

Natural Resources Wales permitting decisions

Variation

We have decided to issue the variation for Nantycaws HCI Waste Transfer Station operated by CWM Environmental Limited.

The variation number is EPR/EP3698FL/V004

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Structure of this document

- Key issues
- Annex 1 the decision checklist

Key issues of the decision

Schedule 1 to the Environmental Permitting Regulations (England and Wales) 2010 has been updated by the Environmental Permitting (England and Wales) (Amendment) Regulations 2013 to reflect the implementation of Directive 2010/75/EU on Industrial Emissions, (the Industrial Emissions Directive) in England and Wales. As a result of this, a number of previously permitted waste activities have now been amended to Schedule 1, Part 2 listed activities. These activities are referred to as 'newly prescribed activities'.

Sites undertaking these activities were required to submit a variation application to vary their permits to include these as listed activities.

We have not required the operator to submit evidence of technical competence. This is because the newly prescribed activities were already permitted as waste activities before the change in legislation. Therefore, technical competence would have been assessed and agreed when the site was originally permitted.

We also did not require the operator to submit an environmental risk assessment, as this is also something which would have been assessed and agreed when the permit was initially issued. Furthermore, this variation does not include any changes to permitted waste types or emissions. These all remain as previously permitted and therefore did not require any assessment as part of this variation.

We did require the operator to submit relevant sections of their environmental management system, relating to the newly prescribed activity. We also required the operator to provide information on energy efficiency, a consideration for installation sites which would not have been assessed as part of the original waste permit application.

Annex 1: decision checklist

This document should be read in conjunction with the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Environmental Risk Assessment and operating techniques		
Operating techniques	We have reviewed the techniques used by the operator and we are satisfied that these are appropriate for the activities undertaken on site.	✓
The permit conditions		
Updating permit conditions during consolidation.	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s). The operator has agreed that the new conditions are acceptable.	✓
Incorporating the application	We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Technical competence	Technical competency is required for activities permitted. As an existing permitted site, technical competence was not assessed as part of this application. Please see Key Issues Section for more information.	✓
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓