

Industrial Emissions Directive – Permitting Newly Prescribed Activities – a Duly Making Checklist for Waste Facilities

When the Industrial Emissions Directive was implemented into domestic legislation by the amendment¹ of the Environmental Permitting Regulations 2010 (EPR), the scope of Installations (activities shown in Part 2 to Schedule 1 of EPR) widened to include some activities not previously regulated as Installations. These activities are known as ‘newly prescribed’ activities.

This checklist relates to those newly prescribed activities that were in operation on 7th January 2013, had the physical or legal capacity to operate above one of the thresholds described in Schedule 1 to EPR and were regulated as waste operations.

Information outlining the criteria for being a ‘newly prescribed’ activity and describing the process that operators should follow if they carry out a waste treatment activity that now needs to be permitted as an installation activity has been provided in other documents².

This document sets out what information is required in making an application for a ‘newly prescribed’ activity.

Being ‘duly made’ is a key requirement of making an application. EPR states that newly prescribed activities must be permitted as Installations by 7th July 2015. Operators will have a defence for not holding a permit as an Installation on that date if they submit a duly made application by the appropriate one of three key dates. These dates are known as ‘defence dates’.

The point of the duly making assessment is to ensure that the application contains sufficient information for the application to be assessed. This checklist sets out the information required for a ‘duly made’ application. We will assess applications against this checklist to decide whether there is sufficient information in order for it to be ‘duly made’.

This document summarises relevant points. Operators should not base significant financial decisions on this overview. Where an operator is uncertain on what to provide they should seek advice either from their Environment Agency (EA) Area Compliance Officer or independent professional consultants

The majority of ‘newly prescribed’ installation activities currently have a waste permit and in some limited cases operate under a waste exemption. For those operating under a waste permit, the age of the permit and the desired outcome of the operator will affect the amount of technical assessment, and hence the amount of information, required in order for the application to be considered ‘duly made’.

Information Sheet #1 explains how the degree of technical assessment affects the cost to the operator in submitting their application. This in turn will affect the type of application and the information needed for the application to be ‘duly made’.

Guidance is available on our website for operators who need to apply for a permit for the first time – including those that need to move from operating under a waste exemption. The level of information required for those applications is substantially different to any application to vary an existing permit. This checklist therefore only relates to those applicants varying existing permits, specifically the administrative variations and the normal / substantial variations.

Scope of Variations

Waste permits issued after April 2007 will require an administrative variation. No technical assessment is required, as the relevant technical standards (BAT / Appropriate Measures) have not changed since permit issue. These permits are deemed to be IED compliant; however, the ‘newly prescribed’ installation activity will need to be identified on the permit. The administrative variation is therefore necessary to provide a formal route for the operator to ask for this activity to be included in their permit and for the EA to advertise that request on the public register.

¹ IED was implemented into the Environmental Permitting regulations 2010 by The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 SI 2013 No. 390

² Industrial Emissions Directive - Information sheet #1 Identifying sites for permitting as installations

Waste permits issued before April 2007 will require a normal variation.

Substantial variations will only be relevant where the newly prescribed activity has not been permitted before (i.e. not a permitted waste operation) and the operator wishes to add that activity to an existing installation permit.

Approach to site condition reports and baseline reporting

The Site Condition Report (SCR) describes and records the condition of the land and groundwater at a site at a particular point in time. When applying for a new permit, a Baseline Report provides that description and record of the condition of the land before any activities commence. They enable operators to demonstrate that they have protected land and groundwater during the lifetime of the site and that the land is in a satisfactory state when they come to surrender their permit.

A SCR is required for any facility we regulate under the Environmental Permitting Regulations where there may be a significant risk to land or groundwater including where one is necessary to satisfy the requirements of the Industrial Emissions Directive (IED).

The EC have [confirmed](#) however, that for Newly Prescribed Activities a baseline report should be established at the first permit review after 7 July 2015. We will carry out this review following the publication of the revised BAT Reference Document (BREF) and BAT Conclusions expected in 2016/17.

The EA will therefore not be seeking Site Condition Plans / Baseline Reports as part of the Newly Prescribed Activity re-permitting process.

Operators should be aware that a Baseline Report will be required when they come to surrender their permit, to assist in the process of demonstrating the land is in a satisfactory state. Permits will be updated at some future date to require an assessment and continued consideration of the condition of the land.

Duly Making Checklists

The following tables set out the information that will need to be included in applications for administrative variations and for normal (and substantial) variations for 'newly prescribed' installation activities.

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Table 1 duly making information for all sectors

Item	Criteria	Admin variation	Normal variation
<p>Is the operation a newly prescribed activity?</p>	<p>The activity needed to have been in operation on 7th of January 2013 to qualify for the delay until 7th July 2015.</p> <p>If not, it is a new activity and should be permitted as an Installation before operations commence</p> <p>See Defra’s Industrial Emissions Directive (IED) webpage for more information</p>		
<p>Application forms</p> <p>Are they present & filled in correctly? <i>(also see Charges below)</i></p> <p>These are available from our website GOV.UK</p>	<p>Most recent version of form used? <i>(at time of application)</i></p> <p><u>Administrative variations</u></p> <ul style="list-style-type: none"> Part A About you Part C0.5 Administrative variation of a standard or bespoke permit <p><u>Normal variation</u></p> <ul style="list-style-type: none"> Part A About you Part C1 varying a standard facilities permit (<i>varying from waste operation to standard rules IED Installation</i>) Part C2 varying a bespoke permit – general information (<i>varying from waste operation to bespoke IED Installation</i>) Part C3 varying a bespoke installation permit (<i>varying from waste operation within an installation permit to bespoke IED Installation</i>) <p>If the permit being varied is a bespoke, you will need to submit both C2 and C3. C2 for varying a bespoke, and C3 to provide the info for the installation that they are varying the permit to become. They will need to submit C3 every time.</p> <ul style="list-style-type: none"> Form F Opra, charges and declarations 		<p>N/A</p>
<p>Application Charges</p> <p>Has the correct payment been made?</p> <p>See our current charging scheme</p>	<p>Documents referenced in Forms are correct with respect to Application?</p> <p>Correct application type ?</p> <p>See IED Information Sheet #1 on the types of application that may be relevant for this assessment</p> <p>For Normal variation applications, the charges should be based on the existing waste Opra spreadsheet.</p>		
<p>Installation Opra spreadsheet</p> <p>A new installation OPRA spreadsheet should be completed by the operator for future subsistence charging purposes.</p> <p>For more information on how to complete an Installation spreadsheet, see Opra guidance</p>	<p>Correct payment received in line with our charging guidance?</p> <p>Complexities complete and correct?</p> <p>Location: Information on the sensitive receptors close to your facility can be found on GOV.UK in the local environmental data section or at http://www.magic.gov.uk/ . The OPRA guidance for installations confirms the screening distance at which potential receptors like habitat and nature conservations sites become relevant.</p> <p>Information on habitat & nature conservation sites is then relevant should you need to complete an ecological impact assessment (see the section below on H1 assessment)</p> <p>Emissions (if applicable): Use existing data or estimates if you have any fixed emission sources</p> <p>Operator Performance: Where an operator claims to have an externally verified EMS, we will need to verify this with the relevant registration numbers etc. Provide relevant data for this to be reflected in the Opra profile, otherwise that credit may not be claimed.</p>	<p>N/A– no charge</p>	

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Item	Criteria	Admin variation	Normal variation
<p>Non-technical summary</p> <p>Explain why the application has been made and what changes you seek to the permit</p>	<p>Reasons for application</p> <p>A non- technical summary that explains the Application should be submitted by the Applicant. This should include a summary of the regulated facility, the key technical standards and control measures arising from the risk assessment, even if this was as presented in the original post-2007 application.</p> <p>The summary should clearly describe the extent of the 'installation' following the guidance on the meaning of a regulated facility in Regulatory Guidance Note (RGN 2):</p> <p>The summary should state which newly prescribed activity is being applied for and the directly associated activities (DAAs) to that scheduled activity. If there are other waste activities remaining under the permit those should also be clearly described. R & D Codes should be included against each activity.</p> <p>Daily treatment capacity calculation</p> <p>The operator should demonstrate how the daily treatment capacity had been calculated. See the following guidance documents:</p> <ul style="list-style-type: none"> • IED Information sheet #1 - Identifying sites for permitting as installations • IED Information sheet #2 - Examples of installation facilities & capacities • RGN 2 Guidance (Appendix 1) – The definition of “Capacity” 		
<p>Site plan</p> <p>Your permit will include a plan clearly showing the site facilities, including the site boundary</p>	<p>Site plan(s) submitted and appropriate for the permit?</p> <p>The site plan should show:</p> <ul style="list-style-type: none"> • site infrastructure (including drainage plan, secondary containment and structures for separately storing types of waste which may be incompatible) • locations of each treatment process, waste reception buildings, auxiliary & support facilities etc. • capacity of waste storage / treatment areas, hazards and plant • process flow diagrams for the treatment plant • emission points to air (including from storage tanks), surface or ground water and sewer • nearby roads or features just outside the boundary (this is for the purpose of identifying the site). • building layout plan (the layout or plan should show the activities that would be carried out (including any storage of waste). • site boundary must be clearly marked in a <u>visible line</u> • a compass marker and scale indicator must also be shown 		
<p>Waste types</p> <p>Which waste types will the site accept?</p> <p>How much waste will the site accept?</p>	<p>EWC codes listed?</p> <p>The permit will include a list of waste types and quantities accepted for each treatment processes or storage activity at the facility. Separate waste types and quantities will be identified for waste operations and installation activities. These waste types will be shown in EWC format.</p> <p>If the current permit includes a list, that list should be provided, split down to the waste operations and installation activities taking place .</p> <p>If the current permit does not include a detailed EWC list one should be prepared, based on and limited to the wastes accepted at the site as restricted by the current permit</p>		

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Item	Criteria	Admin variation	Normal variation
<p>H1 Environmental risk assessment (including ecological assessment)</p> <p>Our H1 guidance provides more information:</p>	<p>Odour?</p> <p>Accidents?</p> <p>Noise and vibration?</p> <p>Fugitive emissions?</p> <p>Ecological sites considered?</p> <p>(a) Has the operator undertaken an ecological impact assessment? If yes, provide document reference _____</p> <p>(b) Have there been any changes at the facility since permit issue?</p> <p>Note: If the answer to question (a) is “No”, an ecological assessment is required irrespective of whether or not the site has undergone changes.</p> <p>If the answer to question (a) is “Yes” and the site has not undergone any changes, a habitats assessment is not required.</p> <p><u>Ecological impact assessment</u></p> <p>Ecological impacts identified and considered – See section above on locational aspect within OPRA</p> <p>Habitats Directive sites? – SAC, SPA, Ramsar?</p> <p>Countryside and Rights of Way Act (CROW) sites – SSSIs</p> <p>Non-statutory conservation sites (Local Wildlife Sites, National Nature Reserves, Ancient Woodlands etc.)?</p>	N/A	
<p>BAT/ Appropriate measures technical assessment</p>	<p>BAT addressed in line with relevant guidance (IPPC S5.06)</p> <ul style="list-style-type: none"> • Pre-acceptance and acceptance procedures • Reception, handling and storage of waste / feedstock (including segregation) described • Containment demonstrated? • Description of treatment process • Drainage plan / system? • Emission points identified and levels proposed? • Monitoring proposed? (process & emissions) • MCERTS? • Nuisance management? • Standards specified? • Frequencies specified? • Raw materials/water usage listed? • Energy efficiency? 	N/A	

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Table 2 additional information for duly making biowaste facilities

Item	Criteria	Admin variation	Normal variation
<p>What is the scheduled activity?</p> <p>Refer to Schedule 1 of the Environmental Permitting Regulations as amended in 2013</p> <p>An unofficial consolidation of the regulations is available</p> <p>Please refer to our guidance RGN 2 understanding the meaning of regulated facility (limb test i, ii)</p>	<p>Aggregation: Has the aggregation of biowaste recovery activities with other non-hazardous waste recovery treatment activities been considered?</p> <p>Aggregate disposal and recovery activities separately</p>		
	<p>Relevant Activity If processing more than 10 tonnes of animal waste per day, Section 6.8 will apply:</p> <ul style="list-style-type: none"> Section 6.8 A(1) c) - <i>Disposing of or recycling animal carcasses or animal waste, at a plant with a treatment capacity exceeding 10 tonnes per day of animal carcasses or animal waste or both in aggregate</i> <p>If processing less than 10 tonnes of animal waste per day, Section 5.4 will apply:</p> <ul style="list-style-type: none"> Section 5.4 A(1) b) (i) <i>Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day (or 100 tonnes per day if the only treatment activity is anaerobic digestion) involving biological treatment</i> <p>We would <u>not</u> expect disposal activities under Section 5.4 A(1) a) (i) – biological treatment for the purpose of disposal to be newly prescribed. Those activities should have been permitted as installations prior to the implementation of IED. The exception is where the changed aggregation rules now draw in activities that were previously below the 50 tonne per day threshold when considered on their own</p> <p>Note: if the only activity at the facility is anaerobic digestion the threshold is 100 tonnes per day. If there are any other scheduled waste treatment activities at the site the threshold is 75 tonnes per day</p>		
	<p>The following operations will be designated as “directly associated activities” and therefore part of the Installation:</p> <ul style="list-style-type: none"> combustion of biogas in engine(s) and/or auxiliary boiler(s) upgrading of biogas to bio-methane pasteurisation of waste emergency flare operation raw material storage biogas storage (prior to combustion) digestate/compost storage (prior to despatch off-site) leachate collection and storage (prior to processing) collection and storage of uncontaminated site surface water 		
	<p>Other waste activities Any remaining waste activities carried out at the site not directly associated with the installation will remain waste activities. Confirm the remaining recovery and disposal activities that are carried out as set out below:</p> <ul style="list-style-type: none"> R and D codes Annual throughput Daily treatment capacities Waste types 		
<p>In the technical assessment, pay particular attention to:</p>	Processing of whole digestate	N/A	
	Secondary containment – infrastructure considered and is it appropriate (bunds, floors, buildings etc)?		
	Abatement of odours		
<p>Overall conclusion</p>	<p>Duly Made / Not Duly Made</p>		

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Table 3 additional information for duly making metal recycling facilities

Item	Criteria	Admin Variation	Normal variation
<p>What is the scheduled activity?</p> <p>Refer to Schedule 1 of the Environmental Permitting Regulations as amended in 2013</p> <p>An unofficial consolidation of the regulations is available</p> <p>Please refer to our guidance RGN 2 understanding the meaning of regulated facility (limb test i, ii)</p>	<p>Aggregation: Has the aggregation of metals recycling facilities with other non-hazardous waste recovery activities been considered? E.g. a shredder with a throughput of 26 tonnes a day and a shredder at 50 tonnes a day together become an installation Document reference (page 4 of IED information sheet #1)</p>		
	<p>Does the facility shred metals? We expect the shredding to be carried out for the purpose of recovery. The relevant activity will be:</p> <ul style="list-style-type: none"> Section 5.4 A(1) b (iv) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving the treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components <p>If the shredding of metal was being carried out for the purpose of disposal the relevant activity would be:</p> <ul style="list-style-type: none"> Section 5.4 A(1) a (v) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving the treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components 		
	<p>Does the facility treat or store hazardous waste? Hazardous waste types (see our WM2 guidance for defining hazardous waste)</p> <ul style="list-style-type: none"> batteries Oils & oil filters removed from ELV's Components containing mercury or PCB's some catalysts WEEE containing hazardous components <p>Does not include</p> <ul style="list-style-type: none"> the depollution and dismantling of end of life vehicles using hand-held equipment refurbishment or hand sorting/ dismantling of WEEE 		
	<p>Activities treating hazardous wastes such as WEEE may include</p> <ul style="list-style-type: none"> shredding or other mechanical treatments refrigerant/ oil separation cryogenic condensation of blowing agent from fridge insulation foam hazardous waste includes mixed WEEE which contain some hazardous components <p>These are physico / chemical treatment activities where the relevant activity is</p> <ul style="list-style-type: none"> Section 5.3 A(1) a (ii) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment 		
	<p>Activities storing hazardous waste for transfer to other installation based treatment or disposal activities need to be aggregated together. If the capacity to store hazardous waste at a site exceeds 50 tonnes the relevant activity is</p> <ul style="list-style-type: none"> Section 5.6 A(1) a Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes pending any of the activities listed in Sections 5.1, 5.2, 5.3 and paragraph (b) of this Section, except <ul style="list-style-type: none"> (i) temporary storage, pending collection, on the site where the waste is generated, or (ii) activities falling within Section 5.2. <p>This does not include the storage of ELVs pending manual de-pollution; or the storage of WEEE pending manual dismantling, repair or refurbishment</p>		

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Item	Criteria	Admin Variation	Normal variation
	<p>The following operations will be designated as “directly associated activities” (DAA) and therefore part of the Installation:</p> <ul style="list-style-type: none"> • Pre shredding of ELVs or baled waste • post shredder sorting • storage of infeed and separated fractions • degassing of refrigeration equipment <p>Other waste activities ELV dismantling is unlikely to be a DAA to the main scheduled activity. That will remain as a waste operation as will any other waste operations at the site not connected to the installation activity</p>		
<p>In the technical assessment, pay particular attention to:</p>	<p>Have you identified elements of the activities which present specific risks to the environment e.g. odour dust, noise together with the pathway to any receptors. Have you considered the risk and put management systems in place to mitigate that risk. The following tools help:</p> <ul style="list-style-type: none"> • Risk assessment table • H1 document assessing the risks • Conceptual model • How to Comply guidance • H1 guidance • H4 odour guidance <p>Examples include how you will demonstrate the suppression and containment of dust; the insulation & regular maintenance of mechanical infrastructure to manage noise risk</p> <p>See our Environmental permitting guidance pages</p> <p>The BRMA BREF Report on Fragmentising is a good starting point</p>	N/A	
<p>Overall conclusion</p>	<p>Duly Made / Not Duly Made</p>		

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Permit application reference

Table 4 additional information for duly making facilities pre-treating waste for incineration or treating slags and ashes

Item	Criteria	Admin Variation	Normal variation
<p>What is the scheduled activity?</p> <p>Refer to Schedule 1 of the Environmental Permitting Regulations as amended in 2013</p> <p>An unofficial consolidation of the regulations is available</p> <p>Please refer to our guidance RGN 2 understanding the meaning of regulated facility (limb test i, ii)</p>	<p>Aggregation: Has the aggregation of non-hazardous waste treatment recovery facilities with other non-hazardous waste recovery activities been considered?</p> <p>For example, if there is a biological treatment on site at 26 tonnes a day and a physico-chemical at 50 tonnes a day (both for disposal), then these tonnages are aggregated as treatment of non-hazardous waste for disposal so the facility will be an installation</p>		
	<p>Definitions IED & EPR provide separate activity descriptions for disposal and recovery activities when treating non-hazardous waste. The relevance of the separate descriptions is based on the intent when undertaking the treatment activity:</p> <ul style="list-style-type: none"> • Treatment for 'recovery or a mix of recovery and disposal' means the main aim is to recovery a significant element of the incoming waste stream but some of the treated waste streams may be disposed of • Disposal activities are relevant where there is always an intent to dispose of the incoming waste streams; <p>Activities pre-treating waste for incineration and co-incineration will be considered a recovery activity when the treated waste is sent to a facility with an R1 classification. Treating for facilities without an R1 classification will be taken to be treating for the purpose of disposal.</p>		
	<p>Treatment for the purpose of disposal Is there a process treating non-hazardous waste for disposal by physico-chemical processes? If so the relevant activity is:</p> <ul style="list-style-type: none"> • <i>Section 5.4 A(1) a) ii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment</i> <p>Note: this includes physical and / or chemical treatment of waste prior to disposal. It does not include simple handling operations such as compaction where there is no change to the waste - see RGN 2</p> <p>We would only expect this activity to be relevant for newly prescribed activities where the changed aggregation rules now draw in activities that were previously below the 50 tonne per day threshold when considered on their own. Activities above the 50 tonne threshold should have been permitted as installations prior to the implementation of IED.</p> <p>Note there is no similar activity in S5.4 A(1)(b) for physico-chemical recovery operations - these are considered to be waste operations.</p>		
	<p>Is there a process pre-treating non-hazardous waste for disposal based incineration or co-incineration activities? If so the relevant activity will be:</p> <ul style="list-style-type: none"> • <i>Section 5.4 A(1) a) (iii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving pre-treatment waste for incineration or co-incineration</i> <p>Pre-treatment does not include operations such as baling, which are done for transportation rather than for the purpose of incineration.</p> <p>Waste destined for co-incineration should use the recovery option.</p>		

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Item	Criteria	Admin Variation	Normal variation
	<p>Is there a process treating ashes and slags for the purpose of disposal? If so the relevant activity will be:</p> <ul style="list-style-type: none"> Section 5.4 A(1) a) (iv) <i>Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving treatment of slags and ashes</i> <p>Ashes and slags are generally treated to recover the inorganic and / or metal content. This option should only be used for true disposal operations.</p> <p>Where slag and ash recovery takes place on the same site as an incineration process that treatment is considered part of the incineration process and will not be permitted as a separate activity</p>		
	<p>Treatment for recovery or a mix of recovery and disposal</p> <p>Is there a process pre-treating non-hazardous waste for recovery based incineration or co-incineration activities (i.e. for facilities that have an R1 classification) ? If so the relevant activity will be:</p> <ul style="list-style-type: none"> Section 5.4 A(1) b) (ii) <i>Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving pre-treatment waste for incineration or co-incineration</i> <p>Pre-treatment does not include operations such as baling, which are done for transportation rather than for the purpose of incineration.</p>		
	<p>Is there a process treating ashes and slags for the purpose of recovery? If so the relevant activity will be:</p> <ul style="list-style-type: none"> Section 5.4 A(1) a) (ii) <i>Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day involving treatment of slags and ashes</i> <p>Ashes and slags are generally treated to recover the inorganic and / or metal content.</p> <p>Where slag and ash recovery takes place on the same site as an incineration process that treatment is considered part of the incineration process and will not be permitted as a separate activity</p>		
	<p>The following operations will be designated as “directly associated activities” (DAA) and therefore part of the Installation</p> <ul style="list-style-type: none"> Waste Storage, Other waste processes such as bulking up, repackaging, baling, compaction, associated with handling the wastes or residues; Effluent treatment; Associated boilers. 		
	<p>Other waste activities</p> <p>Descriptions, together with R and D codes, for other non-hazardous waste operations at the same sites not connected with the installation activities.</p>		

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Item	Criteria	Admin Variation	Normal variation
<p>In the technical assessment, pay particular attention to:</p>	<p>Have you identified elements of the activities which present specific risks to the environment e.g. odour dust, noise together with the pathway to any receptors? Have you considered the risk and put management systems in place to mitigate that risk? The following tools help:</p> <ul style="list-style-type: none"> • Risk assessment table • H1 document assessing the risks • Conceptual model • How to Comply guidance • H1 guidance • H4 odour guidance <p>This can be in the form of a BAT document which outlines the activity and associated BAT techniques for managing emissions.</p> <p>Examples include how you will demonstrate the suppression and containment of dust; the insulation & regular maintenance of mechanical infrastructure to manage noise risk; Odour – containment, stock rotation</p> <p>See our Environmental permitting guidance pages</p>	N/A	
	<p>If there is a significant risk of odour, an odour management plan should be submitted. Consideration should also be given to Noise, Fugitive Emissions and Pest Management Plans similarly. Our H1 guidance outlines the information to include in emission management plans</p>		
<p>Overall conclusion</p>	<p>Duly Made / Not Duly Made</p>		

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Table 5 additional information for duly making hazardous waste treatment and storage facilities

Item	Criteria	Admin Variation	Normal variation
<p>What is the scheduled activity?</p> <p>Refer to Schedule 1 of the Environmental Permitting Regulations as amended in 2013</p> <p>An unofficial consolidation of the regulations is available</p> <p>Please refer to our guidance RGN 2 understanding the meaning of regulated facility (limb test i, ii)</p>	<p>Aggregation: Has the aggregation of all hazardous waste treatment activities been considered?</p> <p>Has the aggregation of all hazardous waste storage activities been considered?</p> <p>For example, if there are various activities at the site, each with its dedicated storage of hazardous waste, they all need aggregating together to see if the threshold of 50 tonnes total capacity is exceeded.</p> <p>Scheduled activities correctly identified?</p> <p>Treatment activities Treating more than 10 tonnes per day of hazardous waste involving <i>one or more</i> of the following activities means the relevant activity is:</p> <ul style="list-style-type: none"> • <i>Section 5.3 A(1) a Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving</i> <p>The activities are:</p> <ul style="list-style-type: none"> (i) <i>biological treatment;</i> (ii) <i>physico-chemical treatment;</i> (iii) <i>blending or mixing prior to submission to any of the other activities listed in this Section or in Section 5.1;</i> (iv) <i>repackaging prior to submission to any of the other activities listed in this Section or in Section 5.1;</i> (v) <i>solvent reclamation or regeneration;</i> (vi) <i>recycling or reclamation of inorganic materials other than metals or metal compounds;</i> (vii) <i>regeneration of acids or bases;</i> (viii) <i>recovery of components used for pollution abatement;</i> (ix) <i>recovery of components from catalysts;</i> (x) <i>oil re-refining or other reuses of oil;</i> (xi) <i>surface impoundment.</i> <p>Storage activities If more than 50 tonnes of hazardous waste is being stored at any one time then the relevant activity will be:</p> <ul style="list-style-type: none"> • <i>Section 5.6 A(1)(a) Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes pending any of the activities listed in Sections 5.1, 5.2, 5.3 and paragraph (b) of this Section, except —</i> <ul style="list-style-type: none"> (i) <i>temporary storage, pending collection, on the site where the waste is generated, or</i> (ii) <i>activities falling within Section 5.2</i> <p>Storing more than 50 tonnes of hazardous waste in total underground would also become an activity under Section 5.6 A(1) b). If these facilities store waste for recovery for more than three years they should already be regulated as landfill sites. If there are any facilities storing waste underground for less than 3 years they should be apply to be regulated under:</p> <ul style="list-style-type: none"> • <i>Section 5.6 A(1)(b) Underground storage of hazardous waste with a total capacity exceeding 50 tonnes</i> <p>See our WM2 guidance for defining hazardous waste</p>		

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Item	Criteria	Admin Variation	Normal variation																					
	<p>Directly associated activities (DAA's) correctly identified? The following operations are examples of what may be considered "<i>directly associated activities</i>" and therefore may form part of the Installation:</p> <ul style="list-style-type: none"> • drum washing operations (processing less than 10 t/d of drums) • acid / alkali reagent 'product' storage • fuel storage • steam raising boilers • small effluent treatment plants <p><u>Other waste activities</u> Any remaining waste activities carried out at the site that are not directly associated with the installation will remain waste activities. Confirm the remaining disposal and recovery activities that are carried out as set out below:</p> <ul style="list-style-type: none"> • R and D codes • Annual throughput • Daily treatment and storage capacities • Waste types 																							
<p>In the technical assessment, pay particular attention to:</p>	<p>In addition to meeting 'How to comply with your environmental permit', BAT needs to be demonstrated in line with relevant sector guidance notes</p> <ul style="list-style-type: none"> • SGN 5.06 for hazardous waste storage and treatment facilities • EPR 5.07 where facility accepts clinical waste <p>In particular, the operator should confirm that their operating techniques fully accord with the following standards set out in the SGN. This should include a reference to the relevant operating instruction / procedure. Any proposed departure from the SGN must be justified</p> <p>As a minimum:</p> <table border="1" data-bbox="341 1122 1233 1697"> <thead> <tr> <th data-bbox="341 1122 815 1198">BAT requirement</th> <th data-bbox="815 1122 1043 1198">SGN 5.06 reference</th> <th data-bbox="1043 1122 1233 1198">EPR 5.07 reference</th> </tr> </thead> <tbody> <tr> <td data-bbox="341 1198 815 1368"> <ul style="list-style-type: none"> • Summary of treatment activities (including waste types, hazard properties of the waste, outline chemical reactions and process monitoring) </td> <td data-bbox="815 1198 1043 1368"> section 2.1.4 and sections 2.1.5 to 2.1.15 as appropriate </td> <td data-bbox="1043 1198 1233 1368"> section 2.1 </td> </tr> <tr> <td data-bbox="341 1368 815 1417"> <ul style="list-style-type: none"> • Waste pre-acceptance procedures </td> <td data-bbox="815 1368 1043 1417"> section 2.1.1 </td> <td data-bbox="1043 1368 1233 1417"> section 2.2 </td> </tr> <tr> <td data-bbox="341 1417 815 1467"> <ul style="list-style-type: none"> • Waste acceptance procedures </td> <td data-bbox="815 1417 1043 1467"> section 2.1.2 </td> <td data-bbox="1043 1417 1233 1467"> section 2.2. </td> </tr> <tr> <td data-bbox="341 1467 815 1574"> <ul style="list-style-type: none"> • Waste storage and infrastructure (including how incompatible wastes are stored separately) </td> <td data-bbox="815 1467 1043 1574"> section 2.1.3 </td> <td data-bbox="1043 1467 1233 1574"> section 3.2 </td> </tr> <tr> <td data-bbox="341 1574 815 1650"> <ul style="list-style-type: none"> • Waste handling </td> <td data-bbox="815 1574 1043 1650"> see sections 2.1.1 to 2.1.3 above </td> <td data-bbox="1043 1574 1233 1650"> section 3.2 </td> </tr> <tr> <td data-bbox="341 1650 815 1697"> <ul style="list-style-type: none"> • Monitoring </td> <td data-bbox="815 1650 1043 1697"></td> <td data-bbox="1043 1650 1233 1697"> section 3.3 </td> </tr> </tbody> </table> <ul style="list-style-type: none"> • Layout plan(s) provided that include: <ul style="list-style-type: none"> ○ where the installation is based ○ infrastructure in place, (including drainage plan, secondary containment and structures for separately storing types of waste which may be incompatible) ○ location of each treatment plant and main plant items ○ capacity of waste storage / treatment areas and plant ○ process flow diagrams for the treatment plant 	BAT requirement	SGN 5.06 reference	EPR 5.07 reference	<ul style="list-style-type: none"> • Summary of treatment activities (including waste types, hazard properties of the waste, outline chemical reactions and process monitoring) 	section 2.1.4 and sections 2.1.5 to 2.1.15 as appropriate	section 2.1	<ul style="list-style-type: none"> • Waste pre-acceptance procedures 	section 2.1.1	section 2.2	<ul style="list-style-type: none"> • Waste acceptance procedures 	section 2.1.2	section 2.2.	<ul style="list-style-type: none"> • Waste storage and infrastructure (including how incompatible wastes are stored separately) 	section 2.1.3	section 3.2	<ul style="list-style-type: none"> • Waste handling 	see sections 2.1.1 to 2.1.3 above	section 3.2	<ul style="list-style-type: none"> • Monitoring 		section 3.3	N/A	
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