

Standard rules SR2022 No2 (Incorporating SR2010 No11)**The Environmental Permitting (England & Wales) Regulations 2016**

Mobile treatment of waste to produce soil, soil substitutes and aggregate**Introductory note**

This introductory note does not form a part of the standard rules. It is a non-technical summary to help explain what this kind of waste facility does, and to help operators decide whether these rules are suitable for them. Operators must check all the rules in detail to ensure they can always comply with them.

These rules allow the permit holder to operate a mobile plant to treat waste at a site. This will make soil, soil substitutes or aggregate from specified wastes.

The operator must obtain Environment Agency approval before using this mobile plant permit at a site. They must submit a deployment form to the Environment Agency confirming where the mobile plant will be located and providing supporting information, including the types of waste to be treated and the pollution control measures that will be in place. If the information is satisfactory, the Environment Agency will approve the deployment.

Permitted wastes are limited to construction and demolition wastes such as soils, concrete and bricks, and waste types like compost and gypsum which are used to manufacture soil.

Hazardous waste is not allowed under these rules.

No more than 75,000 tonnes of waste can be treated at any deployment site. No more than 5,000 tonnes of imported waste can be stored at a deployment site at any time.

Treatment is limited to sorting, separation, screening, crushing, and blending. Processes such as sink float density separation and soil, or aggregate washing are not permitted.

Treatment can only be undertaken on waste that was either:

- produced at the deployment site; or
- imported into the deployment site for use there after treatment.

Deployment sites cannot be within:

- 50 metres of any well, spring or borehole used for the supply of water for human consumption, domestic or food production purposes (including private water supplies);
- 10 metres of a watercourse.

End of introductory note

Record of changes

Version	Date	Change
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Rules

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, so far as is reasonably practicable, including those risks 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 rule 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 these standard rules shall have convenient access to a copy of these rules, the permit, the management system and the approved deployment form.

1.1.4 The operator shall comply with the requirements of an approved competence scheme.

1.2 Avoidance, recovery and disposal of wastes produced by the activities

1.2.1 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.

1.2.2 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 activities with the following descriptions:

- (a) Waste activity codes for recovery:

R3: Recycling/reclamation of organic substances which are not used as solvents;

R5: Recycling/reclamation of other inorganic materials;

R13: Storage of wastes pending R3 and R5 operations.

2.1.2 Treatment is limited to:

- (a) Sorting, separation, screening, crushing and blending of waste for recovery as a soil, soil substitute or aggregate. It does not include soil or aggregate washing or separation in density separation plants;
- (b) The place where the waste was produced or where the treated waste is to be used.

2.1.3 The activities are limited as follows:

- (a) No activities authorised by these rules shall begin until the Environment Agency has agreed to a deployment in writing;
- (b) The Environment Agency shall be notified of deployments at least 25 working days before any activities authorised by these rules begin, using deployment form MPD1;
- (c) The activities shall only be carried out in accordance with the requirements of the agreed deployment form unless otherwise agreed in writing by the Environment Agency;
- (d) No more than 75,000 tonnes of waste shall be treated under any one deployment;
- (e) No more than 5,000 tonnes of imported waste shall be at the deployment site at any one time;
- (f) Treatment of slags and ashes shall not exceed 75 tonnes per day;
- (g) Storage under these standard rules shall only be in association with the treatment taking place as notified in the deployment form;
- (h) No imported waste shall be on site for longer than 6 months before treatment.

2.2 The site

2.2.1 The activities shall not be carried out within:

- (a) 50 metres of any well, spring or borehole used for the supply of water for human consumption, domestic or food production purposes (including private water supplies);
- (b) 10 metres of a watercourse.

2.3 Waste acceptance

2.3.1 Waste shall only be accepted at for treatment under a deployment if:

- (a) it conforms to the description in the transfer documentation supplied by the producer and holder; and

- (b) its chemical, physical and biological characteristics make it suitable for the treatment intended for it; and
- (c) it falls within the wastes codes and descriptions given in Schedules 1 or 2 of these rules; and
- (d) in the case of soils other than from domestic premises, road sub base and road planings you have obtained the following in writing:
 - (i) information about the pollutants that could be present in the soil; and
 - (ii) an assessment to determine if the soil has hazardous properties based on representative sampling and analysis; and
 - (iii) confirmation of the appropriate waste code based on the assessment.

2.3.2 Any waste that does not comply with rule 2.3.1 shall be rejected and:

- (a) removed from the site; or
- (b) moved to a designated quarantine area pending removal.

2.3.3 Records demonstrating compliance with rule 2.3.1 shall be maintained and kept for at least 2 years.

2.4 Operating techniques

2.4.1 The activities shall, subject to the rules of this permit, be operated using the following techniques:

- (a) All waste shall be kept secure.
- (b) When located outside a groundwater Source Protection Zone, and unless alternative measures have been approved by the Environment Agency, waste shall be stored and handled on hardstanding or on an impermeable surface with sealed drainage system.
- (c) When located within a groundwater Source Protection Zone, and unless alternative measures have been approved by the Environment Agency:
 - (i) waste listed in Schedule 2 of these rules shall be stored and handled on an impermeable surface with a sealed drainage system;
 - (ii) waste listed in Schedule 1 of these rules shall be stored and handled on either a hardstanding or an impermeable surface with a sealed drainage system.
- (d) All sumps, tanks, lagoons and other collection points in the drainage system shall be inspected daily and managed to prevent the escape of contaminated water from the site.
- (e) All loads of waste shall enter and leave the site enclosed, sheeted or otherwise covered so as to minimise emissions of dust and litter during transport.

3 Emissions and monitoring

3.1 Emissions to air, land and water

3.1.1 There shall be no point source emissions to water, air or land – except:

- (a) liquids may be discharged into a sewer subject to a consent issued by the local sewerage undertaker;
- (b) liquids may be taken off-site in a tanker for disposal or recovery;
- (c) clean (uncontaminated) surface water from roofs, or from areas of the site that are not being used in connection with storing or handling waste, may be discharged directly to surface waters, or to groundwater by seepage through the soil via a soakaway;

3.2 Emissions management

3.2.1 Emissions from the site 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 or are likely to do so, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies, prevents 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. This must meet CIRIA 736 or equivalent standard.

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.

3.3.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan;
- (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

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.

3.4.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan;
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

4.1.1 All records required to be made by these standard rules 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.

4.2 Reporting and Notifications

4.2.1 All reports and notifications required by these standard rules shall be made in writing, using the contact details supplied by the Environment Agency. Where reports and notifications must be made immediately, they may be provided verbally.

4.2.2 Within one 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 each deployment made under this permit and the waste accepted and removed from each deployment during the previous quarter.

4.2.3 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 rule 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 any rule 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 rules has been restored.

4.2.4 Written confirmation of actual or potential pollution incidents and breaches of rules shall be submitted to the Environment Agency within 24 hours.

4.2.5 Following the detection of an event listed in rule 4.2.3, the operator shall review and where necessary revise the management system and implement any changes as necessary to minimise the risk of reoccurrence of the issue.

4.2.6 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.

4.2.7 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:

- a) Where the operator is a registered company:
 - (i) any change in the operator's trading name, registered name or registered office address; and
 - (ii) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- b) Where the operator is a corporate body other than a registered company:
 - (i) any change in the operator's name or address; and
 - (ii) any steps taken with a view to the dissolution of the operator.
- c) In any other case:
 - (i) the death of any of the named operators (where the operator consists of more than one named individual); and
 - (ii) any change in the operator's name(s) or address(es); and

- (iii) 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 Interpretation

4.3.1 In these standard rules the expressions listed below shall have the meaning given.

“accident” means an accident that may result in pollution.

“alternative measures” means control measures identified in the risk assessment submitted with the deployment form.

“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.

“D” means a disposal operation provided for in Annex I to Directive 2008/98/EC of the European Parliament and of the Council on waste.

“deployment form” means the Environment Agency form (MDF1) that requires site specific information and control measures to be provided and agreed prior to the use of any mobile plant.

“disposal” means any of the operations provided for in Annex IIA to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

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

“emissions management plan” (EMP) means a plan which is informed by a risk assessment and which sets out site-specific control measures to prevent and minimise the risk and impact of pollution due to emissions from the site. Different EMPs should be produced for different pollutants, for example, odour, noise and vibration, dust and particulates, mud, litter. These EMPs form part of the site’s management system.

“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 these standard rules or from other localised or diffuse sources, which are not controlled by an emission or background concentration 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.

“handled” and “handling” encompass all activities relating to waste except for its storage, and include treatment as well as transfer activities like loading, unloading and movement of waste within the site.

“hardstanding” means ground surfaced with a durable material. It must be capable of being kept clear of debris and remaining level and rut free. It must be maintained so that it is permeable and does not cause surface water ponding.

“hazardous waste” has the meaning given in the Hazardous Waste (England and Wales) Regulations 2005 (as amended).

“impermeable surface” means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids through and beyond the pavement surface and should be read in conjunction with the term “sealed drainage system”.

“imported” means waste brought into a deployment site from elsewhere, including from other places within the same country.

“pollution” means emissions as a result of human activity which may –

- (a) be harmful to human health or the quality of the environment
- (b) cause offence to a human sense
- (c) result in damage to material property, or
- (d) impair or interfere with amenities and other legitimate uses of the environment.

Where pollution relates to an offence to the senses, this shall be as perceived by an authorised officer of the Environment Agency.

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

“R” means a recovery operation provided for in Annex II to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on Waste.

“recovery” means any of the operations provided for in Annex IIB to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

“sealed drainage system” in relation to an impermeable surface means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

“secure” means that all reasonable precautions are taken to ensure that the waste cannot escape and that members of the public are unable to gain access to the waste.

“site” means the place where mobile plant is deployed, as detailed in the agreed deployment form(s).

“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.

“year” means calendar year ending 31 December.

Schedule 1 Permitted waste types for production of aggregates

Waste Codes	Waste types
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 04	wastes from physical and chemical processing of non-metalliferous minerals
01 04 08	gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	sand and clays
02	WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING
02 02	wastes from the preparation and processing of meat, fish and other foods of animal origin
02 02 02	shellfish shells from which the soft tissue or flesh has been removed
10	WASTES FROM THERMAL PROCESSES
10 01	wastes from power stations and other combustion plants (except 19)
10 01 02	pulverised fuel ash
10 11	wastes from manufacture of glass and glass products
10 11 12	clean glass other than those mentioned in 10 11 11
10 12	wastes from manufacture of ceramic goods, bricks, tiles and construction products
10 12 08	ceramics, bricks, tiles and construction products (after thermal processing)
10 13	wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 14	concrete
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 07	clean glass
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	concrete, bricks, tiles and ceramics
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02	wood, glass and plastic
17 02 02	clean glass
17 03	bituminous mixtures, coal tar and tarred products
17 03 02	road base and road planings (other than those containing coal tar)
17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 04	soil and stones other than those mentioned in 17 05 03
17 05 08	track ballast other than those mentioned in 17 05 07

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 08	wastes from waste water treatment plants not otherwise specified
19 08 02	washed sewage grit (waste from desanding) free from sewage contamination
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 09	minerals (for example sand, stones)
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 02	garden and park wastes (including cemetery waste)
20 02 02	soil and stones

Schedule 2 Permitted waste types for the production of soils/soil substitutes

Waste Codes	Waste types
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD
03 01	wastes from wood processing and the production of panels and furniture
03 01 01	bark and cork
03 03	wastes from pulp, paper and cardboard production and processing
03 03 01	bark and wood
10	WASTES FROM THERMAL PROCESSES
10 01	wastes from power stations and other combustion plants (except 19)
10 01 01	bottom ash and slag
10 01 05	gypsum (solid)
10 01 07	gypsum (sludge)
10 01 15	bottom ash and slag from co-incineration other than those mentioned in 10 01 14
10 02	wastes from the iron and steel industry
10 02 01	Blast furnace slag filter bed media
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 06	dredging spoil other than those mentioned in 17 05 05
17 08	gypsum-based construction material
17 08 02	gypsum other than that mentioned in 17 08 01
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 05	wastes from aerobic treatment of solid wastes
19 05 03	compost from source segregated biodegradable waste
19 09	wastes from the preparation of water intended for human consumption or water for industrial use
19 09 02	sludges from water clarification

19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 12	treated bottom ash including incinerator bottom ash and slag other than that containing dangerous substances
19 13	wastes from soil and groundwater remediation
19 13 02	solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 04	sludges from soil remediation other than those mentioned in 19 13 03

End of standard rules

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