

Standard rules

Chapter 4, The Environmental Permitting
(England and Wales) Regulations 2016

Standard Rules SR2024 No02

Storage and mechanical treatment of end-of-life tyres for recovery

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 operate a tyre treatment facility at a specified location provided that the permitted activities are not within:

- 200 metres of a European site, Ramsar, Site of Special Scientific Interest or Marine Conservation Zone
- 50 metres of a National Nature Reserve, Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument
- 50 metres of a site that has species or habitats of principle importance (as listed in Section 41 of the Natural Environment and Rural Communities Act 2006) that the Environment Agency considers at risk to this activity, these are also often referred to as priority habitats and species
- 50 metres of any well, spring or borehole used for the supply of water for human consumption, including private water supplies
- a groundwater source protection zone 1

They allow a named operator to store, or store and treat end-of-life tyres for the purpose of recovery.

Permitted wastes are limited to end-of-life tyres. The total quantity of waste that can be accepted at a site under these rules must be no more than 5,000 tonnes a year. No more than 100 tonnes of end-of-life tyres can be stored at any one time.

Treatment of end-of-life tyres must be carried out in a building, except for the manual sorting of tyre casings. Storage of End-of-life tyres may be carried out outside.

The treatments permitted by these rules consist of sorting, granulating, baling, peeling, shaving, shredding, cutting, repairing, and retreading of waste tyres for recovery only. These rules do not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

These rules do not allow any point source emission into surface waters or groundwater. However, under the emissions of substances not controlled by emission limits rule:

- Liquids may be discharged into a sewer subject to a consent issued by the local water company.

- Liquids may be taken off-site in a tanker for disposal or recovery.
- Clean surface water from roofs, or from areas of the site that are not being used in connection with storing and treating waste, may be discharged but should be managed in line with Welsh Government's guidance on sustainable drainage systems.

End of introductory note

DRAFT

Rules

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, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances 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 rule 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 these standard rules shall have convenient access to a copy of the permit.
- 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 table 2.1 below ("the activities").

Table 2.1 activities	
Description of activities	Limits of activities
<p>R3: Recycling/reclamation of organic substances which are not used as solvents</p> <p>R4: Recycling/reclamation of metals and metal compounds</p> <p>R13: Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)</p>	<p>Treatment consisting only of manual sorting, granulating, baling, peeling, shaving, shredding, cutting, repairing, retreading of waste for recovery.</p> <p>No more than 5,000 tonnes of waste shall be accepted each year.</p> <p>The maximum quantity of waste stored at the site shall not exceed 100 tonnes at any one time.</p> <p>Waste shall be stored for no longer than 3 months.</p>

2.2 Waste Acceptance

2.2.1 Waste shall only be accepted if:

- (a) it is of a type and quantity listed in table 2.2 below; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

Table 2.2. Waste types and quantities	
Maximum Quantities	
The total quantity of waste accepted at the site shall be no more than 5,000 tonnes a year.	
Exclusions	
Wastes having any of the following characteristics shall not be accepted: <ul style="list-style-type: none"> • Consisting solely or mainly of dusts, powders or loose fibres 	
Waste Code	Description
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	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)
16 01 03	End-of-life tyres

2.3 Operating techniques

2.3.1 The activities shall be operated using the techniques and, in the manner, described in Table 2.3 below:

Table 2.3 Operating techniques

- (a) all waste shall be kept secure;
- (b) all treatment of waste shall be carried out inside a building, except for the manual sorting of tyre casings;
- (c) when located within a groundwater source protection zone 2, all waste shall be kept on an impermeable surface with a sealed drainage system;
- (d) when located outside a groundwater source protection zone 2, all waste shall be kept on hardstanding, or on an impermeable surface with sealed drainage system.

2.4 The site

2.4.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.

2.4.2 The permitted activities must not be carried out within:

- (a) 200 metres of a European site, Ramsar, Site of Special Scientific Interest or Marine Conservation Zone;
- (b) 50 metres of a National Nature Reserve, Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Ancient Monument;
- (c) 50 metres of a site that has species or habitats of principle importance (as listed in Section 7 of the Environment Act (Wales) that Natural Resources Wales considers at risk to this activity, these are also often referred to as priority habitats and species;
- (d) 50 metres of any well, spring or borehole used for the supply of water for human consumption, including private water supplies;
- (e) a groundwater source protection zone 1.

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 rule 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 Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales 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 Natural Resources Wales.

3.1.3 All liquids in containers, 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 Noise and vibration

3.2.1 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 Natural Resources Wales, 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.

3.2.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan 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 Natural Resources Wales.

3.3 Fire

3.3.1 The operator shall manage and operate the activities in accordance with a written fire prevention and mitigation plan using the current, relevant fire prevention plan guidance.

3.3.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities could cause a fire risk, submit to Natural Resources Wales a fire prevention and mitigation plan which identifies and minimises the risks of fire;
- (b) operate the activity in accordance with the fire prevention and mitigation plan, from the date of submission, unless otherwise agreed in writing by Natural Resources Wales.

3.4 Odour

3.4.1 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 Natural Resources Wales, 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.

3.4.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to odour, submit to Natural Resources Wales 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 Natural Resources Wales.

3.5 Pests

3.5.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this

rule if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.

3.5.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to pests, submit to Natural Resources Wales for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests;
- (b) implement the approved pests management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

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 Natural Resources Wales, 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 land and groundwater.

4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by these standard rules, unless otherwise agreed in writing by Natural Resources Wales.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by these standard rules to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.

4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales 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 Natural Resources Wales 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 these standard rules; 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 Natural Resources Wales has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform Natural Resources Wales when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to Natural Resources Wales at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 Natural Resources Wales 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);
 - any change in the operator's name(s) or address(es); 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.

"Annex II" means Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste

"authorised officer" means any person authorised by Natural Resources Wales 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.

"baling" means baling that utilises a hydraulic machine that using compressive forces compacts various materials into regular-shaped dense bales (typically a cube). Bales may be belted with straps or steel wire to keep the bale in its compacted state; although for most metal bales this is not necessary. Baled scrap metal may be easier to handle, store and transport than loose scrap.

"building" means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“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.

“end-of-life tyre” means a tyre which no longer meets UK standards for use on public roads

“European site” means a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017, and refers to a candidate or Special Area of Conservation and proposed or Special Protection Area in England and Wales.

“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.

‘groundwater source protection zone’ means as defined in the document titled Protect groundwater and prevent groundwater pollution published by the Environment Agency in 2017

“handling” includes transfer activities like loading, unloading and movement of waste within the site

“hardstanding” means ground surfaced with a hard material for parking vehicles or storing materials. It must be capable of being kept clear of debris, remain level and rut free and being maintained so that it does not cause surface water ponding

“hazardous waste” has the meaning given in the Hazardous Waste (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).

“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 (including by decision 2014/955/EU)

“Marine Conservation Zone” means a Marine Conservation Zone designated under the Marine and Coastal Access Act 2009

“Natural Resources Wales” means the Natural Resources Body for Wales established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. The Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

“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.

“private water supply”, means any supply, not provided by a water company, where the water is intended for human consumption or for any food undertaking where the quality of the water may affect the final product

“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 the Waste Framework Directive (see below)

“recovery” means any of the operations provided for in Annex II to the Waste Framework Directive (see below)

“Ramsar site” means a wetland of international importance, designated under the Ramsar Convention (an international agreement signed in Ramsar, Iran, in 1971). It is government policy to treat Ramsar sites the same as European sites.

“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.

“secure” means that all reasonable precautions are taken to ensure that the waste cannot escape and that members of the public are unable to gain access to the waste

“sorting” means sorting that may be undertaken by hand or machinery. Sorting enables materials to be processed/recycled appropriately.

“Site of Special Scientific Interest” 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 established by Commission Decision 2000/532/EC as amended from time to time (the ‘List of Wastes Decision’) and in relation to hazardous waste, includes the asterisk.

“Waste Framework Directive” means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste, as read in accordance with Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016.

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

End of standard rules