



# Permit with introductory note

## The Environmental Permitting (England & Wales) Regulations 2016

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Newbery Metals Limited

Newbery Metals Limited  
1 & 2 Ashton Business Centre  
Marsh Barton Trading Estate  
Exeter  
EX2 8LN

### **Permit number**

EPR/FB3203HQ

# Newbery Metals Limited

## Permit number EPR/FB3203HQ

### Introductory note

#### **This introductory note does not form a part of the permit**

The main features of the permit are as follows.

The site will be used for collection, sorting & storage of catalytic converters only. Treatment consisting only of manual sorting, separation, hazardous waste into different components for recovery. Wastes shall be stored for no longer than 1 year prior to disposal and 3 years prior to recovery. The maximum quantity of hazardous waste stored at the site for recovery shall not exceed 50 tonnes.

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

<b>Status log of the permit</b>		
<b>Description</b>	<b>Date</b>	<b>Comments</b>
Application EPR/FB3203HQ/A001	Duly made 18/10/2017	Bespoke application to store and transfer catalytic converters
Additional information received	10/11/2017	New TCM certificates sent in after original could not be verified
Permit determined EPR/FB3203HQ	06/12/2017	Permit issued to Newbery Metals Limited

End of introductory note

# Permit

## The Environmental Permitting (England and Wales) Regulations 2016

### Permit number

**EPR/FB3203HQ**

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

**Newbery Metals Limited** (“the operator”),

whose registered office is

**Orchard Works**

**Ashton Road**

**Marsh Barton**

**Exeter**

**Devon**

**EX2 8LN**

company registration number 00563681

to operate waste operations at

**Newbery Metals Limited**

**1 & 2 Ashton Business Centre**

**Marsh Barton Trading Estate**

**Exeter**

**EX2 8LN**

to the extent authorised by and subject to the conditions of this permit.

<b>Name</b>	<b>Date</b>
<b>Samantha Haddock</b>	<b>06/12/2017</b>

Authorised on behalf of the Environment Agency

# Conditions

## 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, including those 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 condition 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 this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.
- 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 the activities specified in schedule 1 table S1.1 (the “activities”).

### 2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

### 2.3 Operating techniques

- 2.3.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

- 2.3.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 2.3.3 All activities shall take place on impermeable surfaces with sealed drainage, unless otherwise specified in Table S1.1 or agreed in writing with the Environment Agency.
- 2.3.4 Waste shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 2 table S2.1; and
  - (b) it conforms to the description in the documentation supplied by the producer and holder.

## **2.4 Technical requirements**

### **Hazardous waste storage**

- 2.4.1 Hazardous waste shall not be mixed, either with a different category of hazardous waste or with other waste, substances or materials, unless it is authorised by schedule 1 table S1.1 and appropriate measures are taken.

## **3 Emissions and monitoring**

### **3.1 Emissions of substances not controlled by emission limits**

- 3.1.1 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.
- 3.1.2 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 Odour**

- 3.2.1 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.
- 3.2.2 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.

### **3.3 Noise and vibration**

3.3.1 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.

3.3.2 The operator shall:

- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to 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.

## **4 Information**

### **4.1 Records**

4.1.1 All records required to be made by this permit 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 keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

### **4.2 Reporting**

4.2.1 The operator shall send all reports and notifications required by the permit 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 The Environment Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
  - (b) the breach of a limit specified in the permit; or
  - (c) any significant adverse environmental effects.
- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 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.
- 4.3.4 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:
- Where the operator is a registered company:
- (a) any change in the operator's trading name, registered name or registered office address; and
  - (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- Where the operator is a corporate body other than a registered company:
- (a) any change in the operator's name or address; and
  - (b) any steps taken with a view to the dissolution of the operator.
- In any other case:
- (a) the death of any of the named operators (where the operator consists of more than one named individual);
  - (b) any change in the operator's name(s) or address(es); and
  - (c) 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.
- 4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:
- (a) the Environment Agency shall be notified at least 14 days before making the change; and
  - (b) the notification shall contain a description of the proposed change in operation.

## 4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

# Schedule 1 – Operations

<b>Table S1.1 activities</b>	
<b>Description of activities for waste operations</b>	<b>Limits of activities</b>
<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>D15: Storage pending any of the operations numbered D1 to D14 (excluding temporary storage, pending collection, on the site where the waste is produced)</p>	<p>Treatment consisting only of manual sorting and separation of hazardous waste into different components for disposal or recovery.</p> <p>There shall be no treatment including decanning of catalytic converters other than separating from other wastes.</p> <p>Wastes shall be stored for no longer than 1 year prior to disposal or 3 years prior to recovery.</p> <p>The maximum quantity of hazardous waste stored at the site shall not exceed 50 tonnes at any one time of which no more than 10 tonnes shall be stored for disposal.</p> <p>Storage and transport of catalytic converters and DPF's, shall be done in a way that doesn't result in piercing or damage to the metal casing. If the metal casing of any catalytic converter unit or DPF becomes damaged it should either be, double bagged in a minimum of 400 gauge polyethylene, or wrapped in a minimum of 400 gauge polyethylene sheeting.</p> <p>Waste types as specified in Table S2.1</p>

<b>Table S1.2 Operating techniques</b>		
<b>Description</b>	<b>Parts</b>	<b>Date Received</b>
Sector Guidance Note S5.06: recovery and disposal of hazardous and non-hazardous waste	All	n/a



## Schedule 2 – Waste types

<b>Table S2.1 Permitted waste types and quantities for Hazardous Waste Transfer Station</b>	
<b>Maximum quantity</b>	<b>The total quantity of waste accepted at the site for the above activity shall be less than 8,000 tonnes a year.</b>
<b>Waste code</b>	<b>Description</b>
<b>16</b>	<b>WASTES NOT OTHERWISE SPECIFIED IN THE LIST</b>
<b>16 01</b>	<b>End of life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)</b>
16 01 21*	hazardous vehicle components – catalytic converters containing RCF matting
16 01 22	catalytic converters not containing RCF matting

## **Schedule 3 – Emissions and monitoring**

There are no emission limits or associated monitoring requirements.

# Schedule 4 – Reporting

There is no reporting under this schedule.

# Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

## Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

<b>(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution</b>	
<b>To be notified within 24 hours of detection</b>	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Measures taken, or intended to be taken, to stop the emission	

<b>Time periods for notification following detection of a breach of a limit</b>	
<b>Parameter</b>	<b>Notification period</b>

<b>(c) Notification requirements for the detection of any significant adverse environmental effect</b>	
<b>To be notified within 24 hours of detection</b>	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

## Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

<b>Name*</b>	
<b>Post</b>	
<b>Signature</b>	
<b>Date</b>	

\* authorised to sign on behalf of the operator

## Schedule 6 – Interpretation

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

“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.

“compacting” means compacting involving the flattening or crushing of compactable metal wastes (typically depolluted end-of-life vehicles) to aid storage and economic transportation to the scrap processor; it is often a preparation for shredding. Compacting may be achieved using a waste handler’s loading shovel (known as ‘tapping’) or specially-designed hydraulic flattener.

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

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

“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” (below).

“*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.

“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.

“separation” means separating wastes into different material types, components and grades.

“sorting” means sorting that may be undertaken by hand or machinery. Sorting enables materials to be processed/recycled appropriately. It may involve separation of different waste types or the separation of different metal types including:

different ferrous metals;

non-ferrous metals;

non-metallic materials (e.g. paper and plastic).

The sorted metals are graded by visual inspection, supplemented by chemical and other laboratory tests. The physical sorting may be assisted by conveyors and electromagnets.

“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.

“waste motor vehicle” means a wheeled vehicle for use on land and that does not operate on rails that is waste within the meaning of Article 3(1) of the Waste Framework Directive.

“year” means calendar year commencing on 1st January.

# Schedule 7 – Site plan



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END OF PERMIT