



Environment
Agency



Standard rules consultation no 24: proposals for small metal recycling and small end-of-life vehicles sites

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We are the Environment Agency. We protect and improve the environment.

We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

We improve the quality of our water, land and air by tackling pollution. We work with businesses to help them comply with environmental regulations. A healthy and diverse environment enhances people's lives and contributes to economic growth.

We can't do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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1 Why we are consulting

We want your views on our proposed 2 new standard rules permits and their associated fire prevention plans and generic risk assessments. We will review your feedback and change our draft standard rules if appropriate.

In 2018 the Department for Environment, Food and Rural Affairs (Defra) and the Welsh Government carried out a public consultation called '[Reducing crime at sites handling waste and introducing fixed penalties for waste duty of care](#)'. This consultation proposed making substantial changes to the waste exemptions regime. It contained a number of proposals, including changes to exemptions [T9 \(recovering scrap metal\)](#) and [U16 \(using depolluted end-of-life vehicles for parts\)](#).

Although the outcome of this consultation has not been published yet, we believe these new standard rules could help operators if they need to change from these exemptions into environmental permitting.

2 What we are consulting on

The [Environmental Permitting \(England and Wales\) Regulations 2016](#) allow us to make standard rules permits that reduce the administrative burden on businesses while maintaining environmental standards.

This consultation is about 2 new standard rules permits that will allow operators to:

- store and treat up to 5,000 tonnes of ferrous and non-ferrous metals each year
- operate a vehicle storage, depollution and dismantling facility for up to 10 end-of-life vehicles per week

The new standard rules permits are for small scale operators. They include a fire prevention plan to make sure operators comply with our [fire prevention plan guidance](#).

The new standards rules permits are supported by generic risk assessments. Generic risk assessments make sure that risks to the environment and human health are kept to a minimum.

We want your views on whether the proposed 2 new standard rules permits, fire prevention plans and generic risk assessments are appropriate to manage the risks of the permitted activities.

2.1 What a standard rules permit is

Standard rules permits contain one condition which refers to a fixed set of standard rules that an operator must comply with. The rules define the activities that an operator can carry out and specify necessary restrictions on those activities, such as waste storage quantities and emission limits. [Standard rules are published on GOV.UK](#) following public consultation.

Any operator who wishes to carry out a particular activity at a particular site or sites can look at the standard rules and apply for a standard rules permit if they can comply.

We can issue standard rules permits more quickly and cheaply because we have fewer decisions to make on site-specific permit conditions. Where an operator cannot meet the requirements of the standard rules they must apply for a bespoke permit and provide us with additional information.

It takes us longer to issue a bespoke permit because we have to carry out a more detailed assessment of the application. This includes deciding whether to include site-specific conditions and whether we must consult in line with our policy on [when and how we consult about environmental permits](#).

There is no right of appeal against the rules in a standard permit because applying for a standard permit is voluntary. If an operator wants to change the way their site operates, they must apply to vary (change) their standard permit to another standard permit or bespoke permit if either:

- their operation falls outside the scope of their standard rules (which for this permit includes the fire prevention plan)
- the standard permit and associated fire prevention plan no longer works for their particular operation

2.2 The fire prevention plan is included with each rule set

We have produced a fire prevention plan for each rules set we are consulting on. This is set out in schedule 3 of the permit. The requirements specified in schedule 3 address the risks posed by the permitted activities set out in condition 2.1 and the waste types listed in schedule 1 of the permit. The fire prevention plan satisfies the 3 objectives set out in our [fire prevention plan guidance](#), which are to:

- minimise the likelihood of a fire
- aim for a fire to be extinguished within 4 hours
- minimise the spread of fire within the site and to neighbouring sites

The standard rules require the activities to be carried out in line with the fire prevention plan. Failing to comply with the requirements of the fire prevention plan will breach the permit conditions.

If an operator cannot fully comply with the fire prevention plan or the activities, or waste types change, they must vary their permit. They will need to submit a site-specific fire prevention plan as part of their application to vary their permit.

2.3 Generic risk assessments for these activities

We have produced generic risk assessments for these activities. They list the potential risks and how to manage them. We identify possible pathways from the risks to the receptors (people, animals, property and anything that could be affected by the hazard).

The risk assessments are split into 3 sections:

- data and information: this section is made up of receptor, source, harm and pathway information that is relevant to the activity
- judgement: we have done the risk assessment to work out the likelihood of the receptors being in danger from the hazard, the consequences of the hazard happening and the overall size of the risk
- action: risks will be controlled by setting standard rules – for example, to manage noise and vibration, operators must comply with a relevant noise and vibration management plan

We will control residual risks by doing compliance assessment, such as site inspections, to ensure that the operators comply with the rules.

A set of standard rules may contain a rule which requires an operator not to carry out an activity within a certain distance of specified nature conservation sites. Habitats and species are sensitive to toxic contamination, nutrient enrichment, habitat loss, silt, smothering, disturbance and predators.

We use specified distances to identify which activities could affect sites and species. Activities that do comply can be eligible for a standard rules permit. We do not consult nature conservation bodies on individual applications for standard rules permits.

2.4 Proposed charges

These charges apply to both rules sets. They try to cover Environment Agency costs.

Permit application: £2,641

Minor variation: £792

Transfer application: £2,529

Surrender application: £1,585

Annual subsistence: £971

3 Summary of the proposed rules we are consulting on

These new standard rules sets do not replace any other standard rules currently in place.

Small metal recycling facility (less than 5,000 tonnes) with associated fire prevention plan (SR 2021 No.11) will allow the operator to:

- operate a metal recycling facility that accepts no more than 5,000 tonnes of specified ferrous and non-ferrous wastes per year – the combined storage limit of wastes stored on the site at any one time is limited to 100 tonnes
- sort, separate, grade, manual feed, cut (using hand-held equipment only), shear, bale and compact
- operate a metal recycling facility in line with the fire prevention plan in schedule 3

The location rules restrict the operation of the facility so that it is not:

- within 200 metres of a European site, Ramsar site, Site of Special Scientific Interest or Marine Conservation Zone
- within a groundwater source protection zone 1 or 2, or where a source protection zone has not been defined then not within 100 metres of any well, spring or borehole used for the supply of water for human consumption (includes private water supplies)

A small end-of-life vehicle depollution and dismantling facility (less than 750 tonnes) with associated fire prevention plan (SR 2021 No.12) will allow the operator to:

- operate a vehicle storage, depollution and dismantling facility that stores no more than 10 end-of-life vehicles at any one time and accepts less than 750 tonnes of end-of-life vehicles a year
- depollute end-of-life vehicles and sort, separate, grade or cut waste into different components for recovery
- operate a vehicle storage, depollution and dismantling facility in line with the fire prevention plan in schedule 3

The location rules restrict the operation of the facility so that it is not:

- within 200 metres of a European site, Ramsar site, Site of Special Scientific Interest or Marine Conservation Zone
- in a groundwater source protection zone 1 or 2, or where a source protection zone has not been defined then not within 100 metres of any well, spring or borehole used for the supply of water for human consumption (this includes private water supplies)
- within 10 metres of an unculverted watercourse

4 Responding to this consultation

4.1 Important dates

This consultation will run from 28 June 2021 to 20 September 2021.

4.2 How to respond

See the consultation documents and questions online for Standard rules consultation no 24: proposed new standard rules permits, fire prevention plans and generic risk assessments [here](#).

Sending your response online helps us gather and summarise responses quickly and reduce costs.

Alternatively, you can respond to this consultation by emailing wastetreatment@environment-agency.gov.uk. Use the subject line 'Consultation – ELV/MRS standard rules'.

You can also respond to this consultation by post. Please email wastetreatment@environment-agency.gov.uk for the postal address. Use the subject line 'Consultation – ELV/MRS standard rules'.

If you want a printed version of the document posted to you, please contact us:

Environment Agency National Customer Contact Centre
Telephone: 03708 506 506
Minicom for the hard of hearing: 03702 422 549
Monday to Friday, 8am to 6pm
[Find out about call charges](#)

4.3 How we use your information

We will use your information to help shape these standard rules. During the consultation we will try to make all responses publicly available after the consultation, unless you have specifically requested that we keep your response confidential. We will not publish names of individuals who respond.

We will also publish a summary of responses on GOV.UK in which we will publish the name of the organisation for those responses made on behalf of organisations. We will not respond individually to responses.

After the consultation has closed we will publish a summary of the responses on GOV.UK. We will contact you to let you know when this is available. In line with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but we will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

For more information see our [personal information charter](#).

4.4 Privacy notice

We would like to keep you informed about the outcomes of this consultation. If you would like to receive an email acknowledging your response and be notified that the summary of responses has been published, please give us your email address in your response to this consultation. By providing us with your email address you consent for us to email you

about the consultation. We will keep your details until we have notified you that the response document has been published.

We will not share your details with any other third party without your explicit consent unless required to by law. You can withdraw your consent to receive these emails at any time by emailing us at standard-rules@environment-agency.gov.uk.

4.5 Consultation principles

We are running this consultation in line with the government's [consultation principles](#). If you have any queries or complaints about the way this consultation has been carried out please email consultation.enquiries@environment-agency.gov.uk.

Would you like to find out more about us or your environment?

Then call us on

03708 506 506 (Monday to Friday, 8am to 6pm)

Email: enquiries@environment-agency.gov.uk

Or visit our website

www.gov.uk/environment-agency

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