

Standard rules SR2019 No6

The Environmental Permitting (England & Wales) Regulations 2016

Treatment of waste tyres for recovery

Introductory note

This introductory note does not form a part of these standard rules.

When referred to in an environmental permit, these rules will allow the operator to operate a tyre recovery facility at a specified location, provided that the permitted activities are not carried out within:

- 200 metres of a European Site¹, Ramsar site, Site of Special Scientific Interest (SSSI) or a Marine Conservation Zone (MCZ)
- 50 metres of a National Nature Reserve (NNR), Local Nature Reserve (LNR), Local Wildlife Site (LWS), Ancient woodland or Scheduled Ancient Monument
- 50 metres of a site that has a species or habitat protected under the Biodiversity Action Plan that the Environment Agency considers at risk to this activity
- 10m of any watercourse
- a groundwater source protection zone 1, or if a source protection zone has not been defined then within 50 metres of any well, spring or borehole used for the supply of water for human consumption. This must include private water supplies.

Permitted wastes are limited to end-of-life tyres and shredded/granulated end-of-life tyres only. Hazardous wastes are not allowed. No more than 3,500 tonnes of waste can be accepted each year. The combined storage limit of all wastes stored on site at any one time is limited to 60 tonnes (1200 commercial tyres or 4800 car or van tyres). Treatments under these rules must be for the purpose of recovery of the waste, and are limited to cleaning tyres and separating from rims, re-treading tyres for re-use, baling, shredding, peeling, shaving, or granulating. All waste must be treated indoors.

These rules will not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator. These rules do not allow any point source emission into air, surface waters or groundwater. However, under the emissions of substances not controlled by emission limits rule:

- Liquids may be discharged into a sewer subject to a consent issued by the local water company.
- Liquids may be taken off-site in a tanker for disposal or recovery.

- Clean (uncontaminated) surface water from roofs, or from areas of the site that are not being used in connection with storing and treating waste, may be discharged directly to surface waters, or to groundwater by seepage through the soil via a soakaway.

¹ A candidate or Special Area of Conservation (cSAC or SAC) and proposed or Special Protection Area (pSPA or SPA) in England and Wales.

End of introductory note

Record of changes

Version	Date	Change
1.0	DATE	Published

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 the permit.

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 only activities authorised by the permit are the activities specified in table 2.1 below.

Table 2.1 activities	
Description of activities	Limits of activities
<p>R3: Recycling/reclamation of organic substances which are not used as solvents</p> <p>R4: Recycling/reclamation of metals and metal compounds</p> <p>R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where the waste is produced)</p>	<p>Treatment of wastes listed in table 2.3, consisting only of manual sorting, granulating, baling, peeling, shaving, shredding and re-treading.</p> <p>Wastes listed in table 2.3 shall be kept in secure storage.</p> <p>All treatment shall be carried out in a building.</p> <p>Retreading shall be done for the purpose of reusing the tyres.</p> <p>Tyres shall be cleaned and separated from wheel rims before treatment.</p> <p>The maximum quantity of waste stored on site at any one shall not exceed 60 tonnes.</p> <p>No waste shall be stored for longer than 3 months.</p>

2.2 Waste acceptance

2.2.1 Waste shall only be accepted if:

- (a) it is of a type and quantity listed in Table 2.3 below; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

Table 2.3 Permitted waste types and quantities	
Maximum quantity	The maximum quantity of waste accepted at the site shall be less than 3,500 tonnes per year.
Exclusions	Wastes having any of the following characteristics shall not be accepted: <ul style="list-style-type: none"> • Hazardous wastes; • Consisting solely or mainly of dusts, powders or loose fibres; • Wastes that are in a form which is either sludge or liquid.
Waste code	Description
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	end-of-life vehicles from different means of transport [including off-road machinery] and wastes from dismantling of end-of-life vehicles maintenance (except 13,14,16 06 and 16 08)
16 01 03	end-of-life tyres
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 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 04	Shredded or granulated end-of-life tyres only

2.3 Operating techniques

2.3.1 The activities shall, subject to the rules of this permit, be operated using the techniques and in the manner described in Table 2.4 below.

Table 2.4 Operating techniques	
i.	All treatment of waste shall be within a building.
ii.	When located within Groundwater Source Protection Zone 2, all waste shall be stored and treated on an impermeable surface with a sealed drainage system.
iii.	When located outside Groundwater Source Protection Zones 2, all waste shall be stored and treated on hard-standing, or an impermeable surface with a sealed drainage system.
iv.	You will follow the Fire Prevention Plan approved by the Environment Agency.

2.4 The site

2.4.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.

2.4.2 The activities shall not be carried out within:

- (a) 200 metres of a European site, Ramsar, SSSI or Marine Conservation Zone (MCZ);

- (b) 50 metres of a National Nature Reserve (NNR), Local Nature Reserve (LNR), Local Wildlife Site (LWS), Ancient woodland or Scheduled Ancient Monument;
- (c) 50 metres of a site that has species or habitats protected under the Biodiversity Action Plan that the Environment Agency considers at risk to this activity;
- (d) 10 metres of a watercourse;
- (e) a groundwater source protection zone 1, or if a source protection zone has not been defined then within 50 metres of any well, spring or borehole used for the supply of water for human consumption. This must include private water supplies.

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.

3.2 Emissions of substances not controlled by emission limits

3.2.1 Emissions of substances not controlled by emission limits (excluding odour) 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, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies 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, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

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 which identifies and minimises the risks of pollution from odour;
- (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 which identifies and minimises the risks of pollution from noise and vibration;
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.5 Fire prevention

3.5.1 The operator shall take all appropriate measures to prevent fires on site and minimise the risk of pollution from them including, but not limited to, those specified in any approved fire prevention plan.

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, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and

(ii) matters which affect the condition of the land and groundwater.

4.1.2 The operator shall maintain convenient access, in either electronic or hard copy, to the records, plans and management system required to be maintained by this permit.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by the Environment Agency.

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 the site and the waste accepted and removed from it during the previous quarter.

4.3 Notifications

4.3.1 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 permit condition 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 permit condition 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 permit conditions has been restored.

4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emissions shall be submitted within 24 hours.

4.3.3 Following the detection of an issue listed in 4.3.1, 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.

4.3.4 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.

4.3.5 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:

- any change in the operator's trading name, registered name or registered office address; and
- 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:

- any change in the operator's name or address; and
- any steps taken with a view to the dissolution of the operator.

c) In any other case:

- the death of any of the named operators (where the operator consists of more than one named individual);
- any change in the operator's name(s) or address(es); and
- 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.

4.4 Interpretation

4.4.1 In these standard rules the expressions listed below shall have the meaning given in that table.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except where reference is made to notification being made as soon as possible in which case it may be provided by telephone.

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

“Annex I” means Annex I to Directive 2008/98/EC of the European Parliament and of the council on waste.

“Annex II” Annex II to Directive 2008/98/EC of the European Parliament and of the Council of waste.

“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.

“building” means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“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 expressions used in this permit which are also used in the regulations have the same meaning as those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from activities, either from the emissions points specified in these standard rules or from other localised or diffuse sources, which are not controlled by an emissions or background concentration limit.

“emissions to land” includes emissions to groundwater.

“End-of Life Vehicles Directive” means Directive 2000/53/EC of the European Parliament and Council of 18 September 2000 on end- of –life vehicles.

“european site” means a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017.

“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.

“hazardous property” has the meaning given in Schedule 3 of the Hazardous Waste (England and Wales) Regulations 2005 No.894 and the Hazardous Waste (Wales) Regulations 2005 No. 1806 (W.138).

“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 beyond the pavement surface, and should be read in conjunction with the term “sealed drainage system”.

“List of Wastes” means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time (including by decision 2014/955/EU).

“MCZ” means Marine Conservation Zone, designated under the Marine and Coastal Access Act 2009.

“nearest sensitive receptor” means The nearest place to the permitted activities where people are likely to be for prolonged periods. This term would therefore apply to dwellings (including any associated gardens) and to many types of workplaces. We would not normally regard a place where people are likely to be present for less than 6 hours at one time as being a sensitive receptor. The term does not apply to the operators of the permitted facility, their staff when they are at work or to visitors to the facility, as their

health is covered by Health and Safety at Work legislation. N.B. the term would apply to dwellings occupied by an operator's family.

"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.

"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.

"SSSI" means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

"Solvent Emissions Directive" means Directive 1999/13/EC (as amended by Directive 2004/42/EC) on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations.

"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. 'List of Wastes' means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time (including by decision 2014/955/EU).

"WFD" Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

"year" means calendar year ending 31 December.

End of standard rules