



**ENVIRONMENT
AGENCY**

Guidance for Registering an Exempt Operation: Storage and Recovery of Scrap Metal or dismantling of depolluted waste motor vehicles. Paragraph 45

Please read these guidance notes carefully before you make your notification

Introduction

This document is intended for any establishment or undertaking that wishes to notify us of a renewal notification under a paragraph 45 exemption. It should be read in conjunction with the notification form EPA, EPB-45 & EPF which can be found alongside these guidance notes on our web site.

The document is split into four sections –

Section A - About the Regulations

This section explains where you can find a full description of a Paragraph 45 operation and what to do if you want to notify us of your intention to undertake this operation. We also explain what happens when your operation is registered and how a registration is renewed.

Section B – Completing the Notification Form

Explains how to complete the notification form which provides us with the basic details of your paragraph 45 operation. You must use the notification form with the same reference as this document – EPA, EPB-45 & EPF.

Section C – Supporting Documentation

Sets out the supporting documents that you must submit with a renewal notification and details the sort of information each supporting document must contain.

Section D – Declaration

Reminds you to read the declaration on the notification form before you submit your renewal.

Section A – About the regulations

Most waste management activities are regulated by the Environmental Permitting (England and Wales) Regulations 2010. The regulations determine whether certain waste operations must have a permit or if they can be exempt. The exception to this would be exemptions registered before 5 April 2010. This would still be covered by the Environmental Permitting (England and Wales) Regulations 2007, during the transitional provisions detailed in the 2010 regulations.

There are a number of waste operations that are exempt from permitting. We provide a plain language guide to each of the exemptions on our website at: -

<http://www.environment-agency.gov.uk/business/topics/permitting/32324.aspx>

A full transcript of the paragraph 45 exemption which covers storage and recover of scrap metal or dismantling of depolluted waste motor vehicles and a summary explaining the legislation can be found on our web site at:-

<http://www.environment-agency.gov.uk/business/topics/permitting/34788.aspx>

The End-of-Life Vehicles Regulations 2003 (ELV regulations)

These regulations state that sites which

- de-pollute vehicles, or
- store waste motor vehicles that have not been depolluted

can no longer register as exempt under paragraph 45. If you wish to carry out either of these activities, you will need to apply for a Waste permit.

Depolluted ELVs are waste motor vehicles that have had all their hazardous components and liquids removed.

Before you make your notification

If you want to undertake an exempt operation you must notify us first, providing us with certain information. We will assess the information and decide whether we can register that operation as exempt. **It is an offence to carry out a paragraph 45 exempt operation without being registered.**

Before you notify us, use the guidance detailed at the links above to make sure that you know what the exemption covers, what the specific limits of the exemption are and that you can always operate within its limits.

Please note:

For an operation to be exempt, the waste must be recovered without endangering human health and without using processes or methods which could harm the environment, and in particular without:

- **risk to water, air, soil, plants or animals**
- **causing nuisance through noise or odours**
- **adversely affecting the countryside or places of special interest.**

Making your notification

When you make a notification you are required to fill in a form and also provide supporting documentation.

We recommend that you allow at least 25 working from the time your notification is complete, for us to make our assessment. The notification is complete when we have received all your documents and you have paid your fee.

Fees

Paragraph 45 is a chargeable exemption. You can find information under the Environmental Permitting Charging Scheme 2008/2009 at –

<http://www.environment-agency.gov.uk/business/regulation/38811.aspx>

You must include the correct fee with the notification otherwise all documentation will be returned to you without further processing.

What happens when we receive your notification

Once we have received your notification form, supporting documents and the correct fee we will start our assessment. If you are carrying out an operation involving depolluted waste motor vehicles, we will inspect your site before we give you a decision.

When we have completed our assessment, we will inform you of our decision by sending you either confirmation of your registration or a notice of refusal. If we refuse your notification we will tell you why. There is no appeal process for exemptions.

If your notification is successful, we will register your operation. You will then be allowed to carry out that operation for 12 months from the registration date. If you want to continue for longer than this, you will need to renew your registration.

If you are not registering to treat or store depolluted ELVs, we will normally inspect your site within 2 months of having received your initial notification, and at the time of renewal, to ensure that it complies with the necessary standards. We will check that the –

- necessary storage facilities, impermeable pavement and sealed drainage system
 - types of waste and quantities you want to handle
 - management system, and
 - safety precautions you have in place
- are acceptable and meet the exemption requirements.

Renewing a notification.

If you are renewing your registration you must send in a up to date plan of the site and your records of the types and quantities of waste you have handled during the year. You will also need to send in a renewal fee.

We must receive notification for renewals before the current registration expires which is 12 months from the original registration or last renewal. We will send you a notice at least 1 month before the end of your registration period, reminding you to renew your registration. The notice will provide details of your renewal fee, how to pay and the date by which it should be paid.

If you do not renew your registration within 2 months of the anniversary date of your initial registration, it will be removed from the public register. Any renewal notification received after this time will be deemed a new notification and will attract the higher fee.

If you are making major changes to your currently registered exemption, such as:

- changing the types or
- increasing the amount of waste you want to store

you may have to make a new notification.

If you wish to vary any of the details of an exemption after it has been registered, phone us on **08708 506506** to discuss the changes.

When you are registered

When we confirm that we have registered your waste operation you may start to operate. We may inspect the site at any reasonable time but your site will always be subject to at least one inspection a year.

Keeping Records

You must keep records of the waste recovered on site.

You are required to send us an annual summary of the total quantity of each kind of waste recovered at the site over the previous 12 months when you renew your registration.

You will also need to keep records of the –

- Quantity
- Nature
- Origin
- Destination and
- Method of recovery

Of any wastes covered by the exemption. You must keep this information for two years and make it available to us on request.

We may remove your registration from the public register if you are carrying out your operation in breach of the regulations. We will send you a notice and explain why we have removed your exemption. You will also be liable for prosecution

Where to post your form and how to contact us

Post your notification form, fee and any supporting documents to the Environment Agency office at the address on the last page of the notification form.

If you have any queries regarding the form or supporting documents, please contact us as shown below.

General Enquiries : 08708 506 506 (Monday to Friday, 8am to 6pm)

Minicom: 08702 422 549 (Monday to Friday 8am to 6pm)

E-mail: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

SECTION B – Completing the Notification Form EPA, EPB45 & EPF

Part A

Details of the establishment or undertaking

1 Customer Reference number

2 Please indicate in the boxes provided, the type of applicant (Individual, Organisation of Individuals, Company or Public Body).

3 - 5 Please provide the details of the person, company or organisation that will be carrying out the exempt operation in section 1.2., including name, date of birth, position (where relevant) address, phone number, fax and email address. If you are a company also include the company name and registration number. If you are a Public body say what type.

Where you have identified yourself as an Organisation of Individuals, include the same details for all members.

6 Provide the details of the person who will be the contact for this notification.

Please note the contents of the Data Protection Notice on the last page of the form which states what the information will be used for.

Part B

1 About the notification

1a Please provide your customer reference number

Type of Notification

1b Please state the notification is a renewal.

Please give details of the current or previous registration.

1c Please enter the registration number of the exemption which you wish to renew and the expiry date. you must send in a up to date plan of the site and your records of the types and quantities of waste you have handled during the year. . Details are contained in Section C.

1d Please provide details of any changes to the current registration

2 Operation Location

Location where the storage, recovery or dismantling will take place.

2a You need to tell us the address and the name of the site where you want to operate. You will need to include an Ordnance Survey national grid reference as well. You can find this out by looking up your site on an OS map or by searching on the Ordnance Survey web site www.ordnancesurvey.co.uk

Is the site contact the same as the applicant?

2b Please give us the name of the site contact where this is not the same as the applicant.

About the Waste

3 Scrap metal details

Ferrous metals, non-ferrous and turnings, shavings or chippings (of ferrous or non-ferrous metals or their alloys)

3a – 3b You need to provide information on the amount of waste that you wish to store on site at any one time. This should be split into the amount of ferrous metals (or alloys), non-ferrous (or alloys) and turnings, shavings or chippings (of ferrous or non-ferrous metals or their alloys) you wish to store.

You also need to tell us how you are going to treat the waste. There is a list of different treatments that are allowed under this exemption. You should tick all the relevant boxes for the activities that you wish to do on site, and make sure that you show which waste type you wish to carry out that operation on. You will also need to tell us the maximum amount of waste that you will treat in any 7-day period.

Will the waste storage and treatment be carried out on an impermeable pavement with a sealed drainage system?

3c All treatment of waste under this exemption must be carried out on an impermeable surface with a sealed drainage system. If you do not have this area for your treatment activities, then your registration will be refused.

Scrap metal and non-scrap waste are required under this exemption to be stored on an impermeable pavement, such as concrete, with a sealed drainage system. This means that any water or liquids on the floor are collected and are either:

- discharged to sewer under the relevant consent from your sewage network provider or
- are collected in a sealed tank for disposal offsite.

If your site does not have a suitable surface for the storage of these types of waste, then we will not be able to register this operation as exempt.

This exemption also requires you to store lead acid motor vehicle batteries in a secure container, on an impermeable surface with a sealed drainage system. In this case, a secure container is a container that does not allow the contents to leak out or rain water to enter.

If you indicate that this is not how you plan to store your batteries on site, then we will not be able to register this operation as exempt.

4 Waste types – depolluted motor vehicles

Depolluted waste motor vehicles

4a – 4c Waste motor vehicles may only be received at the site if they already been depolluted. Depolluted ELVs are vehicles that have had the following removed:

- batteries, liquefied gas tanks, filters and condensers
- airbags/seat belt pretensioners i.e. removal or neutralisation of potentially explosive components
- components known to contain mercury
- liquids including fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air-conditioning system fluids and any other fluid contained in the ELV.

If you plan to accept depolluted waste motor vehicles, you will need to tell us what treatment you plan to carry out on the vehicles i.e. dismantling, restoring/reconditioning and/ or rebuilding.

You also need to tell us the maximum number of vehicles you will store on site at any one time and the maximum number you will treat in any 7-day period.

Will all motor vehicles be stored on an impermeable pavement?

4d Please indicate with a tick in the box provided, whether your vehicles will be stored on an impermeable surface with a sealed drainage system. If you do not have this area for your treatment activities, then your registration will be refused.

Scrap metal and non-scrap waste are required under this exemption to be stored on an impermeable pavement, such as concrete, with a sealed drainage system. This means that any water or liquids on the floor are collected and are either:

- discharged to sewer under the relevant consent from your sewage network provider or
- are collected in a sealed tank for disposal offsite.

If your site does not have a suitable surface for the storage of these types of waste, then we will not be able to register this operation as exempt.

This exemption also requires you to store lead acid motor vehicle batteries in a secure container, on an impermeable surface with a sealed drainage system. In this case, a secure container is a container that does not allow the contents to leak out or rain water to enter.

If you indicate that this is not how you plan to store your batteries on site, then we will not be able to register this operation as exempt.

Precautions and Monitoring

If you wish to store depolluted ELVs on a hardstanding, rather than an impermeable pavement such as concrete, you must make sure that this does not cause pollution of the ground or surface water. You should have a plan of action to ensure that pollution does not occur from your site and what monitoring of the site's surface and the local environment you plan to do.

If your site is in a sensitive location relative to groundwater or surface water, then we may insist that you have an impermeable surface and sealed drainage system. If you want to store depolluted waste motor vehicles on a hardstanding and think that your site may fall in this category, then contact your local agency office for advice before sending in your registration form.

5 Waste types – lead acid motor vehicle batteries

Lead acid motor vehicle batteries

5a – 5c Batteries can not be accepted onto site attached to a motor vehicle, as the vehicle would not be classed as a depolluted vehicle. You can accept lead acid motor vehicle batteries separately.

You will need to tell us if you plan to do this and let us know the maximum number of batteries that you plan to store at any one time.

The only treatment operation that you are allowed to carry out on the batteries is to sort them. If you plan to do this, you will need to tell us the maximum number of batteries you will treat in any 7-day period.

Will the treatment operations be carried out on an impermeable pavement with a sealed drainage system?

5d All treatment of waste under this exemption must be carried out on an impermeable surface with a sealed drainage system. If you do not have this area for your treatment activities, then your registration will be refused.

Scrap metal and non-scrap waste are required under this exemption to be stored on an impermeable pavement, such as concrete, with a sealed drainage system. This means that any water or liquids on the floor are collected and are either:

- discharged to sewer under the relevant consent from your sewage network provider or
- are collected in a sealed tank for disposal offsite.

If your site does not have a suitable surface for the storage of these types of waste, then we will not be able to register this operation as exempt.

This exemption also requires you to store lead acid motor vehicle batteries in a secure container, on an impermeable surface with a sealed drainage system. In this case, a secure container is a container that does not allow the contents to leak out or rain water to enter.

If you indicate that this is not how you plan to store your batteries on site, then we will not be able to register this operation as exempt.

6 Waste types - Non Scrap Waste

6a You should indicate on the form whether or not you intend to store non-scrap waste on site.

For the purpose of this exemption, non-scrap waste is any non-metallic waste that is present in a load of scrap metal or in a consignment of waste motor vehicles.

This could include glass, plastic, paper and fabric.

It is only acceptable on site where

- it is part of a depolluted waste motor vehicle or is in a load of scrap metal, and where
- at least 95% of that load was scrap metal.

This waste must be capable of being removed from the scrap metal or vehicle either by sorting or by non-mechanical dismantling.

Will the storage be carried out on an impermeable pavement with a sealed drainage system?

6b All treatment of waste under this exemption must be carried out on an impermeable surface with a sealed drainage system. If you do not have this area for your treatment activities, then your registration will be refused.

Scrap metal and non-scrap waste are required under this exemption to be stored on an impermeable pavement, such as concrete, with a sealed drainage system. This means that any water or liquids on the floor are collected and are either:

- discharged to sewer under the relevant consent from your sewage network provider or
- are collected in a sealed tank for disposal offsite.

If your site does not have a suitable surface for the storage of these types of waste, then we will not be able to register this operation as exempt.

This exemption also requires you to store lead acid motor vehicle batteries in a secure container, on an impermeable surface with a sealed drainage system. In this case, a secure container is a container that does not allow the contents to leak out or rain water to enter.

If you indicate that this is not how you plan to store your batteries on site, then we will not be able to register this operation as exempt.

7 Occupancy of the land

Occupancy

4a – 4c The exemption will only be valid if either:

- the operation is undertaken by or with the consent of the occupier of the land where the operation is to be carried out *or*
- the person carrying out the operation is otherwise entitled to do so on that land.

The occupier may be the landowner or tenant. You must have the consent of the occupier before carrying out the operation unless you have any other rights that allow you to do this.

If you are not the owner or occupier please tell us why you are allowed to carry on this operation.

Now go to section C ‘Supporting Documentation’.

SECTION C

8 Supporting Documents

8.1 Site Plan

With this exemption you will need to send in a site plan showing the following information:

- the site boundaries in blue
- operation location in relation to the site boundary outlined in red
- areas of hardstanding, impermeable pavements and their drainage systems
- where you will store any secure containers for waste liquids or batteries.

Any maps or plans you send us should

- be at least an A4 sheet
- show the area of land covered by your notification
- be based on an Ordnance Survey map at a scale of 1:10,000 or larger
- label individual points and areas (‘A’, ‘B’ and so on)
- use colour or hatching to highlight areas on the map

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- use the form to cross-refer to labelled and highlighted areas on the map.

It may be easier to explain or clarify complicated proposals (including answering questions on the forms) by reference to maps and plans than in words.

8.2 Security Details

You need to ensure that the site that you want to register under this exemption is secure and that you have taken all practicable steps to ensure that members of the general public can not access the waste and the waste cannot be blown off site.

Therefore you need to provide us with details of how you will ensure that your site is secure. For example, you should include information on:

- type of fencing and gates for the site
- height of fencing / gates

8.3 Annual summary of waste recovered

If you are applying for a renewal – you will need to include a record of the amount and type of waste you handles over the previous 12 months.

8.4 Continuation sheets

If you have used continuation sheets for any of your answers, you should tell us how many sheets you are enclosing. Please make sure that you label each sheet clearly with

- the question number it applies to and
- the number of the sheet

Section D – Declaration

Part F

1. Payment

Select the method you will be using to pay for your application:

Cheques and postal orders: These should be made payable to Environment Agency or Environment Agency Wales as appropriate and crossed ‘A/c Payee’. Send it to us with your completed application form and any relevant supporting documents.

Post-dated cheques will not be accepted.

Cash: You are advised not to send cash through the post. If this is unavoidable, please use a recorded delivery postal service and enclose your application reference details.

Payment by credit or debit card: We can accept payments by Visa, MasterCard or Maestro cards only. Please complete the required details in the separate form CC1.

Payment by electronic transfer: Make sure you use the right payment information, depending on whether your application is being made in England or Wales.

Failure to quote your reference number or to forward to us your payment details, including applicant name, payment amount and full payment reference number, may result in a delay in processing your payment and therefore your

application.

2. Data Protection Notice

Make sure you understand how we will use the information you provide to us.

3. Confidentiality and national security

If you think any of the information in your application and supporting documents is confidential, tick the box and provide supporting evidence to enable us to determine your claim. If you think any of the information in your application and supporting documents is damaging to national security, tick the box and provide supporting evidence to enable us to determine your claim.

4. Declaration

When you have completed your notification form you will be asked to tick a declaration confirming the accuracy of the information you have provided both in the form and in the supporting documentation. We cannot progress an application unless the box is ticked. Please ensure that you have read the information contained in the Data protection notice in the form before you tick the declaration and submit or post your application.

5. How to contact us

If you need help filling in the form, please contact the person who sent it to you or contact us as shown below.

6. Where to send the form

Completed application forms and supporting information should be sent to:

Environment Agency
Permitting Support Centre (PSC)
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

If you need help filling in this form, please contact the person who sent you it or contact us as shown below.

General enquiries: 08708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 08702 422 549 (Monday to Friday, 8am to 6pm)

E-mail: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk