

Guidance for environmental permit applications: Part D2 – Application for transfer (installations, waste operations and mining waste operations only)

Please read these guidance notes carefully before you fill in the forms. All relevant guidance documents can be found on our website. This guidance will help you complete part D2 of the application form pack.

Where you see the term 'document reference' on the form, give the document references and send the documents with the application form when you've completed it. If you submit documents that are not required, please note that they are not assessed.

Note: we will issue a letter to confirm any transfer to both current and new operators. If you are moving address we will need to send this letter to your new address, therefore please tell us your new address in a separate letter.

How to contact us: If you need help filling in this form, please contact the person who sent it to you or contact us by:

General phone enquiries: 0300 065 3000 (Monday to Friday, 8am to 6pm).

Email: enquiries@naturalresourceswales.gov.uk / ymholiadau@cyfoethnaturiolcymru.gov.uk

Website: www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk

Where to send your application: You can send your application by email or in the post. We can process applications more quickly, if we receive them by email (electronically). Send your completed application form to:

Email: permitreceiptcentre@naturalresourceswales.gov.uk / canolfanderbyntrwyddedau@cyfoethnaturiolcymru.gov.uk

Post: Permit Receipt Centre, Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff, CF24 0TP

Canolfan Derbyn Trwyddedau, Cyfoeth Naturiol Cymru, Ty Cambria, 29 Heol Casnewydd, Caerdydd, CF24 0TP

Please send 1 electronic or CD/memory stick and 1 paper copy, OR 2 paper copies.

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1 About the permit

1a Discussions before your application

If you have had discussions with us before your application was submitted tell us the case reference or give details on a separate sheet and tell us the reference you have given the document. We will then be able to refer back to the information you've already given us, which will help us to determine your application.

You can get further guidance on pre-application discussion by calling 0300 065 3000 or by downloading it from our guidance webpages.

1b Permit number

Tell us what the current permit number is.

1c Site details

Fill in site name, address and postcode.

2 About the transfer

2a Tell us if you want to transfer all or part of the permit

If you tick 'whole', go to section 2b

If you tick 'part', go to section 3 and list the parts you want to transfer.

2b Whole permit transfers – management structure of the proposed new holder

If you are applying to transfer the whole permit and can demonstrate that the management structure of the proposed new holder, will stay substantially the same as that of the current holder, you may pay a lower application charge. This depends on the type of permit you want to transfer.

'Management' includes the people who are responsible for the management of the applicant (proposed new holder) and the regulated facility, the management techniques employed, the compliance record and financial standing of the applicant (proposed new holder). Tick 'yes' if you think you can satisfy these criteria and provide a document reference for evidence to support this.

You can find guidance on management systems in 'How to Comply'. You can get this by calling 0300 065 3000 or by downloading it from our guidance webpages.

3 About the parts of the permit you want to transfer

3a Fill in Table 1 by listing the installations, waste facilities or mining waste operations you want to transfer.

If you are applying to transfer standard facilities

Installation, waste facility or mining waste operation reference: Use a unique identifier for each standard facility you are applying to transfer.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility or waste mobile plant: Leave this column blank.

Description of mining waste operation: Leave this column blank.

Standard facility: Identify which standard rules set (or sets) you want to transfer. For example SR2008 No2

Proposed operator: Give the proposed new operator's name (the applicant).

If you are applying to transfer bespoke installations

Installation, waste facility or mining waste operation reference: Use a unique identifier for each installation you are applying to transfer.

Schedule 1 references: Quote the section number, part A(1) or A(2) or B, then paragraph and sub paragraph number as shown in Part 2 of Schedule 1 to the regulations of the activity you want to transfer. For Example Section 5.3 A (1)(a).

Description of the activity: Use the descriptions as used in Schedule 1 of the regulations. For example for a Section 5.3 A (1)(a) activity, the description would be 'Disposal or recovery of hazardous waste'.

Directly associated activity: Give us details of the directly associated activities that are affected by the transfer.

Description of the waste facility or waste mobile plant: Fill in this column if you are applying to transfer any activity that involves the recovery or disposal of waste, otherwise leave blank. Examples include landfill, hazardous waste storage, cyanide treatment, bulking up, waste oil storage (gravity separation), etc. Please ask us if you are unsure how to describe your activity.

Description of mining waste operation: Leave this column blank.

Standard facility: Leave this column blank.

Proposed operator: Give the operator's name.

If you are applying to transfer bespoke waste facilities or waste mobile plant

Installation, waste facility or mining waste operation reference: Use a unique identifier for each waste facility you are applying to transfer.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility or waste mobile plant: Describe the waste facility you want to transfer. The following are appropriate and can be used in combination, but you can also use your own.

Sites

Transfer of waste: household, commercial and industrial
Transfer of waste: clinical
Transfer of waste: non-biodegradable
Transfer of waste: hazardous
Treatment of waste: physical
Treatment of waste: physico chemical
Treatment of waste: chemical
Treatment of waste: biological
Disposal of waste in lagoons
Household waste amenity
Materials recycling
Composting
Mechanical biological treatment (MBT)
End of life vehicle authorised treatment (ELV ATF)
Metal recycling
Waste electrical and electronic equipment authorised treatment facility (WEEE ATF)
Incineration
Anaerobic digestion
Pet cemetery
Landfill gas engine (less than 3 megawatts)
Deposit for recovery
Inert landfill
Closed landfill
Mobile plant
Incineration
Waste oil recovery
Dechlorination of waste PCBs/PCTs
Collection and storage of a controlled substance from any waste product, installation or equipment
Vitrification of waste
Treatment of clinical waste
Treatment of waste soil
Dewatering of muds, sludges, soils and dredgings
Lime stabilisation of sludge
Treatment of contaminated materials, substances or products to remediate land or controlled water.
Please ask us if you are unsure how to describe your waste facility.

If you are applying to transfer bespoke mining waste operations

Installation, waste facility or mining waste operation reference: Use a unique identifier for each mining waste operation you are applying to transfer.

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Directly associated activity: Leave this column blank.

Description of the waste facility: Leave this column blank.

A mining waste operation is the management of extractive waste. It is therefore any activity you carry out that involves extractive waste. The operation may include a mining waste facility.

Description of the mining waste operation: Use the following descriptions and include any extra detail that you think would help to accurately describe what you want to transfer.

Mining waste operation: Mining waste operation involving hazardous wastes, mining waste operation involving non-hazardous non-inert wastes, mining waste operation for inert wastes and unpolluted soils.

Mining waste facility: Category A mining waste facility, mining waste facility for hazardous wastes (not Category A), mining waste facility for non-hazardous non-inert wastes, mining waste facility for inert wastes and unpolluted soils.

Standard facility: Leave this column blank.

Proposed operator: Give the operator's name.

3b Will transfer part of the permit lead to shared operations that will need you to vary (change) the permit conditions

Supply a map or plan identifying the part (or parts) of the permit. Each one should be clearly marked on a plan.

You will need to supply two plans – one for the parts remaining with the current holder, and one for the parts proposed to transfer to the new holder.

Copyright issue

Please note that some plans and maps will have copyright issues. Unless you are using your own maps or plans or have paid for the copyright (for example with Ordnance Survey) you may not have the right to reproduce the map or plan.

3c Will transfer part of the permit lead to shared operations that will need you to vary (change) the permit conditions

If the permit at site is being partially transferred you and the original operator will have to supply new plans for both permits.

Note: In some cases we advise that you as the new operator also fill in the relevant parts C2 to C7 to give us more details for more complicated scenarios, (for example, where there are several activities on site or more than one application for a partial transfer of the permit, or where emissions to air, water or land are being split between the operators). In those cases we need to be clear who will be doing what after the transfer or transfers to make the correct changes to each permit.

Tick 'no' if you don't think the partial transfer will result in shared operations that would need the permit to be varied.

Tick 'yes' if you think the partial transfer will require the permit to be varied.

Give us an explanation if you think the permit will need to be varied (and see above note). Give the document reference for your explanation here and send the document with the application form when you've completed it. If you tick 'yes' you will need to apply to vary the permit and fill in the relevant parts of C0.5 or C1 to C7.

4 Your ability as the new operator

When deciding your application we must consider whether you (as the proposed new holder) will be a competent operator. We look at your technical ability and whether you have been convicted of a relevant offence. A relevant offence is one relating to the environment or environmental regulation.

We also check to see if you have been declared bankrupt or insolvent and can check your financial standing by way of a credit check. We also check that you have a management system

4a Relevant offences (installations and waste operations only)

Relevant people

Relevant people for these checks mean each applicant, and in the case of a company, a director, manager, company secretary or any similar officer or employee. In the case of a Limited Liability Partnership (LLP), it includes any partner. It also includes any person who has held a position in a company or LLP when it was convicted of a relevant offence.

Relevant offences

You must tell us if any of the relevant people or the company itself in your application have been convicted of a relevant offence.

A relevant offence is one relating to the environment or environmental regulation. A list of relevant offences can be found in the relevant offences guidance.

If any of the relevant people in your application have been convicted of an offence you must look at our relevant offences guidance. This will help you complete this section and any extra information about the offence that you feel we should take into account.

Copies of the relevant offences guidance note can be downloaded from our guidance webpages or you can get them by calling 0300 065 3000.

4b Technical ability (relevant waste operations only)

We need to be satisfied that you will have sufficient technical ability to operate your facility. Your management system should include information about how you will assess, develop and maintain technical ability.

You must have appropriate technical management in place before we can issue your permit. You need to give us details of each person who will provide technical management at your facility.

Unless you are applying to operate a 'relevant waste operation' you will not be required to provide evidence that you have a 'relevant qualification' from one of the waste industry based schemes. Note: SRP 2009 No4 Combustion of biogas in engines at a sewage treatment works is not a relevant waste operation.

For relevant waste operations, they must have a relevant qualification from one of the following industry schemes:

- Chartered Institute of Wastes Management/Waste Management Industry Training and Advisory Board (CIWM/WAMITAB) scheme; or
- Environmental Services Association/Energy and Utility Skills (ESA/EU skills) scheme.

Contact the industry schemes for more information.

For the CIWM/WAMITAB scheme, email either education@ciwm.co.uk or info.admin@wamitab.org.uk.

For the ESA/EU skills scheme, email enquiries@euskills.co.uk.

Alternatively you can give us details of any relevant people who already hold a COTC issued by WAMITAB if it is relevant to your waste operation.

You must send us evidence of these qualifications. If you do not have a relevant qualification you may be able to gain this while your application is being processed.

Guidance about operator competence (Regulatory Guidance Series EPR 5) can be downloaded from our guidance webpages or you can get them by calling 0300 065 3000.

4c Finances (installations, waste operations and mining waste operations only)

You will need to provide details of any insolvency or bankruptcy proceedings against the applicant or any relevant person.

We may also want to contact a credit reference agency to verify your financial standing. You are giving your consent to this check by completing and submitting the application form.

4d Management systems (all)

You must have an effective, written management system in place by the time the permit is issued that identifies and reduces the risk of pollution. You may show this by using a certified scheme or your own system. Your permit requires you (as the operator) to ensure that you manage and operate your activities in accordance with a written management system.

Please note; we expect your management system will be in place by the time of the permit issue as it will be part of the first inspection of your site.

You can find guidance on management systems in both 'How to Comply' and 'Horizontal guidance Note 6 Environmental management systems'. We have also developed environmental management toolkits for some business sectors which you can use to produce your own management system. You can get these by calling 0300 065 3000 or by downloading them from our guidance webpages.

5 Date on which the transfer will take place

Tell us the earliest date you would like the transfer to take place. If we are unable to meet your suggested date we will contact you. Please note; the statutory period for determining a transfer application is two months from the date we confirm the application is duly made.