

Draft standard rules SR2009No17

Treatment of waste to produce soil, soil substitutes, roadstone and aggregate

Introductory note

This introductory note does not form part of these standard rules

When referred to in an environmental permit, these rules will allow the operator to store waste at a specified location and treat it to produce soil, soil substitutes, roadstone and aggregate.

Permitted wastes do not include hazardous wastes. The total quantity of waste that can be stored and subsequently treated at the site under these rules must be less than 75,000 tonnes per year.

These rules do not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

The permitted activities shall not be carried out within 500 metres of a European Site¹, Ramsar Site or a Site of Special Scientific Interest (SSSI) nor within a specified Air Quality Management Area(AQMA)². The permitted activities must not be within:

- 10 metres of any watercourse
- 50 metres from any spring or well, or from any borehole not used to supply water for domestic or food production purposes
- 250 metres from any well, spring or from any borehole used to supply water for domestic or food production purposes.

These rules do not allow any emissions into surface waters or groundwater. However, clean surface water from roofs, or from areas of the site not being used in connection with the waste storage or treatment activities may be discharged directly to surface waters, or to groundwater by seepage through the soil via soakaway.

End of introductory note

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

² An Air Quality Management Area within the meaning of the Environment Act 1995 which has been designated due to concerns about particulate matter in the form of PM10.

Rules

1 – Management

1.1 General management

- 1.1.1 The activities shall be managed and operated:
- (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.
- 1.1.2 Records demonstrating compliance with rule 1.1.1 shall be maintained.
- 1.1.3 Any persons 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 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 Accident management plan

- 1.2.1 The operator shall:
- (a) maintain and implement an accident management plan;
 - (b) review and record at least every 4 years or as soon as practicable after an accident, (whichever is the earlier) whether changes to the plan should be made;
 - (c) make any appropriate changes to the plan identified by a review.

2 – Operations

2.1 Permitted activities

- 2.1.1 The operator is authorised to carry out the operations specified in table 2.1 below (“the activities”).

Table 2.1 activities	
Description of activities	Limits of activities
R13: Storage of wastes pending the operations numbered R3 and R5	Secure storage of wastes listed in table 2.2 at the place where it is to be used in the R3 and/or R5 operations authorised under this permit. Storage of wastes specified in table 3.1 shall not exceed 10,000 tonnes at any one time. Storage of any other waste shall not exceed 50,000 tonnes at any one time. Waste shall not be stored on a site for longer than 12 months
R3: recycling/reclamation of organic substances which are not used as solvents;	Treatment of wastes listed in table 2.2 to produce soil, soil substitutes, roadstone and/or aggregate.
R5: Recycling or reclamation of other inorganic materials	No more than 75,000 tonnes of waste shall be stored and subsequently treated per year.

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 attached to the permit.
- 2.2.2 The activities shall not be carried out within:
- 500 metres of a European Site, Ramsar site or Site of Special Scientific Interest (SSSI);
 - 10 metres of any watercourse;
 - 50 metres of any spring or well, or any borehole not used to supply water for domestic or food production purposes;
 - 250 metres of any well, spring or borehole used to supply water for domestic or food production purposes.
 - a specified AQMA.

2.3 Waste acceptance

- 2.3.1 Waste shall only be accepted if:
- it is of a type and quantity listed in tables 2.1 and 2.3 of these standard rules; and
 - it conforms to the description in the documentation supplied by the producer and holder; and
 - its chemical, geotechnical and biological characteristics make it suitable for use in a manufacturing/treatment process on the site and it will be submitted to that process.
- 2.3.2 Records demonstrating compliance with rule 2.3.1 shall be maintained.

Table 2.2 Waste types**Exclusions**

Wastes having any of the following characteristics shall not be accepted:

- Consisting solely or mainly of dusts, powders or loose fibres
- Hazardous wastes
- Wastes that are in liquid form

Waste Code	Description
01	WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
01 04	wastes from physical and chemical processing of non-metalliferous minerals
01 04 08	waste gravel and crushed rocks other than those containing dangerous substances
01 04 09	waste sand and clays
02 02	waste from preparation and processing of meat, fish and other foods of animal origin
02 02 03	mollusc or crustacean shells from which the flesh has been completely removed
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE,PULP,PAPER AND CARDBOARD
03 01	wastes from wood processing and the production of panels and furniture
03 01 01	waste Bark and Cork
03 03	wastes from pulp, paper and cardboard production and processing
03 03 01	waste bark and wood
10	WASTES FROM THERMAL PROCESSES
10 01	waste from power stations and other combustion plants
10 01 01	bottom ash and slag
10 01 05	bottom ash and slag from co-incineration
15	WASTE PACKAGING
15 01	packaging
15 01 07	glass packaging
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	concrete, bricks, tiles and ceramics
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those containing dangerous substances
17 02	wood, glass and plastic
17 02 02	glass
17 02 01	wood
17 03	bituminous mixtures, coal tar and tarred products
17 03 02	road base and road planings other than those containing coal tar
17 05	soil (including excavated soil from contaminated sites) stones and dredging spoil
17 05 04	soil and stones other than those containing dangerous substances
17 05 06	dredging spoil (unless containing dangerous substances).
17 05 08	track ballast(unless it containing dangerous substances).
17 08	gypsum based construction material
17 08 02	gypsum based construction material(unless it contains dangerous substances)
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF SITE WASTE WATER TREATMENT PLANTS AND PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION/INDUSTRIAL WASTE
19 05	wastes from aerobic treatment of solid waste

19 05 03	waste compost
19 09	wastes from the preparation of water intended for human consumption or water for industrial use
19 09 02	sludges from water clarification
19 13	wastes from soil and groundwater remediation
19 13 02	solid wastes from soil remediation other than those containing dangerous substances
19 13 04	sludges from remediation (unless it contains dangerous substances)
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 02	garden and park wastes
20 02 02	soil and stones

3 – Emissions and monitoring

3.1 Fugitive emissions of substances

- 3.1.1 Fugitive emissions of substances (excluding odour, noise and vibration) 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 table 3.1, and any approved fugitive emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

Table 3.1 Appropriate measures for fugitive emissions

When located within groundwater Source Protection Zone 1 or 2 the specified wastes below must be stored and treated on an impermeable surface with a sealed drainage.

All other waste shall be stored and treated on hard-standing or on an impermeable surface with sealed drainage system.

Waste Code	Description
02 02 03	mollusc or crustacean shells from which the flesh has been completely removed
03 01 01	waste bark and cork
03 03 01	waste bark and wood
10 01 01	bottom ash and slag
10 01 05	bottom ash and slag from co-incineration
17 02 01	wood
17 05 06	dredging spoil (unless it contains dangerous substances)
17 08 02	gypsum based construction material (unless it contains dangerous substances)
19 05 03	waste compost
19 09 02	sludges from water clarification
19 13 02	solid wastes from soil remediation other than those containing dangerous substances
19 13 04	sludges from remediation (unless it contains dangerous substances)

- 3.1.2 The operator shall:

- (a) maintain and implement a fugitive emissions management plan;
- (b) if notified by the Agency that the activities are giving rise to pollution, submit to the Agency for approval within the period specified, a revised fugitive emissions management plan;
- (c) implement any approved revised fugitive emissions management plan, from the date of approval, unless otherwise agreed in writing by the Agency.

- 3.1.3 All liquids, 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.

3.2 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 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 Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Agency for approval within the period specified, an odour management plan;
- (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the 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 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 Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Agency for approval within the period specified, a noise and vibration management plan;
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Agency.

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 by the Agency, for at least 6 years from the date when the records were made.

- 4.1.2 All records, plans and the management system required to be maintained by these standard rules shall be held on the site.

4.2 Reporting

- 4.2.1 All reports and notifications required by these standard rules shall be sent to the Agency using the contact details supplied in writing by the Agency.

- 4.2.2 Within one month of the end of each quarter, the operator shall submit to the Agency using the form made available for the purpose, the information specified on the form relating to each site and the waste accepted and removed from it during the previous quarter.

4.3 Notifications

- 4.3.1 The Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - (b) the breach of a limit specified in these standard; or
 - (c) any significant adverse environmental effects.
- 4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.
- 4.3.3 Where the 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 Agency when the relevant monitoring is to take place. The operator shall provide this information to the Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The 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); 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 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.
- 4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification being made "without delay", in which case it may be provided by telephone.

"accident" means an accident that may result in pollution.

"AQMA" means an air quality management area within the meaning of the Environment Act 1995 which has been designated due to concerns about particulate matter in the form of PM10.

“authorised officer” means any person authorised by the 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.

“emissions to land”, include emissions to groundwater.

“European site” means candidate or Special Area of Conservation and proposed or Special Protection Area in England and Wales, within the meaning of Council Directives 79/409/EEC on the conservation of wild birds and 92/43/EEC on the conservation of natural habitats and of wild flora and fauna under The Conservation (Natural Habitats &c) Regulations 1994. Internationally designated Ramsar sites are dealt with in the same way as European sites as a matter of government policy and for the purpose of these rules will be considered as a European Site.

“fugitive emission” means an emission to air, water or land from the activities from a localised or diffuse source which is 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.

“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 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, all liquids entering the system are collected in a sealed sump.

“site” means the location where waste storage and treatment activities can take place.

“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).

“waste code” means the six digit code referable to a type of waste in accordance with the List of Wastes (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

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

End of standard rules