

Guidance notes on part B5 – New bespoke mining waste operation permit



Please read these guidance notes carefully before you fill in the forms.

This guidance will help you complete part B5 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.

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1 What activities are you applying for?

Tick the relevant box for the activity you are applying for.

The table below shows all the types of mining waste activities and what other information may be required as part of the permit application.

| | Activity type | Financial guarantee required? | Opra profile required? | Permit dependent on planning permission being issued? | Point source discharge to water? | Article 7 of MWD? |
|----|---|-------------------------------|------------------------|---|----------------------------------|-------------------|
| M1 | Management of any extractive waste in a Category A mining waste facility | Yes | Yes | Yes | Possible | Yes |
| M2 | Management of hazardous waste | Yes | Yes | Yes | Possible | Yes |
| M3 | Management of non-inert, non-hazardous extractive waste that includes a mining waste facility | No | No | Yes | Possible | Yes |
| M4 | Management of non-inert, non-hazardous extractive waste that does not include a mining waste facility | No | No | No | Possible | No |
| M5 | Management of inert extractive waste that includes a point source discharge to water | No | No | No | Yes | No |
| M6 | Management of inert extractive waste by passive treatment that is controlled by the conditions for the discharge set in the permit; for example, a settlement pond that becomes part of the site restoration when dry | No | No | No | Yes | No |
| M7 | Management of inert extractive waste without a point source discharge to water | No | No | No | No | No |

2 Waste management plan

All operations managing extractive waste are required to produce a waste management plan (WMP) in accordance with article 5 of the Mining Waste Directive for our approval.

The operator must prepare a WMP describing the minimisation, treatment, recovery and disposal of extractive waste, taking account of the principle of sustainable development. The plan must describe how the objectives in Article 5.2 will be met and include the information required by Article 5.3.

All WMPs must:

- for each mining waste facility, either classify the operation as Category A or justify why not, as set out in Article 9 MWD;
- categorise the extractive waste as inert, hazardous, or non-hazardous non-inert as described in Article 3.2 and 3.3 MWD; and
- confirm whether the operation will include a mining waste facility (see note¹ below) as described in Article 3.15 MWD.

¹ Depends on time period of deposit. Includes any deposit in a Category A or hazardous waste, for more than six months for unexpectedly generated hazardous waste, for more than one year for non-hazardous non-inert waste and for more than three years for inert extractive waste, unpolluted soil, waste from the management of peat and non-hazardous prospecting waste (except from oil and evaporates other than gypsum and anhydrite).

A WMP will vary from the very simple to more complex depending on the nature of the operation. To make clear the situations where the regulatory requirements are reduced, we have identified a number of types of extractive waste operation.

For further guidance search for 'Mining waste operations: additional guidance' at www.gov.uk/environment-agency.

3 External emergency plan (for Category A mining waste facilities only)

You need to include information necessary for the relevant emergency planner to be able to draw up the external emergency plan. This information should be provided for all permit variations relating to Category A mining waste facilities where changes to the operation of a Category A mining waste facility may affect the existing external emergency plan. Note that this would also include variations to add Category A mining waste facilities. If you consider that no further information needs to be provided to the relevant emergency planner, please provide your reasons in the document.

Further guidance is available in EPR6.14 'How to comply with your environmental permit. Additional guidance for: mining waste operations' at www.gov.uk/environment-agency.

4 Additional information

4a Tell us if the mining waste operation includes one or more inert mining waste facilities and if 'yes' tell us how many.

4b Tell us which sector category the activity is by ticking the relevant box in the list on the form.

4c Tell us if the mining waste operation includes a point source discharge to surface water. If so you will need to fill in part B6 as well to make sure we have all the relevant information needed.

4d Tell us if the mining waste operation includes a discharge to groundwater. If so please include details within your waste management plan.

5 How to contact us

If you need help filling in this form, please contact the person who sent it to you or contact us as shown below.

General enquiries: 03708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 03702 422 549 (Monday to Friday, 8am to 6pm)

Email: enquiries@environment-agency.gov.uk

Website: www.gov.uk/environment-agency