

Environmental permits for 'orphan' waste treatment plants

If you comply with the requirements below, we will allow your waste treatment plant to operate without the need to apply for an environmental permit.

Background

In line with the Integrated Prevention and Pollution Control (IPPC) Directive, the Environmental Permitting (England and Wales) Regulations 2010 (EPR)¹ require a permit for the biological or physico-chemical treatment of more than 50 tonnes per day of non-hazardous waste where the outputs are disposed of. Where such a waste treatment plant serves another permitted activity, it is included in the main EPR permit as a 'directly associated activity'.

This regulatory position statement concerns waste treatment plants that do not serve another permitted activity – so-called 'orphan' plants. These treatment plants are already covered by existing water discharge permits.² So we intend to continue our current position that these do not need to apply for a permit as an installation in their own right.

Typical examples of 'orphan' plants covered by this position statement include:

- sludge treatment at water treatment works;
- leachate treatment at landfills;
- effluent treatment at food and drink manufacturing sites.

Our position

We will not pursue an environmental permit application for an IPPC directive waste treatment activity where **all** the following conditions are met:

- the treatment plant is subject to a consent issued under the Water Industry Act or the Water Resources Act;
- the plant only treats waste/waste water produced on-site and does not import it from other sites;

¹ Schedule 1, Part 2, Section 5.3 (http://www.opsi.gov.uk/si/si2007/uksi_20073538_en_1)

² Either a Water Industry Act trade effluent consent or a Water Resources Act discharge consent, but soon to come under EPR.

- management of the activity ensures that the risk of pollution incidents from the site, including nuisance, remains low;
- relevant operational records are kept for a period of four years and made available to Environment Agency officers when requested.

Enforcement

In not pursuing an application for a permit, this means we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please refer to our **Enforcement and Sanctions Statement**. This document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

This regulatory position will be reviewed by May 2013.

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