Welcome!

Welcome to our Norfolk Local Authority pollution prevention and control newsletter, an especially warm welcome to those who may be receiving the newsletter for the first time. We aim to bring you an annual newsletter to keep you up to date with any changes in the area of pollution prevention and control.

What’s new?

- The ‘Better Business for All’ initiative was launched in Norfolk. More information is on Page 2. Your regulator has attended training on what help may be available to help your grow your business.

- A Regulatory Position Statement has been released on the ‘Classifying waste wood from mixed waste wood sources’ - this could affect you if you have a Part B permit for burning waste wood or produce wood waste.

- The Environmental Permitting (England and Wales) Regulations 2016 Statutory Instrument 2016/1154 were amended in January to take account of the Medium Combustion Plant Directive.

Fees and Charges 2018/2019

For the first time since 2010 the fees and charges set by Defra were raised for 2017/2018. This was following a consultation by Defra.

We are still waiting to find out whether these fees will remain for 2018/2019 or whether there will be any changes. When the fees and charges have been confirmed by Defra your invoice will be sent out.

Remember if you don’t pay your invoice on time you could be charged a late payment fee or even have your permit suspended or revoked.

See more about your subsistence charge on page 5.
Free Business Support Across Norfolk

It is estimated that there are over 5 million businesses in the UK, 95% of which employ less than 10 people. In the current economic climate, the government is particularly keen to help businesses grow with the main focus being on micro businesses and small to medium sized enterprises (SME’s).

Are you aware of the New Anglia Growth Hub or Better Business for All? These organisations can help your business access a range of business support services from hundreds of sources. Support is out there but finding the right path can be confusing and time consuming.

Regulators interact with dozens of businesses on a daily basis and hence are well placed to be a point of contact for individuals and businesses who feel they could benefit from additional support, irrespective of where they are in the business cycle. Regulators are enablers as well as enforcers and hence have a role to play in supporting growth.

The New Anglia Growth Hub’s service is FREE and IMPARTIAL and can help you access; grants, finance, start-up support, apprenticeships, training, expert advice, digital support, international trade support and much more and all from a single point of contact. Advisers can talk with you over the phone or you can request a free appointment at your business premises. At given times, advisors are also available at the Millennium Library at the Forum in Norwich.

Interested? Speak to your Regulator or try any of the following organisations, you may be surprised what they can offer and how they can help your business.

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<tr>
<th>The New Anglia Growth Hub</th>
<th>Norfolk Chamber of Commerce</th>
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<td>web: <a href="http://www.newangliagrowthhub.co.uk">www.newangliagrowthhub.co.uk</a></td>
<td>web: <a href="http://www.norfolckchamber.co.uk">www.norfolckchamber.co.uk</a></td>
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<td>phone: 0300 333 6536</td>
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<tr>
<th>ACAS - East of England (employer advice service)</th>
<th>NWES (business help)</th>
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<td>phone: 0330 109 3502</td>
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<th>GENIX (training courses)</th>
<th>Dept. for International Trade - East of England</th>
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Classifying Waste Wood

The Regulatory Position Statement 207: Classifying waste wood from mixed waste wood sources has been published.


If you follow the conditions in this RPS you do not need to apply a hazardous waste classification for treated or mixed wood waste and hence it can continue to be classified as non-hazardous.

However, your waste wood from mixed sources must only be burnt in a Schedule 13 Small Waste Incineration Plant that is compliant with Chapter IV of the Industrial Emissions Directive and not a Part B incinerator. The waste transfer note must say this.

If you produce waste wood you must ensure the waste transfer note is correct.
What you need to know about Small Waste Incineration Plants aka SWIPS

There has been an increase in waste incineration, particularly waste wood, possibly due to the Renewable Heat Incentive (RHI) scheme. Some of these activities will need an Environmental Permit that is issued by the Environment Agency or the Local Authority. Working out what needs a permit and what doesn’t can be a little confusing so we will try to explain the current situation.

The Environmental Permitting Regulations (England and Wales) 2016 (as amended) define small waste incineration plants (SWIPs) as all waste incineration or waste co-incineration plants with a capacity of:

- less than 10 tonnes per day for hazardous waste
- less than 3 tonnes per hour (taken as equivalent to 72 tonnes per day) for non-hazardous waste

Depending on what you are burning in a SWIP this may fall into Part B of section 5.1 of Part 2 of Schedule 1 to the Regulations or Schedule 13 of the Regulations, in accordance with Chapter IV of the Industrial Emissions Directive. Where a SWIP falls under Part B of section 5.1 of Part 2 of Schedule 1 to the Regulations they are treated as a Part B process for the purposes of charging and risk assessment. A SWIP falls under Schedule 13 must be treated as a Part A2. Both are regulated by the Local Authority.

For a SWIP to be a Part B activity the specific conditions are:

(a) The incineration in a small waste incineration plant with an aggregate capacity of 50kg or more per hour of the following waste—

   (i) vegetable waste from agriculture or forestry;
   (ii) vegetable waste from the food processing industry, if the heat generated is recovered;
   (iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;
   (iv) cork waste;
   (v) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings;
   (vi) animal carcasses.

(b) The cremation of human remains.

Best available techniques (BAT) only applies to SWIPs in England if they are subject to Part B requirements.

Where SWIPs incinerate animal carcasses with a capacity of over 10 tonnes per day, they’ll require a Part A(2) environmental permit from their local authority.

What if I want to burn more?

If you wish to incinerate more than 10 tonnes a day of hazardous waste or more than 3 tonnes an hour of non-hazardous waste then you will need to apply to the Environment Agency for a Part A1 permit. This is regulated by the Environment Agency.

We hope this has helped but if you are still confused and need more information or want to burn anything at all, it’s probably best to contact your local authority who can provide more advice.
Medium Combustion Plant Directive (MCPD) Update

Amendments have now been made to the Environmental Permitting Regulations (England and Wales) 2016 to transpose the requirements of the MCPD.

Combustion plants with a rated thermal input equal to or greater than 1 MWth and less than 50 MWth will have emission controls applied to them. The emission controls will apply irrespective of the type of fuel used (which could include solid, liquid or gaseous waste).

There are a number of exclusions (listed under Article 2 of the MCPD).

Medium combustion plants which operate for no more than 500 operating hours a year require a permit, but they are exempt from the requirement to comply with the specified emission limit values.

The controls will apply to new plants from December 2018 and existing plants will have to be permitted from 2024 (and comply with requirements from 2025) or 2029 (and comply from 2030), depending largely on size.

The regulations will apply controls to combustion plant used to generate electricity (‘Generators’) between 1 and 50MWth.

The Environment Agency has been appointed as the Regulator. But, you can still contact your Local Authority for advice in the first instance.

How we aim to be consistent...

As a number of businesses have locations across Norfolk which fall into different local authority areas, it is important we as Regulators are consistent so everyone has the same regulatory experience and each inspection process is consistent.

In order to enable this, the Norfolk Environmental Protection Group has produced comprehensive standard inspection and risk assessment forms, logs and permit explanatory notes. All forms are kept under regular review. In this way the format of permit compliance inspections will be consistent.

The group meets quarterly and all members are regularly in contact with one another to ask advice, share any learning points, and cascade best practice and keep up to date with regulatory changes.

This consistency across the county means that operators of permitted processes are inspected to the same standard in all the districts and no individual district is considered to be either overly officious or a soft touch.
All about fees and charges

The subsistence charges and other fees for processing and administering the permitting regime for Part B and A2 Installations are set down in what is known as the Charging Scheme for Local Authorities.

All relevant stakeholders are consulted in a periodic reviews of the scheme and evidence of local authority costs to include on-costs and overheads are taken into account. The charging scheme considers potential for efficiency savings and aims to ensure a fair allocation of costs, whilst taking account of the ‘polluter pays’ principle.

The fees and charges are used by the local authority for administration and enforcement for the permitting regime. Each local authority should keep separate accounts of income and expenditure for carrying out this particular function.

Local authorities have a duty to ensure that Part B or A2 installations do not operate without a permit. They must determine applications and assess compliance with permit conditions. The local authority has a range of enforcement options that can be considered in order to ensure that the environment is protected against pollution.

Fees and charges for each individual installation may be very different depending on the type of installation and the level of compliance with the permit conditions. Local authorities are required to operate a risk-based method following each programmed site inspection. The resultant subsistence fees are proportionate to the risk rating. The risk-based method applies a low, medium or high rating to the activities operating at the installation to determine the fees.

The risk-based approach covers the environmental impact of the installation and the operator performance. The indicative environmental impact includes an inherent risk score that has already been determined and is based on the potential for pollution. It also includes scoring on the proximity of the installation to neighbouring receptors and the sensitivity of receptors. For example, if there are high volumes of children in the locality due to a school being close to an installation then the score will be higher and likewise with a Site of Special Scientific Interest. The operator performance part of the risk rating will cover all aspects of the operation including how well the installation is managed.

There are some industrial activities which fall under the Regulations which are seen as significantly less technically complex than other activities and as such pose a very low risk to the environment. These activities have been categorised as “reduced fee” which means they pay a lower subsistence fee.

The fees and charges are uniform across the Country.