

Guidance notes on part C5 – Varying a water discharge permit to become a mining waste operation permit or varying a bespoke mining waste operation permit



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

You only need to give us details in this part of the application for the parts of the permit that will be affected (for example, if you are adding a new facility or making changes to existing ones).

You do not need to resend any information from your original permit application if it is not affected by your proposed changes.

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Change to add an inert mining waste operation?

If you have an existing permit for a water discharge activity that is integral to the mining waste operation and you wish to vary this permit by adding the requirements for an inert mining waste operation, complete forms A, C1 (not C5) and F1. Please note that we will issue a bespoke permit but it will resemble the standard rules for mining waste as closely as possible but will not technically be a standard rules permit.

1 What activities are you applying to vary?

Tick the relevant box for the activity you are applying to vary.

The table below shows all the types of mining waste activities and what other information may be required as part of the permit application.

	Activity type	Financial guarantee required?	Permit dependent on planning permission being issued?	Point source discharge to water?	Article 7 of MWD?
M1	Management of any extractive waste in a Category A mining waste facility	Yes	Yes	Possible	Possible
M2	Management of hazardous waste	Yes	Yes	Possible	Possible
M3	Management of non-inert, non-hazardous extractive waste that includes a mining waste facility	No	Yes	Possible	Yes
M4	Management of non-inert, non-hazardous extractive waste that does not include a mining waste facility	No	No	Possible	No

2 Waste management plan

All operations managing extractive waste are required to produce a waste management plan (WMP) in accordance with article 5 of the Mining Waste Directive for our approval.

The operator must prepare a WMP describing the minimisation, treatment, recovery and disposal of extractive waste, taking account of the principle of sustainable development. The plan must describe how the objectives in Article 5.2 will be met and include the information required by Article 5.3.

All WMPs must:

- for each mining waste facility, either classify the operation as Category A or justify why not, as set out in Article 9 MWD;
- categorise the extractive waste as inert, hazardous, or non-hazardous non-inert as described in Article 3.2 and 3.3 MWD; and
- confirm whether the operation will include a mining waste facility (see note¹ below) as described in Article 3.15 MWD.

¹ Depends on time period of deposit. Includes any deposit in a Category A or hazardous waste, for more than six months for unexpectedly generated hazardous waste, for more than one year for non-hazardous non-inert waste and for more than three years for inert extractive waste, unpolluted soil, waste from the management of peat and non-hazardous prospecting waste (except from oil and evaporates other than gypsum and anhydrite).

A WMP will vary from the very simple to more complex depending on the nature of the operation. To make clear the situations where the regulatory requirements are reduced, we have identified a number of types of extractive waste operation.

For further guidance search for ‘Mining waste operations: additional guidance’ at www.gov.uk/environment-agency

3 External emergency plans (for Category A mining waste facilities only)

You need to include information necessary for the relevant emergency planner to be able to draw up the external emergency plan. This information should be provided for all permit variations relating to Category A mining waste facilities where changes to the operation of a Category A mining waste facility may affect the existing external emergency plan. Note that this would also include variations to add Category A mining waste facilities. If you consider that no further information needs to be provided to the relevant emergency planner, please provide your reasons in the document.

Further guidance is available in EPR 6.14 ‘How to comply with your environmental permit, Additional guidance for: mining waste operations’ at www.gov.uk/government/organisations/environment-agency.

4 Additional information

4a Tell us if the mining waste operation includes one or more inert mining waste facilities and if ‘yes’ tell us how many.

4b Tell us which sector category the activity is by ticking the relevant box in the list on the form.

4c Tell us if the mining waste operation includes a point source discharge to surface water and if ‘yes’ give us a reference number.

4d Tell us if the mining waste operation includes a discharge to groundwater and if ‘yes’ give us a reference number.

5 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