



ENVIRONMENTAL PERMITTING THE OPERATOR'S PERSPECTIVE

ENVIRONMENTAL PERMITTING AND OPERATORS

- (Almost) nobody wants to be permitted.
- Direct financial cost to business through fees and plant investment.
- Sometimes seen as adversarial, Us v Them. In reality, most regulators are reasonable people.



PERMITTED ACTIVITIES

A range of processes including:

- Industrial processes
- Waste activities
- Water abstractions
- Water discharges
- Radioactive substances

Regulatory Bodies

Part A(1) permits – Environment Agency/Natural Resources Wales

Part A(2) permits – Local Authority

Part B permits – Local Authority

Radioactive Substances – EA/HSE

Slightly different in Scotland/Northern Ireland

INDUSTRIAL EMISSIONS DIRECTIVE



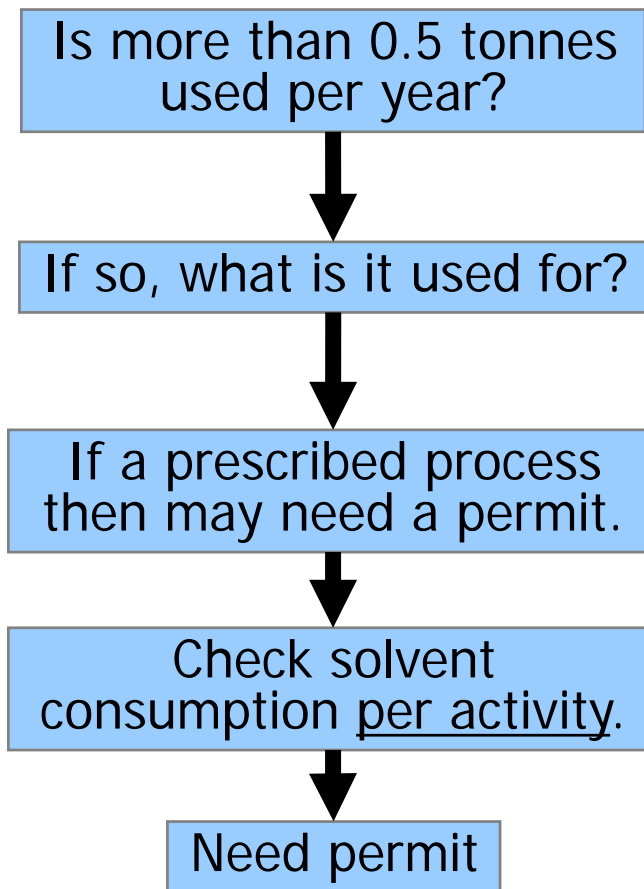
- Replaced 7 EU Directives:
 - IPPC
 - Large Combustion Plants
 - Waste Incineration
 - Solvent Emissions
 - Three directives on titanium dioxide production
- Environmental Permitting (England and Wales) Regulations 2010 (as amended).
- Planned to be replaced by Environmental Permitting (England and Wales) Regulations 2016 on 1st January 2017.
- Separate regime for Scotland and Northern Ireland but very similar thresholds and activities.
- Cover listed industrial processes which require permits to control emissions. See sector guidance.
- Part A(1), Part A(2) and Part B permits

INDUSTRIAL EMISSIONS DIRECTIVE – SCHEDULE 1 ACTIVITIES

- | | |
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| <ul style="list-style-type: none">1.1 - Combustion Activities1.2 - Gasification, Liquefaction and Refining Activities2.1 - Ferrous Metals2.2 - Non-Ferrous Metals2.3 - Surface Treating Metals and Plastic Materials3.1 - Production of Cement and Lime3.2 - Activities Involving Asbestos3.3 - Manufacturing Glass and Glass Fibre3.4 - Production of Other Mineral Fibres3.5 - Other Mineral Activities3.6 - Ceramic Production.4.1 - Organic Chemicals4.2 - Inorganic Chemicals4.3 - Chemical Fertiliser Production4.4 - Plant Health Products and Biocides4.5 - Pharmaceutical Production4.6 - Explosives Production4.7 - Manufacturing Activities Involving Ammonia4.8 - The Storage of Chemicals in Bulk | <ul style="list-style-type: none">5.1 - Incineration and Co-incineration of Waste5.2 - Disposal of Waste by Landfill5.3 - Disposal or recovery of hazardous waste5.4 - Disposal, recovery or a mix of disposal and recovery of non-hazardous waste5.5 - The Production of Fuel from Waste5.6 - Temporary or underground storage of hazardous waste5.7 - Treatment of waste water6.1 - Paper, Pulp and Board Manufacturing Activities6.2 - Carbon Activities6.3 - Tar and Bitumen Activities6.4 - Coating Activities, Printing and Textile Treatments6.5 - The Manufacture of Dyestuffs, Printing Ink and Coating Materials6.6 - Timber Activities6.7 - Activities Involving Rubber6.8 - The Treatment of Animal and Vegetable Matter and Food Industries6.9 - Intensive Farming6.10 - Carbon capture and storage |
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SOLVENT EMISSIONS (NOW IED)

Environmental Permitting (England and Wales) Regulations 2010 (as amended), Schedule 14 [SED Installations]



- Adhesive coating (5 tonnes)
- Coating activity (5 tonnes)
- Coil coating (25 tonnes)
- Dry cleaning (ANY!)
- Footwear manufacture (5 tonnes)
- Manufacture of coatings, varnishes, inks and adhesives (100 tonnes)
- Manufacture of pharmaceuticals (50 tonnes)
- Printing (15 tonnes)
- Rubber conversion (15 tonnes)
- Surface cleaning (1 tonne or 2 tonnes)
- Vegetable oil refining (10 tonnes)
- Vehicle refinishing (0.5 tonnes)
- Winding wire coating (5 tonnes)
- Wood impregnation (25 tonnes)
- Wood and plastic lamination (5 tonnes)

ACTIVITY THRESHOLDS

- Some activities have thresholds.
- Below these thresholds you do not need a permit.
- Above, you do. You also need to meet permit requirements.
- This may require changes to processes/management
- May also require capital investment.

POWER SECTOR EXAMPLE

Operator replaced oil fired boilers with gas fired Combined Heat & Power unit.

Of-the-shelf CHP plant installed by contractor

CHP engine emitted 400mg/m³ NO_x.

Over 50MW permit level the limit is reduced to 250mg/m³ NO_x.

CHP engine had to be restricted.

WAYS OUT OF PERMITTING

- Stop doing it! (or outsource).
- For threshold activities, get below the threshold.
- Technical restrictions/capacity.
- Standard Rules, Exemptions and Regulatory Position Statements.
- If not, then Bespoke Permit (£££).

Capacity:

- Environment Agency Regulatory Guidance Note 2 (RGN2)
“Understanding the meaning of regulated facility”:
 - Provides guidance on thresholds and what is understood by the term “capacity”; and
 - Examples of what would be considered “industrial plant”.

BASELINE REPORTING

- Presumption that IED Installations will require baseline reports.
- Provide a 'baseline' to which operators must clean-up on site closure.
- Without this baseline, it will require negotiations with the regulator on the expected condition of the land upon permit surrender.
 - You may end up cleaning up someone else's contamination.
- These are expected to contain quantified data, i.e. sampling and laboratory analysis.
 - This obviously costs money.
- Ongoing sampling and monitoring requirements.

FEES

- Almost everything is chargeable:
 - Applications;
 - Variations;
 - Transfers; and
 - Surrender.
- Annual subsistence fee.
- Standard Rules permits are fixed fee, varies by type (~£1,600).
- Operational Risk Assessment (Opra) charges vary widely depending on your operation, location and compliance history.



OPRA (2015 MULTIPLIERS)

Attribute		Band Score				
		A	B	C	D	E
Complexity	Note - each activity is scored	2	15	45	82	110
Emissions	Air	3	10	20	35	50
	Water	3	10	20	35	50
	Land	3	10	20	35	50
	Waste input	3	10	20	35	50
	Sewer	1	2	3	5	10
	Off-site waste	1	2	3	5	10
Location		3	10	20	40	60
Operator Performance		10	25	40	60	75

Table 23: Installations - tier 3 Opra charge multipliers

Charge	Installations
	Multiplier (£)
Permit Application charge	206
Subsistence charge	101
Normal Variation charge	58
Substantial Variation charge	113
Full Surrender charge	127
Partial Surrender charge	99

OPERATOR PERFORMANCE

- Environmental Management Systems:
 - For a one-site business, cost of certification wipes out Opra savings.
- Qualified Personnel and Training:
 - Programmes required for ensuring all relevant personnel trained and aware of permit responsibilities.
- History of breaches/incidents:
 - Have a process for emergency response.
 - Require a process for recording and responding to incidents and correspondence with stakeholders.



EMISSION LIMITS

- Derived from European Best Available Techniques (BAT) Reference (BREF) Notes.
- Work underway to modernise the BREF notes and determine BAT Conclusions (BATC), i.e. nailing down what is considered BAT for a sector.
- BAT Associated Emission Limits (BAT-AEL) would be maximum emission levels from permitted facilities.
- BATC and thus BAT-AELs not yet defined for all sectors.



RECORD KEEPING AND REPORTING

- Periodic monitoring and reporting of
 - Emissions to atmosphere, land, water and sewer.
 - Raw material consumption.
 - Waste generation and disposal.
 - Energy use.
 - Progress on improvement programme.
- Records of spills, leaks and incidents.
- Notification without delay.
- Complaints and regulatory involvement.

Form HWCN01v1.11

The Hazardous Waste Regulations 2005:
Consignment Note

Environment Agency
(Deliver as appropriate)

PRODUCER'S/HOLDER'S/CONSIGNOR'S COPY

PART A Notification details

1. Consignment note code:

2. The waste described below is to be removed from (name, address, postcode, telephone, e-mail, fax/mobile):

3. Permit(s) code (where applicable):

4. The waste will be taken to (name, address and postcode):

5. The waste producer was (if different from 2) (name, address, postcode, telephone, e-mail, fax/mobile):

PART B Description of the waste

1. The process giving rise to the waste(s) was:

2. SIC for the process giving rise to the waste:

3. WASTE DETAILS where more than one waste type is collected all of the information given below must be completed for each EWC identified

Description of waste	List of wastes (EWC code(s) (alpha))	Quantity (kg)	The chemical (biological) components in the waste and their concentrations are:		Physical form (gas, liquid, solid, powder, sludge or mixed)	Hazard class(es)	Container type, number and size
			Component	Concentration (% or mg/kg)			

The information given below is to be completed for each EWC identified

EWC code	UN Identification number(s)	Proper shipping name(s)	UN class(es)	Packing group(s)	Special handling requirements

PART C Carrier's certificate

If more than one carrier is used, please attach schedule for subsequent carriers. If schedule of carriers is attached tick here:

I certify that I today collected the consignment and that the details in A2, A4 and B3 are correct and I have been advised of any specific handling requirements.

When this note comprises part of a multiple collection the round number and collection number are:

Carrier name:

On behalf of (name, address, postcode, telephone, e-mail, fax/mobile):

Carrier registration no./reason for exemption:

Vehicle registration no. (or mode of transport, if not road):

Signature:

Date: Time:

PART D Consignor's certificate

I certify that the information in A, B and C has been completed and is correct, that the carrier is registered or exempt and was advised of the appropriate precautionary measures. All of the waste is packaged and labelled correctly and the carrier has been advised of any special handling requirements.

I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011.

Consignor name:

On behalf of (name, address, postcode, telephone, e-mail, fax/mobile):

Signature:

Date: Time:

PART E Consignee's certificate where more than one waste type is collected all of the information given below must be completed for each EWC

Intentional EWC code(s) received	Quantity of each EWC code received (kg)	EWC code accepted/rejected	Waste management operation (R or C code)

1. I received this waste at the address given in A4 on: Date: Time:

2. Vehicle registration no. (or mode of transport, if not road):

3. Where waste is rejected please provide details:

Name:

On behalf of (name, address, postcode, telephone, e-mail, fax/mobile):

I certify that waste permit/exempt waste operation number:

authorises the management of the waste described in 3 at the address given in A4.

Where the consignment forms part of a multiple collection, as identified in Part C, I certify that the total number of consignments forming the collection are:

Signature:

Date: Time:

HWCN01v1.11

PERMIT SURRENDER



PERMIT SURRENDER

- You can't simply walk away.
- Must decommission activities, remove pollution sources and surrender permit.
- Clean-up to baseline levels – if you have one!
- Continue to pay subsistence fees until officially surrendered.
- If you weren't a permitted facility, you could technically walk away, depending on site ownership/leases and future site uses.
- Polluter pays!

TIMESCALES

- Plan ahead!
- From submitting application to determination ~4 months.
- Assumes everything goes smoothly.
- Doesn't include time for preparation of the application.
- If more information is required by the EA then the clock stops (Schedule 5).
- Legal issues around operating without a permit - Enforcement position varies across regions, activities and attitude of operator.
- Pre-operational conditions and/or improvement programme included within permit.
- Frequently worth contacting a consultant...

QUESTIONS?