

Guidance notes on part D2 – Application for transfer (installations, waste operations, medium combustion plant/specified generator and mining waste operations only)



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

This guidance will help you complete part D2 of the application form pack.

The numbering in these guidance notes correspond to the question number in the form. Guidance may not be needed for every question and so the numbering may not be consecutive.

Give any supporting documents or continuation sheets a title and reference number. Where the form asks for a 'document reference', tell us the reference number you have given your document. Send your documents to us with the completed application form.

It would be useful if supporting documents were provided as separate documents. This will help us to determine your application more efficiently.

Please note if you submit documents that are not required, they are not assessed.

You will need to use an Adobe Acrobat product to complete this form. The form may not work properly if you use a different pdf reader, such as the one built-in to your internet browser.

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1 About the people involved in a transfer of a 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.

For further information on pre-application advice see <https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit>

1b Permit number

Tell us what the current permit number is.

1c Site or specified location details

Fill in site or specified location name, address and postcode. If the site or specified location name will change after permit transfer, fill in the new name

2 About the transfer

2a Tell us if you want to transfer all or part of the permit

If you tick 'all', go to section 4.

If you tick 'part', go to section 3 and list the parts you want to transfer.

3 About the parts of the permit you want to transfer to yourself

Fill in Table 1 by listing the installations, waste facilities, medium combustion plant/specified generator or mining waste operations you want to transfer to yourself.

Supply a map or plan identifying the part (or parts) of the permit. Each one should be clearly marked on a plan (this does not apply to standalone medium combustion plants/specified generator).

Copyright issue

Please note that some plans and maps will have copyright issues. Unless you are using your own maps or plans or have paid for the copyright (for example with Ordnance Survey) you may not have the right to reproduce the map or plan.

If you are applying to transfer standard facilities

Activity reference: Use a unique identifier for each standard facility you are applying to transfer.

Schedule 1 references: Leave this column blank, except for standard rules SR2009 No 2 only, provide the following details of the activity you are applying for:

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility or waste mobile plant: Leave this column blank.

Description of mining waste operation: Leave this column blank.

Standard facility: Identify which standard rules set (or sets) you want to transfer.

Proposed operator: Give the operator's name.

If you are applying to transfer bespoke installations or part A mobile plant permit

Activity reference: Use a unique identifier for each installation you are applying to transfer.

Schedule 1 references and description: Quote the activity reference and description from Part 2 of Schedule 1 of the Environmental Permitting Regulations (see <https://www.legislation.gov.uk/uksi/2016/1154/schedule/1/part/2/made>).

For example, Section 4.2, Part A(1)(a)(i) – producing inorganic chemicals such as gases

Directly associated activity: Give us details of the directly associated activities that are affected by the transfer.

Description of the waste facility or waste mobile plant: Fill in this column if you are applying to transfer any activity that involves the recovery or disposal of waste, otherwise leave blank. Examples include landfill, hazardous waste storage, cyanide treatment, bulking up, waste oil storage (gravity separation), etc. Please ask us if you are unsure how to describe your activity.

Description of mining waste operation: Leave this column blank.

Standard facility: Leave this column blank.

Proposed operator: Give the operator's name.

If you are applying to transfer part or all of a medium combustion plant/specified generator permit

Use Schedule 25A and/or Schedule 25B (in the Environmental Permitting Regulations 2016) as the activity reference for the combustion equipment you wish to transfer

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility or waste mobile plant: Leave this column blank.

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

Standard facility: Leave this column blank.

Description of the medium combustion plant/specified generator: use a unique identifier for each MCP or generator you are applying to transfer.

Proposed operator: Give the operator's name for each MCP or generator involved in the transfer. If you are transferring a specified generator then give the operator's name for that rather than each individual generator.

If you are applying to transfer bespoke waste facilities or waste mobile plant

Activity reference: Use a unique identifier for each waste facility you are applying to transfer.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility or waste mobile plant: Describe the waste facility you want to transfer. The following are appropriate and can be used in combination, but you can also use your own.

Sites

- Transfer of waste: household, commercial and industrial
- Transfer of waste: clinical
- Transfer of waste: non-biodegradable
- Transfer of waste: hazardous
- Treatment of waste: physical
- Treatment of waste: physico chemical
- Treatment of waste: chemical
- Treatment of waste: biological
- Disposal of waste in lagoons
- Household waste amenity
- Materials recycling
- Composting
- Mechanical biological treatment (MBT)
- End of life vehicle authorised treatment (ELV ATF)
- Metal recycling
- Waste electrical and electronic equipment authorised treatment facility (WEEE ATF)
- Incineration
- Anaerobic digestion

- Pet cemetery
- Landfill gas engine (less than 3 megawatts)
- Deposit for recovery
- Inert landfill
- Closed landfill
- Mobile plant
- Incineration
- Waste oil recovery
- Dechlorination of waste PCBs/PCTs
- Collection and storage of a controlled substance from any waste product, installation or equipment
- Vittrification of waste
- Treatment of clinical waste
- Treatment of waste soil
- Dewatering of muds, sludges, soils and dredgings
- Lime stabilisation of sludge
- Treatment of contaminated materials, substances or products to remediate land or controlled water.

Please ask us if you are unsure how to describe your waste facility.

If you are applying to transfer bespoke mining waste operations

Activity reference: Use a unique identifier for each mining waste operation you are applying to transfer.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility: Leave this column blank.

A mining waste operation is the management of extractive waste. It is therefore any activity you carry out that involves extractive waste. The operation may include a mining waste facility.

Description of the mining waste operation: Use the following descriptions and include any extra detail that you think would help to accurately describe what you want to transfer.

Mining waste operation: Mining waste operation involving hazardous wastes, mining waste operation involving non-hazardous non-inert wastes, mining waste operation for inert wastes and unpolluted soils.

Mining waste facility: Category A mining waste facility, mining waste facility for hazardous wastes (not Category A), mining waste facility for non-hazardous non-inert wastes, mining waste facility for inert wastes and unpolluted soils.

Standard facility: Leave this column blank.

Proposed operator: Give the operator's name.

3c Will transfer part of the permit lead to shared operations that will need you to vary (change) the permit conditions

If the permit at site is being partially transferred you and the original operator will have to supply new plans for both permits.

Note: In some cases we advise that you as the new operator also fill in the relevant parts C2 to C7 to give us more details for more complicated scenarios, (for example, where there are several activities on site

or more than one application for a partial transfer of the permit, or where emissions to air, water or land are being split between the operators). In those cases we need to be clear who will be doing what after the transfer or transfers to make the correct changes to each permit.

Tick 'no' if you don't think the partial transfer will result in shared operations that would need the permit to be varied.

Tick 'yes' if you think the partial transfer will require the permit to be varied.

Give us an explanation if you think the permit will need to be varied (and see above note). Give the document reference for your explanation here and send the document with the application form when you've completed it.

If you tick 'yes' you will need to apply to vary the permit and fill in the relevant parts of C1 to C6.

4 Your competence as the new operator

When deciding your application, we must consider whether you will be a competent operator. We look at your technical ability and whether you have been convicted of a relevant offence. We also check to see if you have been declared bankrupt or insolvent and can check your financial standing by way of a credit check. We also check that you have a management system.

Applies to all except standalone surface water discharges activities and groundwater discharges

4a Relevant offences

Relevant people

Relevant people for these checks mean each applicant, and in the case of a company, a director, manager, company secretary or any similar officer or employee. In the case of a Limited Liability Partnership (LLP), it includes any partner. It also includes any person who has held a position in a company or LLP when it was convicted of a relevant offence.

Relevant offences

You must tell us if any of the relevant people or the company itself in your application have any unspent convictions for any relevant offence.

A list of relevant offences can be found on our website at: <https://www.gov.uk/government/publications/relevant-conviction-guidance-for-permit-applications-for-waste-activities-and-installations-only>.

4b Technical ability

We need to be satisfied that you will have sufficient technical ability to operate your facility. Your management system should include information about how you will assess, develop and maintain technical ability.

If you proposed mining waste operations include mining waste facilities, you must demonstrate that you have appropriate technical management in place and that your management system will provide the necessary staff training and development, but not for mining waste facilities or inert wastes or polluted soils.

Relevant waste operations

If you are applying for a permit to carry out 'relevant waste operations' you must demonstrate technical competence.

'Relevant waste operations' are one or both of the following:

- a waste operation (not carried on at an installation or by means of a Part B mobile plant)

- a specified waste management activity (certain installations carrying out waste management activities)

For further details see **The Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018**

You must demonstrate technical competence by complying with one of the government-approved technical competence schemes. The two schemes currently approved are:

- Chartered Institute of Wastes Management (WAMITAB) Scheme:/: <https://ciwmquals.co.uk/competence/> (for more information email either education@ciwm.co.uk or info.admin@wamitab.org.uk); or
- Environmental Services Association/Energy and Utility Skills (ESA/EU skills) scheme: <https://www.euskills.co.uk/about/our-industries/waste-management/competence-management-system/> (for more information email enquiries@euskills.co.uk).

If you are using the CIWM/WAMITAB scheme you need to give us details of each person who will provide technical management at your facility once the permit is transferred and the site is operational. You need to provide these details before we transfer the permit.

4c Finances

You will need to provide details of any insolvency or bankruptcy proceedings against the proposed new permit holder or any relevant person, or a company in which you were a relevant person.

We may also want to contact a credit reference agency to verify your financial standing. See <https://www.gov.uk/guidance/environmental-permits-privacy-notice> for how we use your personal information to support environmental permitting.

Landfill, category A mining waste facilities and mining waste facilities for hazardous wastes only

If you want to operate a landfill or a mining waste facility as described above you will also need to show us that you are financially capable of meeting the obligations of the permit, including during closure and aftercare.

Tick one option relating to how you will make provision.

You also need to provide a cost profile and expenditure plan. Tell us the document reference here and send the documents with the application form when you've completed it. For further guidance, see: <https://www.gov.uk/guidance/landfill-operators-environmental-permits/calculate-your-financial-provision>

4d Management systems

You must have an effective, written management system in place that identifies and reduces the risk of pollution. You can use a certified scheme or your own system.

Your permit requires you (as the operator) to ensure that you manage and operate your activities in accordance with a written management system.

You can find guidance on management systems in 'Develop a management system: environmental permits' at <https://www.gov.uk/guidance/develop-a-management-system-environmental-permits>

Tick the box to confirm that you have read the guidance and that your management system will meet our requirements.

Send us a summary of your management system

You must send us a summary of your management system. The summary should cover all the points in ‘Develop a management system: environmental permits’ at <https://www.gov.uk/guidance/develop-a-management-system-environmental-permits>. Give the document reference here and send the summary with the application form

Please note that we expect that your management system will be in place by the time of the permit transfer as it will be part of the first inspection of your site.

Mining Waste Management Plan

You may have to update the WMP describing the minimisation, treatment, recovery and disposal of extractive waste, taking account of the principle of sustainable development.

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 <https://www.gov.uk/government/publications/mining-waste-operations-epr-614-additional-guidance>

4e Are you transferring all or part of a permit with an activity that includes the storage of combustible wastes?

(Unless you are applying to transfer a Part B 5.1 permit this does not apply to standalone medium combustion plants/specified generators).

If you store combustible wastes, you should have a fire prevention plan that complies with the relevant Environment Agency fire prevention plan guidance. See <https://www.gov.uk/government/publications/fire-prevention-plans-environmental-permits>

This will normally be checked by local officers after the transfer is issued. We may need to see this as part of your transfer application where we have concerns about the risk of fires at the site. This may happen where the site has had a fire in the past. We may need to ask for fire prevention plans in other circumstances based on our regulatory experience.

If you are unsure as to whether you need to submit a fire prevention plan with your application, please discuss this with the Environment Agency prior to submission, see <https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit>.

5 Requested date of transfer

Tell us the earliest date you would like the transfer to take place. If we are unable to meet your requested date we will contact you to agree an alternative.

6 How to contact us

If you have difficulty using 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.