of the site since the permit was granted have been removed. In the case of relevant waste operations you may also need to take steps in relation to pollution risks that resulted from operations before the permit was granted. You must describe the pollution risks that you have identified and the steps you have taken to address them.

Where appropriate, explain how you have implemented any requirements of your permit relating to removal of pollution risks and restoration of the site to a satisfactory state upon surrender. The site condition report guidance requires that any steps taken to avoid pollution risks or to return the site to a satisfactory state are described in the surrender site report detailed in question 4a above.

Give the document reference here and send the document with the application form when you've completed it.

Section 5.0 of the site condition report guidance provides the criteria for when an intrusive investigation is required as part of an application to surrender. You can get this by calling 03708 506 506 or by downloading it from www.gov.uk/government/organisations/environment-agency.

Tick 'yes' if you think your application does not require an intrusive investigation (note except for a low risk surrender of a landfill) and meets the low risk criteria detailed in the site condition report guidance.

Tick 'yes' if there are any regulated facilities included in your application where operations have not started. Detail which ones in the free text box provided as they will be subject to a lower surrender application charge.

Now fill in the relevant parts of C1 to C7 if you answered 'yes' to question 3b above, and part F1 in all cases.

5 Part B permits

Complete this section if 'Part B' is ticked in section 1d.

5a The date for the surrender must be at least 20 working days from the date we receive the form. The current holder will be responsible for compliance with the permit and any associated charges until the surrender is complete.

Now fill in part F1.

6 Surrendering mobile plant

Complete this section if 'mobile plant' is ticked in question 1d.

6a The date for the surrender must be at least 20 working days from the date we receive the form. The current holder will be responsible for compliance with the permit and any associated charges until the surrender is complete.

Now fill in part F1.

7 Surrendering medium combustion plant/specified generator

Complete this section if a standalone medium combustion plant/specified generator is ticked in section 1d

7a The date for the surrender must be at least 20 working days from the date we receive the form. The current holder will be responsible for compliance with the permit and any associated charges until the surrender is complete.

7b Fill in table 2 to identify the combustion units you no longer operate or plan to stop operating.

8 How to contact us

If you need help filling in this form, please contact the person who sent it to you or contact us as shown below.

General enquiries: 03708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 03702 422 549 (Monday to Friday, 8am to 6pm)

Email: enquiries@environment-agency.gov.uk

Website: www.gov.uk/government/organisations/environment-agency

Please tell us if you need information in a different language or format (for example, in large print) so we can keep in touch with you more easily.