

Guidance for environmental permit applications: Part E2 – Surrender application (Installations, waste operations, mining waste operations and mobile plant 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 E2 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.

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.naturalresources.wales / www.cyfoethnaturiol.cymru

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

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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.

Further guidance on pre-application discussion is available by calling us on 0300 065 3000 or email enquiries@naturalresourceswales.gov.uk.

1b Permit number

Tell us what the current permit number is.

1c Type of permit

Tell us whether the surrender application relates to a site or mobile plant permit.

If it's for a site permit, go to section 2. If it's for a mobile plant permit, go straight to section 5.

1d Site details (site based permit activities only)

Fill in the site name, address and postcode. If you're surrendering a mobile plant activity permit, you can go direct to section 5.

2 About the application

2a Guidance on low risk surrender

You can find guidance on low risk surrender in 'Regulatory guidance note 9 surrender', 'Horizontal guidance note 5 site condition report' and 'The surrender of permits for the permanent deposit of waste'. You can get these by calling 0300 065 3000 or by downloading them from our guidance webpages.

For details of the fees for sites where either operations never started or they are low risk for other reasons see the Charging Guidance which can be found on our 'How we regulate you' webpages.

Low risk surrender

Tell us whether the surrender application is a basic surrender application or a low risk surrender application.

A 'low risk' surrender application is where you are applying to surrender a permit for an activity where the evidence burden to demonstrate that the site is in a satisfactory condition is small or non-existent. This will include permits where the operation never started. If we have confirmed that the facility you wish to surrender is low risk and we do not have to carry out an intrusive investigation (except in the case of a landfill surrender; see below), tick this box and you pay a reduced fee. **You must also send a copy of the evidence with the application.**

Surrendering a landfill

Low risk landfill surrender will include an intrusive investigation; check the guidance and talk to us. If we confirm that the criteria for low risk landfill surrender are met, tick this box and you will pay a different reduced fee. **You must also send a copy of the evidence with the application.**

You can find guidance on low risk landfill surrender in 'The surrender of permits for the permanent deposit of waste'. You can get this by calling 0300 065 3000 or by downloading it from our guidance webpages.

Surrendering a permit where operations have not commenced

If we have confirmed that the facility you wish to surrender is low risk because operations have not started and so we do not have to carry out an intrusive investigation, tick this box and you pay a different reduced fee. **You must also send a copy of the evidence with the application.**

2b Basic surrender

A 'basic' surrender application is where you are applying to surrender a permit for an activity where it is clear there should be no risk to land if the operator has met the conditions/rules in the permit.

The types of activities that fit within both of these types of surrender application are set out in the our regulatory guidance note No 9 Demonstrating land and groundwater are protected to assist the surrender of an environmental permit. Showing that land and groundwater are protected at:

- Installations
- waste facilities;
- mining waste operations.

Only the activity types set out in the relevant section of Regulatory Guidance Note 9, qualify for a Basic Surrender.

2c Have we confirmed during discussions we have had with you before your application that this will be a low risk or basic surrender?

If you are applying for a low risk or basic surrender you must fill in these questions. **You must also include written evidence (from us) that we have agreed you meet the requirements.** This will normally be a letter or email from your site compliance officer.

Please read our guidance (see above sections 2a and 2b for references) which will help you decide if the application will meet the requirements of a low risk or basic surrender.

Please get in touch with us to discuss this so we can confirm, either way, what type of application this will be. It is very much in your interests to agree with us first that your application is a low risk or basic surrender.

2d Have there been any changes since the discussions?

If there have been any changes since we discuss/ agreed a low risk or basic surrender with you, please get in touch with us to discuss this with us.

The changes may mean you can no longer meet the requirements. Or that we can confirm, either way, what type of application this will be.

2e Is it a part or full surrender?

Tell us whether the surrender is for part or all of the permit,

If it's for part of the permit, go to section 3. If it's for all of the permit, go straight to section 4.

3 About the parts of the permit you want to surrender

A partial surrender is where you apply for surrender in respect of some but not all of the activities covered by your permit.

If the application is accepted, you will still be able to operate the activities that were not covered by the partial surrender. For example, if you run a manufacturing process and a dedicated waste treatment facility, improvements to the former may eliminate waste production, making the latter redundant. In this case you might want to surrender the permit in respect of the waste facility.

3a and 3b Supply plans

If you are applying for a partial surrender, you will need to supply a map or plan identifying the part of the permit to which the surrender application relates, and a map or plan identifying the part (or parts) of the permit you will be keeping (please mark the new boundary in green).

3c Fill in Table 1 with details of all the activities you no longer operate or plan to stop operating

Complete a separate table for each installation, waste facility or mining waste operation.

Standard facilities

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

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste operation: Leave this column blank.

Description of the mining waste operation: Leave this column blank.

Standard facility: Identify which standard rule set or sets you want to surrender.

If you are applying to partially surrender installations

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

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 1 of Schedule 1 to the regulations of the activities you are applying to surrender.

Description of the activity: Use the descriptions as used in Schedule 1 of the regulations.

Description of the waste facility: Leave this column blank.

Standard facility: Leave this column blank.

If you are applying to partially surrender waste facilities

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

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste facility: Identify which parts of the waste facility you want to surrender.

Description of the mining waste operation: Leave this column blank.

Standard facility: Leave this column blank.

If you are applying to partially surrender mining waste operations

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

Schedule 1 references: Leave this column blank.

Description of the activity: Leave this column blank.

Description of the waste facility: Leave this column blank.

Description of the mining waste operation: Identify which parts of the mining waste operation you want to surrender.

3d Potential changes to permit conditions as a result of the part surrender

It might be necessary, as a result of a partial surrender, to vary some of the permit conditions in the remaining permit.

For example, the conditions could regulate an aspect of a relationship between two different activities. If the permit were to be surrendered in respect of one of those activities, the conditions relating to the other may have to be changed.

If you think the surrender for which you are applying requires any variations to the remaining permit conditions, you should also fill in the relevant part C of the application form pack to apply for those changes.

Give the document reference here for your completed part C so we can reference it when determining your surrender application.

4 For all applications (except mobile plant)

4a Surrender (site condition) report

You must supply a surrender site condition record/baseline report (for Industrial Emission Directive sites) describing the condition of the site of your permit (or the relevant part of the site in the case of a partial surrender). This report should demonstrate that there has been no deterioration in the site condition as a result of permitted activities since the permit was issued (but excluding areas of landfill or permanent deposits of mining wastes). If pollution has occurred, you must demonstrate that the site has been returned to a satisfactory condition.

You can get detailed guidance on the preparation of a site report at the permit surrender stage by calling 0300 065 3000 or by downloading it from our guidance webpages.

You can find guidance on landfill surrender reports in 'The surrender of permits for the permanent deposit of waste'. You can get this by calling 0300 065 3000 or by downloading it from our guidance webpages.

Give the document a reference and send the document with the application form when you've completed it.

4b Steps taken to avoid pollution risks or to return the site to a satisfactory condition

Tell us whether any steps have been taken to avoid any pollution risk or to return the site to a satisfactory state. In most cases we will need to be satisfied that any pollution risks that have resulted from the operation of the site since the permit was granted have been removed. In the case of relevant waste operations you may also need to take steps in relation to pollution risks that resulted from operations before the permit was granted. You must describe the pollution risks that you have identified and the steps you have taken to address them.

Where appropriate, explain how you have implemented any requirements of your permit relating to removal of pollution risks and restoration of the site to a satisfactory state upon surrender. The site condition report guidance requires that any steps taken to avoid pollution risks or to return the site to a satisfactory state are described in the surrender site report detailed in question 4a above.

Give the document a reference and send the document with the application form when you've completed it.

Section 5.0 of the site condition report guidance provides the criteria for when an intrusive investigation is required as part of an application to surrender. The guidance can be found on our guidance webpages.

Tick 'yes' if you think your application does not require an intrusive investigation (note except for a low risk surrender of a landfill) and meets the low risk criteria detailed in the site condition report guidance.

Tick 'yes' if there are any regulated facilities included in your application where operations have not started. Detail which ones in the free text box provided as they will be subject to a lower surrender application charge.

Now fill in the relevant parts of C1 to C7 if you answered 'yes' to question 3d above, and part F1 in all cases.

5 Surrendering mobile plant (mobile plant permits only)

You should only complete this section if mobile plant is ticked in question 1c.

Please note: The statutory surrender time for processing a *site based permit* surrender application is two months from the date we confirm the application is duly made.

Tell us the date on which you want the surrender to take place. You must give us a **minimum of 20 working days from the date of notification**.

Now fill in part F1.