

# Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Subcoal Production TSP Ltd

Reclamation Pond Materials Recycling Facility North Tees Access Road Port Clarence Stockton on Tees TS2 1TT

Variation application number

EPR/SP3305PX/V003

#### Permit number

EPR/SP3305PX

# Reclamation Pond Materials Recycling Facility Permit number EPR/SP3305PX

## Introductory note

#### This introductory note does not form a part of the notice

Under the Environmental Permitting (England & Wales) Regulations 2016 (schedule 5, part 1, paragraph 19) a variation may comprise a consolidated permit reflecting the variations and a notice specifying the variations included in that consolidated permit.

Schedule 1 of the notice specifies the conditions that have been varied and schedule 2 comprises a consolidated permit which reflects the variations being made. Only the variations specified in schedule 1 are subject to a right of appeal.

#### Changes introduced by this variation notice:

This permit variation has been issued to implement the following guidance "Non-hazardous and inert waste: appropriate measures for permitted facilities" and to implement the relevant requirements Best Available Techniques (BAT) Conclusions set out in implementing decision (EU) 2018/1147 of 10 August 2018.

The Industrial Emissions Directive (IED) came into force on 7 January 2014 with the requirement to implement all relevant Best Available Techniques (BAT) Conclusions as described in the Commission Implementing Decision.

Article 21(3) of the IED requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication of updated decisions on Best Available Techniques (BAT) Conclusions. The BAT Conclusions for Waste Treatment (the BREF) was published on 17 August 2018 following a European Union wide review of BAT, implementing decision (EU) 2018/1147 of 10 August 2018.

The non-hazardous and inert waste: appropriate measures for permitted facilities guidance was published on the gov.uk website on 12 July 2021. This guidance sets out the standards that are relevant to regulated facilities with a permit to store, treat or transfer (or both) non-hazardous and inert wastes.

This variation has consolidated the original permit and subsequent variations.

#### Brief summary of the changes

Reclamation Pond Materials Recycling Facility is an installation facility that is permitted to treat nonhazardous waste. The site is located within an industrial area and is bound to the north by the undeveloped Phase 1 area of the Reclamation Pond site, to the south by Huntsman Drive and Port Clarence Landfill, to the east by the defunct Tees Valley Renewables Plasma Gasification project site and to the west by an unsurfaced access road, service corridor and perimeter West Bund beyond which is Dorman's Pool.

The nearest residential property to the site is located approximately 2km away from the site. There are 2 sensitive receptors within screening distance of the facility - Teesside and Cleveland Coast SPA/RAMSAR/SSSI (Closest part of the receptor Dorman's Pool ~70m W/NW) and Seal Sands SSSI ~1.3km NE.

The environmental permit allows Subcoal Production TSP Ltd to operate the following installation and directly associated activities (DAA):

- Section 5.4 Part A1(b)(ii) recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving pre-treatment of waste for incineration or co-incineration for the production of refuse derived fuels (RDF) and solid recovered fuels (SRF);
- Operation of a 5.5 MWth gas-fired hot water boiler that provides heat to the drying plant;
- Storage of waste prior to treatment;

- Bulking of recyclable wastes;
- Storage of SRF and RDF pending removal from the site;
- Storage of raw materials, including lubrication oil and diesel; and
- Surface water collection, storage and discharge.

The facility is permitted to treat 300,000 tonnes of waste per year by using a combination of waste separation techniques, including shredding, drying, and pelletisation to produce materials that are suitable for use as fuel in incineration and co-incineration plants. The site is permitted to operate 24hrs per day, 7 days per week.

Wastes received at the site are stored within one of the 6 waste reception bays before being transferred to the primary shredder. At full processing capacity, the onsite storage with the 6 reception bays is equivalent to three days process inventory.

The principal processing equipment includes a primary shredder, density separator, metal removal (overband magnetic separator and eddy current separator), optical sorters, screeners, secondary shredders and metal removal, dryers, pelletising equipment, balers and wrapping equipment.

Other than baled and wrapped RDF and SRF generated from the treatment operations which may be stored outside and on an impermeable surface, treatment and storage of wastes at the site must be undertaken within the enclosed, purpose-built, and acoustically cladded building and on an impermeable surface with sealed drainage system.

There are 5 channelled emission points to air at the site. While there is an emission monitoring point for surface water collected from the site area that is stored at the lagoon, the permit does not allow discharge of wastewater from the site and/or the lagoon to surface water or sewer. The holding lagoon is regularly monitored to ensure that there is always enough capacity to contain runoff from the site. If the water within the holding lagoon is nearing appropriate capacity, the lagoon waters will be tankered off-site for disposal to a suitable treatment facility.

The operator has an up-to-date written management system that is periodically reviewed.

As part of this variation, the operator's registered address has been updated from 3 Hardman Square Spinningfields Manchester M3 3EB to N+P Group First Floor, 4-8 Ludgate Circus, London, United Kingdom, EC4M 7LF.

The schedules specify the changes made to the permit.

Status log of the permit		
Description	Date	Comments
Application EPR/ZP3333NH/A001	Duly made 08/05/13	Application for a Non-Hazardous Material Recycling Facility
Additional information received	01/08/13	Revised BS4142 modelling and Noise Management Plan
Permit determined EPR/ZP3333NH	19/08/13	Original permit issued to Impetus Waste Management Limited
Application received EPR/ZP3333NH/V002	Duly made 14/01/14	Change of company name
Variation issued EPR/ZP3333NH/V002	07/02/14	Varied Permit issued to North Tees Waste Management Limited
Application received EPR/SP3930VW/T001	Duly Made 17/02/14	Full transfer of Permit.

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

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Status log of the permit		
Description	Date	Comments
Transfer determined EPR/SP3930VW	05/03/14	Full transfer of permit to Green North East Trading Bidco Ltd.
Application EPR/SP3930VW/V002 (variation)	Duly made 14/03/14	Application to vary the permit to include an extension to the northern installation boundary, increase permitted annual tonnage and associated storage from 200,000 to 640,000 tonnes per annum treated by way of 3 process lines and installation of a bio-filter system.
Schedule 5 Response EPR/SP3030VW/V002	10/06/14	Revised H1 Risk Assessment and Bale Storage statement.
Variation determined EPR/SP3930VW/V002	04/07/14	Varied permit issued.
Application EPR/NP3735YY/T001 (full transfer of permit EPR/SP3930VW	Duly made 28/06/17	Application to transfer the permit in full to North Tees Limited.
Additional information received	05/07/17	Amended copy of Part A and Part D of the application form.
Transfer determined EPR/NP3735YY	07/07/17	Full transfer of permit complete.
Application EPR/NP3735YY/V002 (variation)	Duly made 10/06/19	Application to upgrade processing plant; install a new hot water boiler; reduce annual waste throughput and storage limits; reduce permitted waste codes; and add new waste activity for temporary storage of RDF.
Additional information received	03/04/20	Revised management plans relating to waste operation including Fire Prevention Plan and Environmental Management System.
Additional information received	18/09/20	Revised management plans relating to installation activity including Site Emissions Plan; and details relating to site bunding and containment.
Additional information received	27/11/20	Final Fire Prevention Plan for installation activity.
Variation determined EPR/NP3735YY/V002	10/12/20	Varied permit issued.
Application EPR/SP3305PX/V003 (part transfer of permit EPR/NP3735YY)	Duly made 22/12/20	Application to transfer Scheduled installation facility and associated DAAs to Subcoal Production TSP Ltd.
Transfer and variation determined EPR/SP3305PX (new and varied permit issued)	08/01/21	Transfer of installation facility complete. New permit issued in modern condition format.
Notified of change of Registered office Variation number EPR/SP3305PX/V002	21/12/21	Registered office changed to 3 Hardman Square Spinningfields Manchester M3 3EB.
Variation issued EPR/SP3305PX	24/05/22	Varied permit issued to Subcoal Production TSP Ltd.

Status log of the permit		
Description	Date	Comments
Environment Agency Non- hazardous Waste Sector Review Variation number EPR/SP3305PX/V003 (variation and consolidation)	Duly made 25/02/22	Non-hazardous waste Sector Review – documents received in response to the Regulation 61 Notice dated 08/11/2021.
Additional information	29/11/22	Email and document titled 'NHI Installations Reg 61 notice – Completed'.
Additional information received in response to the Request for Further Information (RFI) dated	02/02/23	Document titled 'SOL_21_P044_SUB_Reg 61 Response I1', received in response to questions 1 to 14 of the RFI.
13/02/2023	15/03/23	Document titled 'SOL_21_P044_SUB_Reg 61 Response I2', received in response to questions 1 to 14 of the RFI.
Variation determined and consolidation issued EPR/SP3305PX	20/04/23	Varied and consolidated permit issued in modern format.

End of introductory note

# Notice of variation and consolidation

## The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies

Permit number

EPR/SP3305PX

Issued to

Subcoal Production TSP Ltd ("the operator")

whose registered office

N+P Group First Floor 4-8 Ludgate Circus London EC4M 7LF

company registration number 10767029

to operate a regulated facility at

Reclamation Pond Materials Recycling Facility North Tees Access Road Port Clarence Stockton on Tees TS2 1TT

to the extent set out in the schedules.

The notice shall take effect from 20/04/2023.

Name	Date
Peter Maksymiw	20/04/2023

Authorised on behalf of the Environment Agency

#### Schedule 1

The following conditions and tables have been varied as a result of the Environment Agency Initiated Variation:

- Condition 4.3.2 has been amended to reflect the wording of the Installation template.
- Condition 4.3.3 has been added because it is a relevant installation condition. The follow-on conditions have been renumbered accordingly.
- Table S1.1 as referenced in Condition 2.1.1 has been amended to clearly define the activities that are undertaken at the site and to apply relevant limits to them. Activities AR5 and AR7 were added newly to this table.
- Table S1.2 as referenced in Conditions 2.3.1 and 2.3.2 has been amended to incorporate operating technique documents submitted in response to the Regulation 61 Notice and additional information received in response to the RFI.
- Table S1.3 as referenced in Condition 2.4.1 has been amended by adding improvement conditions IP2 – IP5.
- Table S1.4 of the last variation as referenced in Condition 2.5.1 has been deleted and replaced with a new Table S1.4. The pre-operational condition in Table S1.4 of the last variation is completed. A new pre-operational condition for future development has been added to the replacement table.
- Table S2.2 as referenced in Condition 2.3.3 has been amended by removing waste codes that are not appropriate to the permitted activities.
- Table S3.1 as referenced in Condition 3.5.1 (a) has been amended to include the monitoring of dust the emission points A4 and A5, together with the BAT AEL.
- Tables S3.3 as referenced in Condition 3.5.1 (b) has been amended to include process monitoring of dust at the NIHOT dust extraction units.
- Table S4.1 as referenced in Condition 4.2.3 has been amended by adding reporting requirements for the new channelled emission points included in Table S3.1.
- Schedule 5 as referenced in Condition 4.3.2 has been amended by adding a new paragraph (c) to Part A requiring notification of breach of permit conditions not relating to limits.
- Schedule 7 as referenced in Condition 2.2.1 has been amended by replacing the site plan with the one that shows the emission monitoring point.

#### Schedule 2 – consolidated permit

Consolidated permit issued as a separate document.

## Permit

## The Environmental Permitting (England and Wales) Regulations 2016

#### Permit number

#### EPR/SP3305PX

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/SP3305PX/V003 authorising,

Subcoal Production TSP Ltd ("the operator"),

whose registered office is

N+P Group First Floor 4-8 Ludgate Circus London EC4M 7LF

company registration number 10767029

to operate an installation and waste operations at

Reclamation Pond Materials Recycling Facility North Tees Access Road Port Clarence Stockton on Tees TS2 1TT

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

Name	Date
Peter Maksymiw	20/04/2023

Authorised on behalf of the Environment Agency

# Conditions

## 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 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.

#### 1.2 Energy efficiency

- 1.2.1 The operator shall:
  - (a) take appropriate measures to ensure that energy is used efficiently in the activities;
  - (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
  - (c) take any further appropriate measures identified by a review.

#### 1.3 Efficient use of raw materials

- 1.3.1 The operator shall:
  - (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
  - (b) maintain records of raw materials and water used in the activities;
  - (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
  - (d) take any further appropriate measures identified by a review.

# 1.4 Avoidance, recovery and disposal of wastes produced by the activities

- 1.4.1 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.

1.4.2 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 schedule 1 table S1.1 (the "activities").
- 2.1.2 Waste authorised by this permit shall be clearly distinguished from any other waste on the site.

#### 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 7 to this permit.

#### 2.3 Operating techniques

- 2.3.1 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 Environment Agency.
- 2.3.2 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.
- 2.3.3 Waste shall only be accepted if:
  - (a) it is of a type and quantity listed in schedule 2 table S2.2; and
  - (b) it conforms to the description in the documentation supplied by the producer and holder.
- 2.3.4 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:
  - (a) the nature of the process producing the waste;
  - (b) the composition of the waste;
  - (c) the handling requirements of the waste;
  - (d) the hazardous property associated with the waste, if applicable; and
  - (e) the waste code of the waste.
- 2.3.5 The operator shall ensure that where waste produced by the activities is sent to a landfill site, it meets the waste acceptance criteria for that landfill.

#### 2.4 Improvement programme

- 2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by the Environment Agency.
- 2.4.2 Except in the case of an improvement which consists only of a submission to the Environment Agency, the operator shall notify the Environment Agency within 14 days of completion of each improvement.

#### 2.5 Pre-operational conditions

2.5.1 The operations specified in schedule 1 table S1.4 shall not commence until the measures specified in that table have been completed.

# 3 Emissions and monitoring

#### 3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1 and S3.2.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.
- 3.1.3 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

#### 3.2 Emissions of substances not controlled by emission limits

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition 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.
- 3.2.2 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 which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
  - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 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.

#### 3.3 Odour

3.3.1 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.

#### 3.4 Noise and vibration

3.4.1 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.

#### 3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
  - (a) point source emissions specified in tables S3.1 and S3.2; and
  - (b) process monitoring specified in table S3.3.

- 3.5.2 The operator shall maintain records of all monitoring required by this permit 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.
- 3.5.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.5.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.
- 3.5.4 Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 tables S3.1 and S3.2 unless otherwise agreed in writing by the Environment Agency.

#### 3.6 Pests

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.
- 3.6.2 The operator shall:
  - (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution from pests;
  - (b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

#### 3.7 Fire prevention

3.7.1 The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.

## 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 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 the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, 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 the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 For the following activities referenced in schedule 1, table S1.1 (AR1 to AR5) a report or reports on the performance of the activities over the previous year shall be submitted to the Environment Agency by 31 January (or other date agreed in writing by the Environment Agency) each year. The report(s) shall include as a minimum:
  - (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
  - (b) the annual production /treatment data set out in schedule 4 table S4.2; and
  - (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.
- 4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
  - (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
  - (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4; and
  - (c) giving the information from such results and assessments as may be required by the forms specified in those tables.
- 4.2.4 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.
- 4.2.5 Within 1 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 In the event:
  - (a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
    - (i) inform the Environment Agency,
    - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
    - (iii) take the measures necessary to prevent further possible incidents or accidents;
  - (b) of a breach of any permit condition the operator must immediately-
    - (i) inform the Environment Agency, and
    - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
  - (c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 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:

- (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 Environment 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.
- 4.3.6 The Environment Agency shall be given at least 14 days notice before implementation of any part of the site closure plan.

#### 4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 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 "immediately", in which case it may be provided by telephone.

# Schedule 1 – Operations

Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity and WFD Annex I and II operations	Limits of specified activity and waste types
AR1	S5.4 A(1)(b)(ii) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving the pre- treatment of waste for incineration or co- incineration	R3: Recycling/reclamation of organic substances which are not used as solvents R5: Recycling/reclamation of other inorganic compounds	From receipt of waste to treatment consisting only of manual and mechanical sorting, screening, separation, shredding, drying and pelletising of non- hazardous waste into different components for recovery or disposal, prior to dispatch of product.
			Treatment shall be carried out in an enclosed building and on an impermeable surface with sealed drainage system.
			All incoming wastes shall be processed within 72 hours of arriving on site.
			Waste types as specified in Table 2.2.
Directly Asso	ociated Activity	-	
AR2	Medium Combustion Plant	5.5 MWth gas-fired hot water boiler to provide heat to the drying plant on site	From receipt of fuel to the distribution of heat for drying.
AR3	Temporary storage of non- hazardous waste prior to treatment	<b>R13:</b> Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)	Unloading and storage of incoming waste pending activity AR1 shall take place in an enclosed building and on an impermeable surface with sealed drainage. The maximum storage capacity of incoming waste shall not exceed 2,700 tonnes at any one time. Waste types as specified in table S2.2.
AR4	Bulking of recyclable wastes recovered as an incidental part of the production of Solid Recovered Fuel /	<b>R3:</b> Recycling/reclamation of organic substances which are not used as solvents	Bulking of recyclable wastes recovered as an incidental part of the production of RDF and SRF.
	Refuse Derived Fuel	R4: Recycling/reclamation of metals and metal compounds	All bulking activities shall take place within an enclosed building or on an impermeable surface with
		<b>R5</b> : Recycling/reclamation of other inorganic compounds	sealed drainage system.

Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity and WFD Annex I and II operations	Limits of specified activity and waste types
AR5	N/A	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)	Storage of recovered RDF, SRF and recyclables pending removal from the site. Storage of loose RDF and pelletised SRF shall take place within an enclosed building and on an impermeable surface with sealed drainage system. Storage of baled and wrapped RDF and SRF may take place outside of the building and on an impermeable surface with sealed drainage system. Storage of recyclables may take place outside of the building in a leak-proof container and on an impermeable surface with sealed drainage system. The maximum storage capacity of RDF, SRF and recyclables shall not exceed 4,300 tonnes at any one time. There shall be no discharge of wastewater from the external storage areas to surface water or sewer.
AR6	N/A	Storage of raw materials - fuel and oil Storage of fuel and lubricating oils for the operation of plant and machinery	From receipt of fuel and oil to storage and use within the facility. Oils to be stored in adequately bunded containers located on an impermeable surface with sealed drainage.
AR7	N/A	Surface water collection and storage Collection and storage of uncontaminated roof and contaminated site surface water in the lagoon	There shall be no discharge of wastewater from the site area and/or lagoon to surface water or sewer. There shall be no mixing of clean and contaminated waters.

Description	Parts	Date Received	
Application EPR/ZP3333NH/A001	Response to Section 3 – Operating Techniques, Part B3 of the application form, and section 2 of the application document.	14/03/13	
	Odour management plan in response to Question 3b – Operating Techniques General Requirements, Part B3 of the application form.	08/05/13	
Response to Schedule 5 Notice dated 04/07/2013	Response to question 1 detailing abatement measures and noise management plan.	01/08/13	
Variation Application EPR/SP3030VW/V002	Sections 5, 6,7,11, 12 and 13 of the application documentation.	05/03/14	
Response to Schedule 5 Notice dated 04/05/2014	Response to Question 1 detailing waste storage including revised risk assessment and bale storage statement.	10/06/14	
Application EPR/NP3735YY/V002	Response to Section 3 – Operating Techniques, Part C3 of the application form, and supporting documents.	Duly made 21/03/19	
Response to Schedule 5 Notice dated 19/07/2019	Cover Letter reference: SOL1907NT01, 18/09/2020 detailing bunding and site containment measures.	Received 18/09/20	
	Drainage Plan reference: P19-161-03, March 2020		
	Environmental Management Plan reference: SU-SWP, March 2020		
	Accident Management Plan reference: SU-E09, March 2019		
	Odour Management Plan reference: SOL1808NT01_OMP, April 2020		
Additional information	Approved Fire Prevention Plan titled ' <i>Material Recycling</i> <i>Facility Fire Prevention Plan'</i> , DOC REF: SU-E10, dated March 2019	08/01/21	
Regulation 61 Notice Response EPR/SP3305PX/V003	titled 'Regulation 61 Response and BAT Assessment'		
Additional information	Document titled 'NHI Installations Reg 61 notice – Completed'.	29/11/22	
Additional information received in response to the Request for Further Information (RFI) dated 13/01/2023	Document titled 'SOL_21_P044_SUB_Reg 61 Response I2', received in response to questions 1 to 14 of the RFI, excluding Annex 2 of the document titled ' <i>Housekeeping</i> <i>Procedure</i> '.	15/03/23	

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IP1	The Operator shall carry out a review of the noise impact of the installation once the plant is fully operational within its first six months of operation. The review shall compare the actual noise emissions from the installation and their impact with those predicted in the Application.	Complete
	The Operator shall provide a report detailing noise survey results and where the results are not as predicted include a timetable for the implementation of any recommendations made as a result of the noise survey.	
IP2	The operator shall submit a revised Dust Management Plan (DMP) to the Environment Agency for approval.	31/07/23
	The revised DMP shall include a review of the:	
	<ul> <li>waste storage and handling procedures for the site.</li> <li>loading, unloading and material handling procedures especially those that are used in transferring SRF pallets and baled waste outside of the building.</li> <li>inspection and maintenance procedures for dust extraction equipment including information on the frequency of dust monitoring for both channelled and fugitive emissions.</li> </ul>	
	The DMP shall take into account the appropriate measures for dust	
	control specified in the Non-hazardous and inert waste: appropriate	
	measures for permitted facilities guidance and Control and monitor emissions for your environmental permit.	
	Once the DMP is approved by the Environment Agency, the operator shall carry out site operations in accordance with the approved DMP.	
IP3	The operator shall submit a revised litter management plan for the site to the Environment Agency for approval. The plan shall contain a review of the housekeeping procedure that ensures that the building and areas outside the building are kept clear of mud, litter and other debris. The plan shall include details of measures to be implemented to prevent or minimise litter, mud and dust accumulation, including dates for implementation.	31/07/23
	The measures and actions shall be implemented by the operator from the date of approval.	
IP4	The operator shall carry out a detailed review of the existing buildings including waste treatment, storage and handling equipment at the site to ensure that they are in accordance with the requirements specified in the <u>Non-hazardous and inert waste: appropriate measures for permitted</u> <u>facilities</u> guidance and BAT 14 of the <u>Waste Treatment BAT Conclusions</u> .	31/07/23
	Following the review, the operator shall submit a written report to the Environment Agency for approval outlining the results of the review and measures and procedures that are in place in the buildings and outside of the buildings to prevent and/or reduce fugitive emissions of dust, odour and noise.	
	The report shall include recommendations for improvements and timescales for implementation of the identified improvements.	
IP5	Following the completion of IP4, the operator shall implement any improvements by the deadline specified in this improvement condition unless otherwise agreed in writing with the Environment Agency. The improvements may include, but not limited to, installation of new fast acting doors that default to closed position to prevent and/or reduce fugitive emissions of dust, odour, noise and litter from the building.	29/12/23

Table S1.4 Pre-operational measures for future development		
Reference	Operation	Pre-operational measures
PO1	Prior to discharge of water to surface water or sewer	The operator shall not discharge wastewater or runoff water generated within site area and the lagoon into surface water or sewer either via the emission point marked W1 in Table S3.1 or any other point until the operator can demonstrate such waters are clean and uncontaminated by submitting relevant data to the Environment Agency for approval.

# Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
-	-

Maximum quantity	Annual throughput shall not exceed 300,000 tonnes
Waste code	Description
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 04	waste plastics (except packaging)
03	Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
03 03	wastes from pulp, paper and cardboard production and processing
03 03 07	mechanically separated rejects from pulping of waste paper and cardboard
03 03 08	wastes from sorting of paper and cardboard destined for recycling
03 03 10	fibre rejects, fibre-, filler- and coating-sludges from mechanical separation
04 02	wastes from the textile industry
04 02 15	wastes from finishing other than those mentioned in 04 02 14
04 02 21	wastes from unprocessed textile fibres
04 02 22	wastes from processed textile fibres
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 05	composite packaging
15 01 06	mixed 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
17	Construction and demolition wastes (including excavated soil from contaminated sites)
17 02	wood, glass and plastic
17 02 01	wood
17 02 03	plastic

Maximum quantity	Annual throughput shall not exceed 300,000 tonnes		
Waste code	Description		
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 the preparation of water intended for human consumption and water for industrial use		
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 04	plastic and rubber		
19 12 10	combustible waste (refuse derived fuel)		
19 12 12	other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11		

# Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method
A1 [Point A1 on site plan in Schedule 7]	Boiler Plant 5.5MWth natural gas fuelled hot water boiler for drying	Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>2</sub> )	100 mg/m <sup>3</sup>	Hourly average	Every 3 years	BS EN 14792
	plant	Carbon monoxide	No limit set	Hourly average	Every 3 years	BS EN 15058
A2 [Point A2 on site plan in schedule 7]	Biofilter bed vents	No parameters set	No limit set	-	-	-
A3 [Point A3 on site plan in schedule 7]		No parameters set	No limit set	-	-	-
A4 [Point A4 on site plan in schedule 7]	Drying plant stacks	Dust	5 mg/m <sup>3</sup>	Average over the sampling	Once every six months	EN 13284-1
A5 [Point A5 on site plan in schedule 7]				period <sup>(1)</sup>		
(1) Average value of three consecutive measurements of at least 30 minutes each						

# Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements

monitoring requirement						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
'Surface Water Discharge point' W1 on Plan drawing 76.0172/MR/EPV13/04 dated November 2013	Clean surface waters only	Biological Oxygen Demand pH Suspended solids	No limit set	Spot	Monthly	In accordance with M18 methodology unless otherwise agreed in writing by the Environment Agency

Table S3.3 Process monitoring requirements				
Emission point reference or source or description of point of measurement	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
Biofilters	Temperature	As required	Temperature probe	Biofilter shall be regularly checked and maintained
	Moisture	As required	None specified	to ensure appropriate temperature and moisture
	Thatching / compaction	As required	None specified	content.
Filter unit serving the NIHOT dust extraction point 1 on site plan in schedule 7	Pressure difference	None specified	None specified	The filter units serving the NIHOT dust extraction systems shall be operated and managed in accordance with
Filter unit serving the NIHOT dust extraction point 2 on site plan in schedule 7				manufacturer's recommendations to ensure dust and particulate emissions are below 5mg/m <sup>3</sup> .

# Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S4.1 Reporting of monitoring data			
Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Emissions to air Parameters as required by condition 3.5.1.	A1	Every 3 years	1 January
Emissions to air Parameters as required by condition 3.5.1.	Biofilters A2 and A3 Drying plant stacks A4 and A5	Every 12 months Every 6 months	1 January 1 January

Table S4.2 Annual production/treatment		
Parameter	Units	
Waste processed	tonnes	
Loose Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) product	tonnes	
Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) pellets         tonnes		
Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) bales	tonnes	

Table S4.3 Performance parameters			
Parameter	Frequency of assessment	Units	
Water usage	Annually	tonnes	
Energy usage	Annually	MWh	

Table S4.4 Reporting forms				
Media/parameter	Reporting format	Date of form		
Air	Form air 1 or other form as agreed in writing by the Environment Agency	08/01/2021		
Water usage	Form water usage 1 or other form as agreed in writing by the Environment Agency	08/01/2021		
Energy usage	Form energy 1 or other form as agreed in writing by the Environment Agency	08/01/2021		
Other performance indicators	Form performance 1 or other form as agreed in writing by the Environment Agency	08/01/2021		

# Schedule 5 – 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 emission of a substance not controlled by an emission limit 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		

(b) Notification requirements for the breach of a limit		
To be notified within 24 hours of detection unless otherwise specified below		
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 breach of permit conditions not related to limits			
To be notified within 24 hours of det	To be notified within 24 hours of detection		
Condition breached			
Date, time and duration of breach			
Details of the permit breach i.e. what happened including impacts observed.			
Measures taken, or intended to be taken, to restore permit compliance.			

(d) 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 the operator

# Schedule 6 – Interpretation

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

"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 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.

"disposal" Means any of the operations provided for in Annex I to Directive 2008/98/EC of the European Parliament and of the Council on waste.

"EP Regulations" means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

"emissions of substances not controlled by emission limits" means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are 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.

"Hazardous property" has the meaning in Annex III of the Waste Framework Directive.

"Industrial Emissions Directive" means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions

"List of Wastes" means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time.

"MCERTS" means the Environment Agency's Monitoring Certification Scheme.

"Medium Combustion Plant" or "MCP" means a combustion plant with a rated thermal input equal to or greater than 1 MW but less than 50 MW.

"Medium Combustion Plant Directive" or "MCPD" means Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants.

"Pests" means Birds, Vermin and Insects.

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

"recovery" means any of the operations provided for in Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste.

"Waste code" means the six digit code referable to a type of waste in accordance with the List of Wastes and in relation to hazardous waste, includes the asterisk.

"Waste Framework Directive" or "WFD" means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste

Where a minimum limit is set for any emission parameter, for example pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

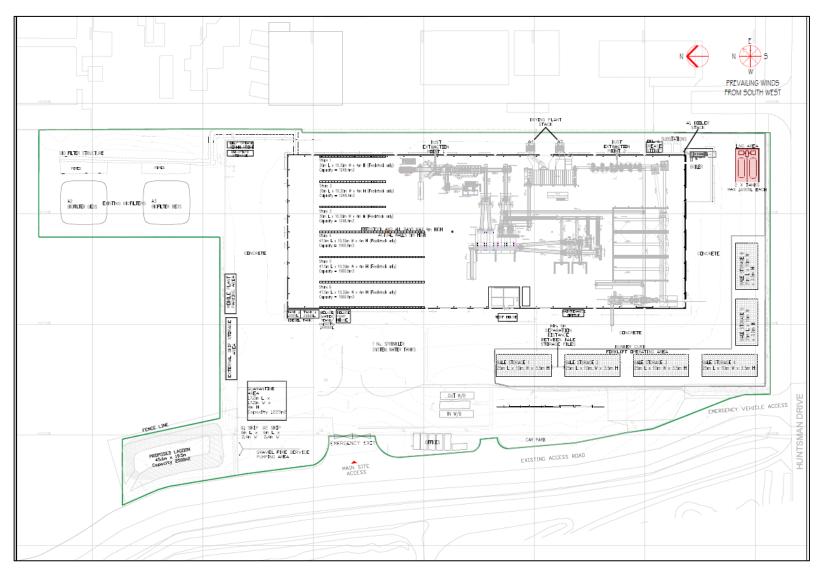
 in relation to emissions from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 3% dry for liquid and gaseous fuels, 6% dry for solid fuels; and/or

in relation to emissions from gas engines or gas turbines, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 15% dry for liquid and gaseous fuels ; and/or

• in relation to emissions from non-combustion sources, the concentration at a temperature of 273K and at a pressure of 101.3 kPa, with no correction for water vapour content.

"year" means calendar year ending 31 December.

# Schedule 7 – Site plan



#### END OF PERMIT

# **Reporting Forms**

# Permit Number: SP3305PX

# **Operator:** Subcoal Production TSP Ltd

## Facility: Reclamation Pond MRF

Form Number: Air1 / 08/01/2021

#### Reporting of emissions to air for the period from DD/MM/YYYY to DD/MM/YYYY

Emission Point	Substance / Parameter	Emission Limit Value	Reference Period	Result <sup>[1]</sup>	Test Method <sup>[2]</sup>	Sample Date and Times <sup>[3]</sup>	Uncertainty [4]
A1	Oxides of nitrogen (NO and NO2 expressed as NO2)	100 mg/m3	Hourly average		BS EN 14792		
A1	Carbon monoxide	No limit set	Hourly average		BS EN 15058		

- The result given is the maximum value (or the minimum value in the case of a limit that is expressed as a minimum) obtained during the reporting period, expressed in the same terms as the emission limit value. Where the emission limit value is expressed as a range, the result is given as the 'minimum – maximum' measured values.
- 2. Where an internationally recognised standard test method is used the reference number is given. Where another method that has been formally agreed with the Environment Agency is used, then the appropriate identifier is given. In other cases the principal technique is stated, for example gas chromatography.
- 3. For non-continuous measurements the date and time of the sample that produced the result is given. For continuous measurements the percentage of the process operating time covered by the result is given.
- 4. The uncertainty associated with the quoted result at the 95% confidence interval, unless otherwise stated.

Signed		Date	
(Authorised to sign as representativ	ve of Operator)		
Permit Number:	SP3305PX	Operator:	Subcoal Production TSP Ltd
Facility:	<b>Reclamation Pon</b>	d MRF Form Number:	
-			WaterUsage1 / 08/01/2021

Reporting of Water Usage for the year XXXX

Water Source	Usage (m³/year)	Specific Usage (m³/unit output)
Mains water		
TOTAL WATER USAGE		

Operator's comments:	
Signed	Date

(authorised to sign as representative of Operator)

Permit Number:	SP3305PX	Operator:	Subcoal Production TSP Ltd
Facility:	Reclamation Ponds	Form Number:	
	MRF		Energy1 / 08/01/2021

## Reporting of Energy Usage for the year XXXX

Energy Source	Energy Usage	Energy Usage		
	Quantity	Primary Energy (MWh)		
Electricity *	MWh			
Natural Gas	MWh			
TOTAL	-			

\* Conversion factor for delivered electricity to primary energy = 2.4

Operator's comments:

Signed .....

Date.....

(Authorised to sign as representative of Operator)

Permit Number:	EPR/SP3305PX	Operator:	Subcoal Production TSP Ltd
Facility:	Reclamation Ponds MRF	Form Number:	Performance1 / 08/01/2021

## Reporting of other performance indicators for the period DD/MM/YYYY to DD/MM/YYYY

Parameter	Units
Waste processed	tonnes
Loose Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) product	tonnes
Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) pellets	tonnes
Refuse Derived Fuel (RDF) / Solid derived fuel (SRF) bales	tonnes

Operator's comments:

Signed .....

Date.....

(Authorised to sign as representative of Operator)