



INTEGRATED POLLUTION PREVENTION AND CONTROL (IPPC)

GUIDE FOR APPLICANTS

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Introduction

Purpose of this guide

This Guide is intended to help if you are regulated under Part A of the **Integrated Pollution Prevention and Control (IPPC)** regime. It provides a brief introduction to IPPC and explains where you can find more detailed information. It then gives advice on how to prepare each of the four main types of applications that may be required. These are applications for:

- **new permits** – to allow new or existing installations to operate when they first come under IPPC;
- **variations** to permits – for example to change the conditions in IPPC permits that have already been granted;
- **transfer** of permits – to a new operator;
- **surrender** of permits – when installations close.

The enforcing authority for Part A IPPC installations is the Chief Inspector of the Industrial Pollution and Radiochemical Inspectorate (IPRI). Under Regulation 8, any function of the Chief Inspector may be delegated to any other inspector appointed by the Department of the Environment and references in this guide to inspector should be treated accordingly.

What is Integrated Pollution Prevention and Control?

IPPC is a regulatory system that employs an integrated approach to control the environmental impacts of certain industrial activities. It applies to industry sectors for energy, metals, minerals, chemicals, waste management and a group of other activities such as textile treatment, food production and intensive farming of pigs and poultry.

It involves determining the appropriate controls for industry to protect the environment through a single permitting process. To gain a permit, Operators will have to show that they have systematically developed proposals to apply the "Best Available Techniques" (BAT) and meet certain other requirements, taking account of relevant local factors. The essence of BAT is that the selection of techniques to protect the environment should achieve an appropriate balance between realising environmental benefits and costs incurred by Operators.

We intend to implement IPPC to:

- protect the environment as a whole;
- promote the use of "clean technology" to minimise waste at source; and
- encourage innovation, by leaving significant responsibility for developing satisfactory solutions to environmental issues with Industrial Operators.

Once a permit has been issued, other parts of IPPC come into play. These include compliance monitoring, periodic permit reviews, variations of permit conditions and transfers of permits between Operators. IPPC also requires the restoration of sites when the permitted activities cease to operate.

IPPC operates under the Pollution Prevention and Control (Northern Ireland) Regulations 2003, Statutory Rule (SR [2003/46](#)) (the PPC Regulations). These Regulations have been made under the Environment (Northern Ireland) Order 2002, Statutory Instrument 2002/3153 (N.I.7)

and implement the EC Directive 96/61 on IPPC. Further information on the overall system of IPPC, together with Government policy and more detailed advice on the interpretation of the Regulations, can be found in the Department of the Environment document *IPPC: A Practical Guide*. Annex A to this Guide explains where copies of the Regulations, *IPPC: A Practical Guide* and other documents can be obtained from.

Does IPPC apply to you?

IPPC applies to you if you are the "Operator" of the whole or part of an IPPC installation. An **installation** is defined as:

1. a stationary technical unit where one or more activities listed in Part 1 of Schedule 1 to the PPC Regulations are carried out; and
2. any other location on the same site where any other directly associated activities are carried out which have a technical connection with the activities carried out in the stationary technical unit and which could have an effect on pollution.

IPPC: A Practical Guide provides more information on what is meant by this definition and gives worked examples. It also explains the difference between Part A, B and C IPPC installations.

Some important points relating to the definition of "installation" are as follows:

- a) The definition centres around activity headings that are specifically listed in the Regulations. Some industrial activities may fall under more than one heading. In this case an activity should be allocated to the "most apt" heading. For example, manufacturing tri-nitrotoene (TNT) could be classified as "producing organic chemicals". However, the most apt interpretation would place it under the heading of "producing explosives".
- b) A single installation may contain one or more of the activities listed under specific headings. An installation may also include certain directly associated activities that may not be identified explicitly in the Regulations. Each one of the activities that make up the installation needs to be covered by a permit to operate. This may be achieved through a single permit for the entire installation, or several permits covering different parts of the installation.
- c) Some activities in an installation may be under the control of different Operators. Each Operator in a single installation will need to obtain a permit. However we will not normally be able to determine permit applications from individual Operators for separate parts of an installation until all of the applications for the entire installation have been received. The applications should make it clear, collectively, that the whole installation will be run satisfactorily.
- d) Some installations may be used for different activities at different times. For example, a multipurpose speciality organic chemical plant may produce a variety of chemicals. If all of the chemicals are produced by the same operator, then only one permit is required as long as it authorises all of the activities involved.

Introduction (continued)

In view of (b) and (c) above, the term "installation" used in this Guide, on the Application Form and elsewhere **may refer to either the whole or part of an installation**, depending on the situation. The PPC Regulations also apply to the regulation of "mobile plant". Where this Guide refers to an installation, therefore, this automatically applies to mobile plant as well.

An **Operator** is defined as the person who has control over the operation of the installation (or who will have such control if the installation is not yet operating). The Operator may be a "legal person" (such as a company) or a "natural person" (an individual). The Operator must be an appropriate person to fulfil the obligations that arise under the permit.

Where there are two or more Operators in an installation, the permit for each Operator should cover only those parts of the installation under that Operator's control. Collectively, the permits for all of the Operators should then cover the whole of the installation.

In addition, some Operators may employ sub-contractors for certain activities. Such sub-contractors will not need a separate permit, however, since control and responsibility will still rest with the Operator. The Operators must ensure that sub-contractors operate in accordance with the permit.

How to use this guide

The Guide should be used as part of an overall "regulatory package" which comprises several elements. The main elements fit together as shown in Figure 1.

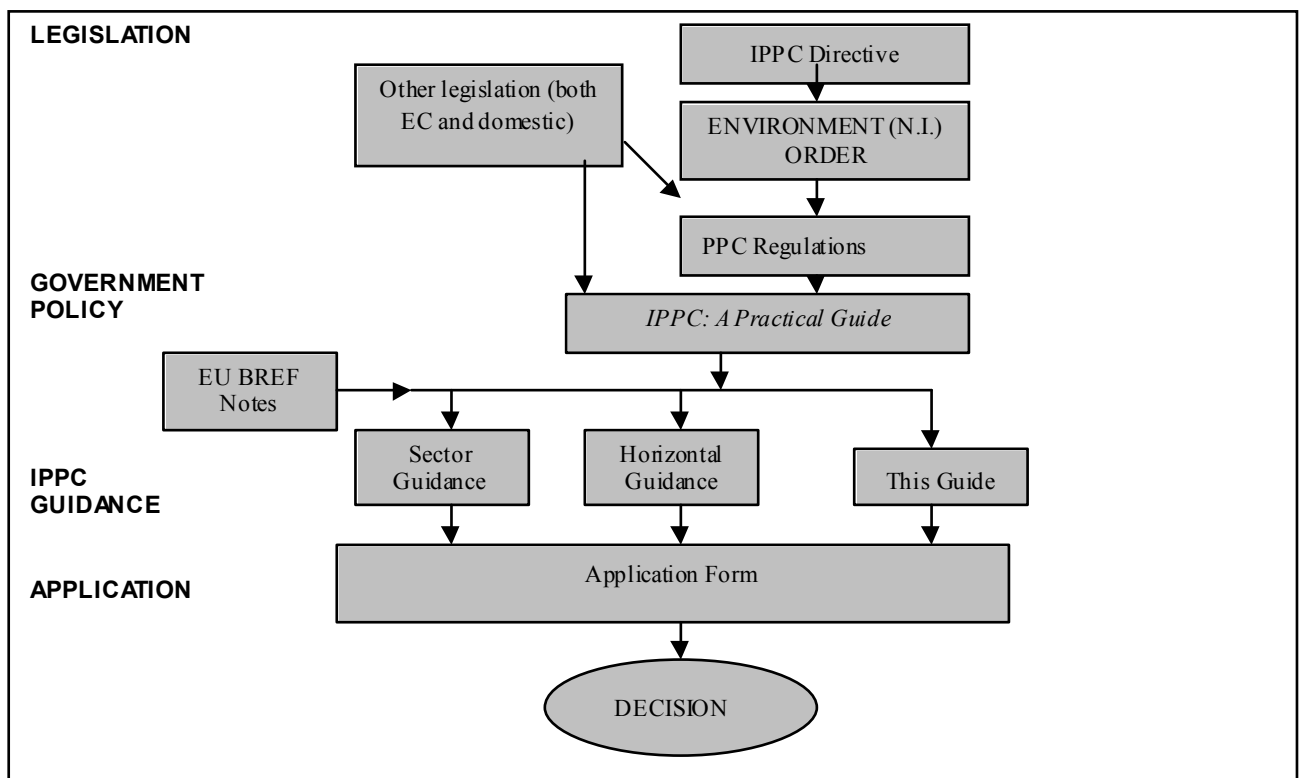
Within this package:

- the IPPC Directive, Environment (NI) Order and PPC Regulations set the main legal framework;

- other legislation – for example laws setting Environmental Quality Standards (EQSs) or sector-specific controls – may bear upon the application of IPPC in individual cases;
- *IPPC: A Practical Guide* sets out the Department's policies on how IPPC should be applied and how particular terms should be interpreted.
- the IPPC Application Form provides a structured basis for the various kinds of applications; and
- IPPC Guidance explains what will normally be expected of Operators, through "Sector Specific Technical Guidance", or through cross-sectoral "Horizontal Guidance" on general topics such as noise or energy. Such guidance will take account of the European Union BAT Reference (BREF) notes that are being published by the Commission.

This Guide describes the main provisions of IPPC that relate to the making of applications to be determined by the Chief Inspector. It explains what is involved in obtaining a permit, and what happens after a permit has been issued in relation to variations, transfers and surrender. It provides advice, in particular, on how to use the Application Form and the related Technical Guidance.

Figure 1 – Framework of the IPPC Regulatory Package



Getting a New IPPC Permit

When do you need to apply for a new permit?

When you should apply for a new permit will depend on whether your installation is "new" or "existing". These terms are defined in the PPC Regulations and explained in *IPPC: A Practical Guide*.

When do you need to apply for a new installation?

A **new installation** cannot be brought into operation until an IPPC permit has been granted¹.

IPPC: A Practical Guide also discusses issues associated with the timing of applications in practice. It suggests that an Operator should normally submit an IPPC application when full designs have been drawn up but before any construction commences. This will minimise the possibility of investment that does not meet the standards required. If you have already introduced the techniques that you propose in your application, but we judge them inadequate, the expenditure that you have already made will not be relevant to the determination of BAT. This is a matter of your commercial risk.

It may be possible to time your IPPC application alongside other submissions required under other regimes (e.g. the Control of Major Accident Hazards Regulations (Northern Ireland) (SR 2000/93) if you are a "top tier" COMAH site). If planning permission is also required, the IPPC and planning applications should be submitted in parallel whenever possible. However, if you are applying to operate any "specified waste management activities" (defined in the PPC Regulations and explained in *IPPC: A Practical Guide*), we cannot issue an IPPC permit unless any required planning permission is in place.

When do you need to apply for an existing installation?

Existing installations will come under IPPC in one of three ways. These are described in *IPPC: A Practical Guide*. They are:

- permitting according to a transitional schedule;
- permitting ahead of the transitional schedule by agreement; or
- permitting ahead of the transitional schedule in the case of a "substantial change".

The transitional schedule is set out in the PPC Regulations. It specifies windows of time called "relevant periods" for different industry sectors. During these periods, applications must be submitted for any installations not previously brought under IPPC. If an installation contains activities from more than one sector, then the application or applications relating to that installation must all be submitted in the same relevant period. Unless agreed otherwise, this will be the earliest of all of the relevant periods for the various activities concerned (based on the "most apt" description for each activity as explained earlier under "Does IPPC apply to you?"). As an alternative to applying in the earliest relevant period, however, the Operator(s) may ask for the relevant period corresponding to the "primary activity" in the installation to dictate the application date. Schedule 3 to the PPC Regulations describes how Operators should make such a request.

You may wish to apply for a permit ahead of the transitional schedule. To do this, you must first gain our agreement. The system would become overloaded if everyone were to apply for permits early. Therefore, *IPPC: A Practical Guide* indicates that any Operator wishing to come into IPPC early should demonstrate how they would be disadvantaged if this were not permitted.

If you wish to make a "substantial change" to an existing installation ahead of the relevant period, you will have to apply for a permit. In essence, a "substantial change" is any change in operation that may have a significant negative effect on human beings or the environment. Responsibility for assessing the effects of any potential change lies with the Operator. However, determining whether or not any negative effects are significant will be a matter for our judgement based on the facts of the case. *IPPC: A Practical Guide* sets out broad principles of interpretation for substantial changes. The Chief Inspector has developed more detailed internal guidance on this issue which is available on request.

If you made a substantial change on or after 31 October 1999, but before the PPC Regulations entered into force on 1 April 2003, you should apply for a permit before 1 January 2004 in order to be able to continue operating legally while the application is being determined. The same is true for any substantial change made after the Regulations entered into force, but before 1 January 2004. If a substantial change is made on or after 1 January 2004, an IPPC permit (rather than just submission of an application) is required beforehand.

¹ Except under the transitional arrangement in Schedule 3 to the Regulations, whereby a new installation may operate without an IPPC permit as long as it has any other required authorisation(s) and an IPPC application is duly made before 1 January 2004. Such operations will normally be regulated through a different regime, e.g. the Industrial Pollution Control (Northern Ireland) Order 1997, until the IPPC application is determined.

After a Permit has been issued

What happens after a permit has been issued?

Getting a permit is only the first step of the overall regulatory process. Once a permit has been issued, many other aspects of the regulatory regime come into play. The main parts are outlined below.

◆ *Compliance*

If we grant a permit we will include suitable conditions, for example in the shape of emission limit values (ELVs). We may also require you to operate in specific ways, for instance by referring to the proposals that you made in your permit application or any subsequent submissions.

For those aspects of your installation not regulated by specific permit conditions, the PPC Regulations impose an implied permit condition requiring you to use BAT to prevent and reduce emissions (often referred to as "implied BAT").

You must comply with the conditions of your permit. You may have to submit monitoring data of appropriate quality to demonstrate this. We may also carry out inspections. We may take various actions to enforce compliance, including serving enforcement notices, suspending operation, bringing prosecutions and, in rare cases, revoking the permit.

If you receive a permit, you will remain responsible for the obligations arising under it (including the payment of fees) until we:

- accept the transfer of the permit to another Operator;
- accept the surrender of the permit; or
- revoke the permit.

◆ *Permit reviews*

From time to time we will review the conditions of your permit. This may lead to a variation of the permit conditions (see below). Guidance notes will set out the normal review periods that are appropriate for installations in each sector. However, we can review your permit at different times, and must carry out a review in certain circumstances specified by the PPC Regulations.

◆ *Changes and variations*

Once you have gained a permit, you may wish to change the way you operate your installation. As long as this does not conflict with any requirements of your permit (including any requirement to operate in accordance with the proposals that you made to gain a permit), you may submit a simple notification informing us of the proposed change. This notification process is set out in the PPC Regulations and described in *IPPC: A Practical Guide*.

If you wish to make a change that would require a variation to any part of your permit, you must make an application. We may also initiate a variation, for example following a permit review and may additionally consolidate a permit if, for instance, the permit has been amended several times.

◆ *Permit transfers*

It is an offence to operate an installation without being the holder of a permit. If you wish to transfer your permit, in whole or in part, to another Operator, you and the proposed transferee must make a joint application. Any transfers therefore must be approved **before** they take place.

◆ *Closure and site restoration*

If you intend or intend to cease operating the whole or part of your installation, you may apply to surrender the corresponding part of your permit. As part of your application to surrender, you will need to submit a site report describing the state of the land on closure. This, together with the site report that you submitted with your permit application, and operational records, will indicate any steps that need to be taken to avoid any pollution risk and return the site to a satisfactory state.

◆ *Public information*

We are required to place various items related to installations on the public register. These include the permit, monitoring data, details of enforcement actions, and all particulars of any variation, transfer or surrender, as well as the original applications. There are exceptions for commercial confidentiality and national security.

Making an Application

How do you make an application?

You can make any application by completing the standard Application Form. You can obtain the form by telephoning 028 90 254709 or from the EHS website at www.ehsni.gov.uk

The form has been designed to reflect the requirements for applications in the PPC Regulations. Please complete it in black ink, then submit it and all other relevant information to us. You may also need to submit a fee under the PPC charging scheme. There are questions on the form that will help you to calculate the appropriate fee.

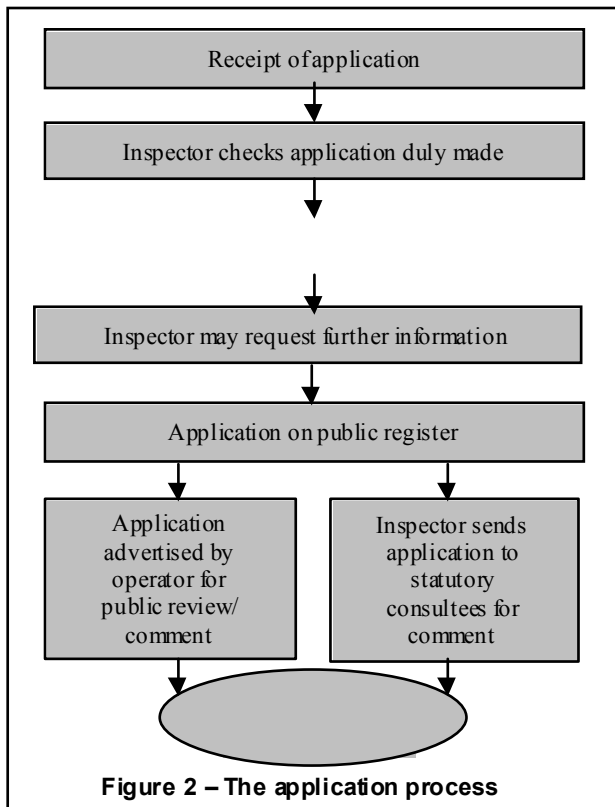
The level of detail in an application should reflect the scale of your operation and its environmental effects. You do not need to supply information that could not reasonably be expected to contribute to a decision on an application. This applies to all applications, but is particularly relevant to those for "low impact installations", as discussed later in this Guide.

If you operate more than one installation on the same site, you may be able to make a single application that covers all of the installations. If you do this, you should produce a single submission comprising separate completed application forms for each installation, with appropriate cross-referencing on common elements (for example site management, site condition, etc).

What should you do before you apply?

Before you make any application – whether for a new permit, variation, transfer or surrender – you should:

- check that you are required to make an application and understand the requirements of the legislation; and



- have read through the appropriate parts of the Application Form and the relevant associated Technical Guidance documents.

Before you prepare an application you may wish to discuss it with your Inspector. That way we may help you to clarify important issues like whether or not you actually need to make an application and how to present the information required. We can only put limited time into such discussions in order to be able to divide its attention fairly between different Operators.

What will we do with your application?

The application process is shown in Figure 2. Details of the various elements are described below.

◆ Checking whether the application is duly made

Your Inspector will check that an application is duly made in accordance with the PPC Regulations. This depends on whether the application as initially submitted is complete in a legal sense, such that we are able to process it. For us to consider an application duly made, the main requirements are that it should:

- be prepared making proper use of the standard Application Form;
- relate to a Part A installation under IPPC;
- be submitted with our prior consent where required (i.e. for a permit application for an existing installation submitted ahead of the normal transitional schedule without proposing a substantial change);
- be accompanied by the necessary fee; and
- address all of the necessary points.

If we think an application is not duly made, we may return it to you and will provide an explanation. This Guide, the Application Form and the Technical Guidance have all been produced with the aim of avoiding this by helping Operators to produce good applications in the first place.

The requirement for an application to be duly made gives rise to a number of consequences.

- If you apply for a **permit for an existing installation** your application must be duly made no later than the end of the relevant period (see "Getting a New IPPC Permit" above) if you wish to continue operating while we process the application. If an application is not duly made until after the relevant period, it will be an offence to operate the installation until a permit is issued.
- If you apply for a **permit for a new installation** you cannot normally bring the installation into operation until a permit has been granted. We cannot issue a permit until we have received an application that is duly made.
- If separate applications are made for **permits for different parts of one installation** (new or existing) the PPC Regulations provide that each individual application can only be treated as having been duly made if all of the applications are duly made. This cannot occur until all of the applications have been received.

Making an Application (continued)

- With an application for a **variation, transfer or surrender**, you can continue operating if the application is not duly made but only in accordance with the permit. You will have to submit a new application if you wish to proceed with the variation, transfer or surrender.

◆ Acknowledging receipt

If we are satisfied that the application is duly made we will acknowledge it and send a receipt for the fee. We will also give you a name and telephone number for someone who you may contact with questions relating to your application.

◆ Further information

The Application Form and guidance are structured in a way that aims to help you provide all of the information needed in an application. However, in some cases we may need to request further information from you before we can determine your application. Where this is the case, we will send you a notice specifying the information required and the period allowed for its submission. If you think you will not be able to provide the information or respond by the date specified, you should let us know as soon as possible. Failure to provide an adequate or timely response may lead us to judge that your application has been withdrawn.

◆ Public register

We will put a copy of your application and any further information that relates to it on the public registers, excluding any details that have been determined to be commercially confidential or affect national security. We will also provide copies of the information for inclusion on public registers maintained by district councils. If there is to be public consultation on your application (see below), we will tell you the address of the public registers. You will need to know this in advertising your application.

◆ Consultation

The law requires that we consider comments from the public and "statutory consultees" before we determine some applications. This is mandatory for all new permit applications and for all variations involving a "substantial change". We may undertake consultation under the PPC Regulations for variations that do not involve a substantial change, and may consult on a non-statutory basis for any other application. Any claims for commercial confidentiality or national security are resolved before consultation.

If the public is to be consulted, the PPC Regulations state that you must advertise your application in one or more local newspapers and the *Belfast Gazette*, providing certain information. Annex B gives more detailed instructions relating to the wording, timing and placement of advertisements in practice, plus a sample advertisement.

With regard to statutory consultation, we will send copies of your application to the various statutory consultees. These are other bodies with specialised interests and expertise who may comment on the application. Applications may also be

forwarded to authorities in other EU Member States for consultation in cases where there could be a significant negative transboundary effect.

◆ Determination

Once we have gained sufficient information and any processes of consultation have finished, we will determine your application. The main possible outcomes are:

- a) in the case of a new permit application –
 - i) the grant of a permit with appropriate conditions, or
 - ii) the refusal of a permit;
- b) in the case of an application for a variation –
 - i) a notice varying the conditions or other provisions of the permit, or
 - ii) the refusal of the variation;
- c) in the case of an application for a transfer –
 - i) the transfer of the permit or issue of a new permit to the transferee with appropriate conditions, or
 - ii) the refusal of the transfer;
- d) in the case of an application for surrender –
 - i) acceptance of the surrender and notice that the permit (or part of it) shall cease to have effect, or
 - ii) the refusal of the surrender.

◆ How long should it take for a decision to be reached?

The PPC Regulations set statutory periods following receipt of a duly made application within which we should normally reach a decision. In most cases these will be as follows:

- for a permit application; six months for a new installation and nine months for an existing installation;
- for an application for a variation, six months if consultation is undertaken under the terms of the PPC Regulations and three months in other cases;
- for an application for a transfer, two months; and
- for an application for surrender, three months.

These periods do not include the time taken for the Operator to respond to any additional requests for information after the application has been submitted. In complex cases, the Inspector and the Operator may agree that a longer period for determination is appropriate. However, the Operator does not have to agree to this and may appeal to the Planning Appeals Commission against "deemed refusal" if we do not complete our determination in the period specified by the Regulations. In some special cases described in *IPPC: A Practical Guide* the determination period is longer.

◆ What can you do if you are dissatisfied with the outcome of your application?

You may appeal to the Planning Appeals Commission if your application is refused or you are dissatisfied with any permit conditions we impose on you. We will send details of how you can appeal when we advise you of our decision on your application. Appeals should be brought within time limits specified by the PPC Regulations.

Explanatory Notes on Part A of the Application Form

This part of the form should be completed for any type of application.

The notes on the front page of this part provide further information about completing the form. If you are applying for a variation, transfer or surrender, the reference number will be the same as your permit number.

A1 About your application

These questions are intended to provide an "at-a-glance" summary of key application and associated reference details.

Question A1.1

Type of application. Please tick the box corresponding to the type of application that you are making.

Question A1.2

Name of installation. Please write the name of the installation, in the box provided. We need this information for record-keeping purposes.

If you are applying for a **new permit**, we would like to discuss with you the name that should be written here before the application is submitted. The name should reflect a combination of the location of the installation and its primary function, for example "**Ballymoney Foundry**". In this way the name of the installation should not change even if the Operator changes. If you do not agree a name with us before you apply, you may propose one.

If you are one of several Operators applying for new permits at a single installation, you should all write the same name here so that it is clear that your applications all relate to the same installation.

If you already hold an IPPC permit and are applying for a **variation, transfer or surrender**, please write the name that was assigned to your installation when the permit was granted.

Question A1.3

Address of installation. Please write the address of the site of the installation and its postcode (if it has one) in the spaces provided. These details may be different to your address as the Operator under Section A3 below. You should also provide a Irish grid reference. This reference should correspond to a point that is unique to the installation. Ideally it should reflect a central point for the purposes of IPPC, e.g. the main chimney of a cement kiln. However, accepting that this is not always feasible, you should choose a point which, in your view, is representative of the installation. (If you are applying for a new permit, you should identify this point on the map that you are to provide under question B1.3 on Part B of the Application Form).

If you are one of several Operators at an installation, it may be difficult to establish a single site address that applies to the whole installation. In this case you should write the address that corresponds to the part of the installation for which you are applying, for example the address of the premises for your activity. The primary requirement is to provide an address that will enable us to identify the correct part of the installation. A PO Box number should not therefore be used.

When providing details of postal addresses in this or any other part of the Application Form, please include the postcode for each address. This will assist us in providing an efficient service to applicants and will enable us to link similar addresses where appropriate. Where you are asked to write the locality, this means the local district of a Post Town where the installation is situated.

Question A1.4

Details of existing permits. Please provide details in the box provided of any pollution control permits (other than IPPC) that remain in force for the installation. Please identify any applicable Part A, B or C authorisations issued under the Industrial Pollution Control (NI) Order 1997, waste disposal licences or water discharge consents.

Question A1.5

Low impact installation. Please let us know if you consider that the installation meets the criteria for a "low impact installation" and thus wish to pay the reduced fees applicable to such an installation. A "low impact installation" is defined in the Department's Charging Scheme for Pollution Prevention and Control as:

"an installation which, in the opinion of the Chief Inspector, cannot result in emissions or there is no likelihood that it will result in emissions except in a quantity which is so trivial that it is incapable of causing pollution or its capacity to cause pollution is insignificant."

The Department has elaborated on the meaning of this definition in the guidance that is attached to the charging scheme, and it is against this guidance that you should assess whether or not you can reasonably consider your installation to be low impact. You should consider this carefully, since it is an offence to make a statement, either knowingly or recklessly, which is false or misleading. The low impact criteria have been deliberately set strictly. They are only meant to apply to a minority of activities that have trivial environmental impacts. Therefore, any installation that contains any activities which are defined in the PPC Regulations with reference to a numerical threshold cannot be a "low impact installation".

As well as paying reduced fees, anyone operating an installation that meets the low impact criteria may answer some of the subsequent questions on the Application Form in less detail than would be required otherwise. This Guide provides advice on this issue where appropriate.

Should we disagree with your view that you are operating a low impact installation, we will return your application. You will then need to re-apply, either providing further details of why you meet the low impact criteria, or making a "regular" application, if you wish to proceed.

If you obtain a permit as the Operator of a "low impact installation", and wish to change the installation such that it will no longer meet the low impact criteria, you should apply for a variation. Conversely, an installation that is not viewed as low impact upon initial permitting may later meet the criteria because of changes in design, operation, size, etc. In such cases the Operator is still free to make a low impact declaration and pay a lower fee in any subsequent variation, transfer or surrender applications, even though the first permit application did not do this.

Explanatory Notes on Part A of the Application Form (continued)

A2 Authorised contacts

Question A2.1

Application contact. Please provide details of a person we can contact with questions on your application. This need

not be someone who can answer any such questions – which may for example be quite technical in nature – but should be someone who can convey questions to appropriate people. It may be an agent rather than the Operator (whose details should be provided under Section A3 below).

Question A2.2

Operational contact. In the longer term, we may wish to contact someone to discuss operational matters at your

installation, whether or not in connection with any application. Please identify the appropriate person.

A3 About the operator

These questions are concerned with the identity and legal status of the "Operator". The Application Form indicates what is meant by this, based on the legal definition of "Operator" contained in the PPC Regulations. If you have any doubt whether you meet the definition, you should refer to the PPC Regulations and the explanation contained in *IPPC: A Practical Guide*.

In the case of an application for a transfer, the details that relate to the **proposed** Operator (i.e. the transferee) should be provided by answering the questions in Part D of the Application Form. The questions in Part A should only be completed in relation to the **current** Operator.

Question A3.1

Legal status of operator. Please identify whether you are applying to be the Operator as an individual or

a group of individuals, a partnership, or a company/body corporate. You may wish to discuss this issue with us before completing the Application Form if you are not sure which applies. How you answer this question will determine which question (A3.2, A3.3 or A3.4) you should go to next.

Question A3.2

Details for individual applicants. You need to provide the information requested here if you are applying

as an individual or a group of individuals. If you apply as an individual and a permit is granted, you will be personally responsible for ensuring compliance with the permit conditions. If you apply as a group of individuals, each of you will be responsible.

Question A3.3

Details for applicants in partnerships. You need to provide the information requested here if you are applying as a partnership. Information is required from each individual who is a member of the partnership.

Question A3.4

Details of the partnership. If you are applying as a partnership, please give the name of the partnership and the other information requested to demonstrate that the partnership exists as a legal entity.

Question A3.5

Details of companies or corporate applicants. You need to provide the information requested here if you are applying as a company or body corporate. If you are applying as a company you will need to provide a copy of the Certificate of Incorporation and certificates of any subsequent name changes. If you are applying as any other type of body corporate please provide evidence of your status, e.g. a reference to the relevant legislation by which the body corporate is established. You should also include your Standard Industrial Classification (SIC) code number.

The company registration number that is provided under this question (where appropriate) should relate to the registered company that will operate the installation, rather than the parent company of a large group of registered companies.

Most applicants answering this question will be companies rather than "bodies corporate". The term body corporate refers to other bodies which are not commonly described as companies. Examples are, those incorporated pursuant to some general Act of Parliament (e.g. building societies), those incorporated pursuant to a royal charter or special Act of Parliament ("public corporations") and insurance companies. Applicants will normally know if they fall into any of these categories.

Question A3.6

Details of holding companies. If you are a subsidiary of a holding company within the meaning of Article 4 of the Companies (N. I.) Order 1986, you should tick the "Yes" box in this question and then provide the relevant details in the spaces provided.

Article 4 states that: A company is a 'subsidiary' of another company, its 'holding company', if that other company:-

- holds a majority of the voting rights in it, or
- is a member of it and has the right to appoint or remove a majority of its board of directors, or
- is a member of it and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in it,

or if it is a subsidiary of a company which is itself a subsidiary of that other company".

Explanatory Notes on Part B of the Application Form

The questions in Part B are specific to applications for new permits. They ask for various details about the installation and the way it is proposed to be operated. They also request information that will support identification of the appropriate statutory consultees.

B1 About the installation

Question B1.1

Installation table. Please complete the table to identify the entire scope of the installation and the activities

that are carried out in it. In most cases it is expected that a single Operator will run a single installation. If however, different parts of a single installation are run by different Operators, then all of the Operators will need to work together to develop consistent answers for the table. You may need to discuss this issue with us before any applications are submitted. If we receive conflicting applications from Operators who run different parts of the same installation, we are unlikely to be able to determine some or all of the applications.

In **column 1**, you should identify all of the activities in the installation. In the first block of column 1 please identify all activities listed in Part 1 of Schedule 1 to the PPC Regulations that are proposed to be carried out in the "stationary technical unit" of the installation (or in the mobile plant if appropriate). *IPPC: A Practical Guide* describes how you can determine this. If you are one of two or more Operators at an installation, you may not be the Operator of all or indeed any of these activities – you may instead be the Operator of a "directly associated activity". However, you still need to identify the activities in the stationary technical unit since they provide the basis for the installation that you are applying to operate part of

In the second block of column 1, please identify any other directly associated activities that are proposed to be carried out at any other location on the same site which have a technical connection with the activities in the stationary technical unit and which could have an effect on pollution. Any such "directly associated activities" are also part of the installation. *IPPC: A Practical Guide* offers advice on how to identify them. You may be the Operator of all, some or none of these directly associated activities. However, you should still identify all of the activities.

In **column 2**, for each activity identified in column 1, you should enter any corresponding activity description from Part 1 of Schedule 1 to the PPC Regulations. For the directly associated activities, however, there may not be a corresponding activity description. If so, write "none".

The activity description entries in column 2 should be written in the format "Section number, Part, paragraph (and sub-paragraph if appropriate)". An example is as follows:

1.1 A (b) (i). This is the activity description for burning recovered oil in an appliance with a rated thermal input of 3-50 MW, which is in Section 1.1, Part A, paragraph (b) and sub-paragraph (ii) of Schedule 1 to the Regulations. If an activity could fall within more than one description, please write the one you think fits it most aptly.

As a double-check, once you have completed column 2 you can ensure that your application properly relates to a Part A installation.

If the entries in column 2 do not contain one or more Part A activities then you may not be operating a Part A installation and should contact us before proceeding.

In **column 3**, please identify the Operator for each activity in the installation. Where you are the Operator, write "Applicant". This will denote those activities that you are asking to be authorised under the permit for which you are applying, so you should cover only activities in the installation for which you appropriately meet the definition of Operator. For all other activities, please write the names of the other Operators.

Question B1.2

Reason for the application. You should indicate the reason for the new permit application by ticking

the one of the five boxes that is applicable. If you are applying for an IPPC permit for an existing installation ahead of the relevant transitional period for your installation, but without a proposed substantial change, the application will not be duly made unless we have agreed to process it. Therefore, if you tick the third box, you should attach something that shows our agreement. Normally this will be a copy of a letter from us granting consent for an early application.

The fifth box only applies to mobile plant. It concerns the situation where a mobile plant has already been permitted at one location, and is being moved to another, in which case a new permit is required. If you are applying in respect of a mobile plant that does not yet have an IPPC permit, then you should tick the appropriate one of the four previous boxes (reading "installation" as "mobile plant").

Question B1.3

Site maps and reports. This question identifies two sets of documents that must be submitted with your application.

Firstly, you need to provide a **site report**. This must describe the condition of the site for the part of the installation in respect of which you are applying.

Annex C to this Guide provides detailed guidance on the preparation of a site report in a permit application. It explains the purpose of the site report, the extent of the land which should be covered by the report, and the recommended framework for the production of the report. The recommended framework comprises three phases.

Phase 1a is concerned with initial desk-based research and site reconnaissance. If appropriate, Phase 1b then provides for further desk-based research and exploratory investigation, whilst Phase 2 involves more thorough site investigation. This general framework is applicable to all applications, with the Operator considering how many of the phases need to be completed for a satisfactory assessment. In the case of an installation that meets the low impact criteria, however, Phase 1a assessment is likely to be sufficient. Most "low impact installations" are also likely to be small, so the area to be covered by the site report should be correspondingly limited.

Explanatory Notes on Part B of the Application Form (continued)

You should take account of the findings of your site report in the development of proposals to protect the environment as a whole (these proposals are to be described in response to Sections B2-B4 as explained below).

If there are several Operators in an installation, it may be desirable for a single report to be provided covering the whole site. If the Operators choose to do this, each should submit a copy of the report with their application, and must make it clear what parts of the site relate to that application.

Secondly, you need to provide **suitable maps or plans** showing the location of the site of the installation and the location and nature of the various activities on that site and the area of the site covered by the site report. The precise way that this information should be submitted will depend on the size and nature of the installation. The map or plan may comprise more than one part to help make the information clearer and more useful. By way of illustration, a typical submission could involve the following three parts:

- a) An Ordnance Survey map to a scale of 1:10,000 (10 cms to one km, which equates to about 6 inches to one mile) showing the location of the site in the surrounding area by marking the site boundaries (e.g. as defined on the ground by a factory boundary or security fence) in red. You should also outline any other areas of land that you own or occupy in blue.
- b) A larger scale (for example 1:2,500) map or plan of the site showing the location of the installation to which your application relates and any other installations on the same site. This should also show all existing development and infrastructure (e.g. buildings, roads, storage areas, pipework, power lines etc.) within 250 metres of the boundary of the installation. It should additionally identify any parts of the site that are not owned or occupied by the applicant, if there are any, and give details of who is the owner or occupier.
- c) A separate schematic plan of the installation to which your application relates. This should:
 - identify the various distinct activities identified in the table under question B1.1, and distinguish between those activities that you operate and those that are operated by other parties if appropriate;
 - show the discharge point of any emissions you are proposing into the surrounding environment;
 - if you are proposing releases to water (both to sewer and/or other waters), identify the site drainage arrangements, discharge points into the sewer or any other waters, and also where and how any effluents from any other on-site activities join the effluent from the installation;
 - give Irish grid reference details for such emission points;
 - show clearly the location of the Irish grid reference that you are asked to provide in response to question A13 in Part A of the Application Form.

Again, if there are several Operators in an installation, they may wish to produce a common set of maps or plans, and then submit one copy each with their applications. The submissions should

one copy each with their applications. The submissions should make clear which part of the site and installation relate to each Operator.

Please make sure that you have the necessary permission to make copies of any maps that you reproduce.

B2-B4 *Impact on the environment*

These questions cover several complex and inter-related factors. They will be central to your application. You are required to set out various details about the effects of your operations and the steps that you propose to take to ensure that the environment is protected as a whole.

The questions cover the requirements of the PPC Regulations (in particular paragraphs 1(1)(f)-(k) of Schedule 4) and other legislation that must be given effect through IPPC.

The 3 sections (covering some 16 individual issues) follow the 3 basic steps for demonstrating that your proposals meet the regulatory requirements:

- ***demonstrate that the techniques you are proposing are BAT and meet the other requirements of the PPC Regulations (Section 2);***
- ***compare the resulting emissions with any BAT-based benchmarks (Section 3);***
- ***assess the impact of those emissions on the environment (Section 4).***

Except where the Application Form dictates otherwise, your application should only address these issues in respect of those parts of the installation for which you are the Operator.

In order to make satisfactory responses to them you should refer to the relevant Technical Guidance for your sector that covers the matters to be addressed, (see "Choosing the right Technical Guidance" below).

Please note that special considerations apply to Operators answering these questions in respect of a "low impact installation". This Guide provides specific advice on this issue in its comments on Sections B2 – B4 below.

◆ *Using existing information when answering these questions*

Your answers to the questions in Section B2, B3 and B4 will comprise a package of material that you should submit along with the completed Application Form and other attachments.

You may already have some information that is relevant to these questions, for example in the shape of environmental management system manuals or documentation from previous regulatory regimes. Where this is the case, you may ensure that it is clear what parts of any such attached information are being cited and how they relate to your answer to each part of these questions.

Explanatory Notes on Part B of the Application Form (continued)

◆ Putting environmental assessment in context

In providing responses to questions in Sections B2, B3 and B4 you should bear in mind that we will need to be confident that the operation of your installation will meet the requirements of the PPC Regulations and other legislation. Thus, you should aim to demonstrate, in your application, how you propose to achieve this.

The principal requirement is that emissions (of substances, vibrations, heat and noise) must be prevented or reduced at least to the standards achievable using BAT. *IPPC: A Practical Guide* explains the principles behind BAT. In some cases it will be necessary to reduce emissions further, for example to ensure that requirements relating to matters such as compliance with environmental quality standards and minimisation of long distance and transboundary pollution are met. We are required to impose the ELVs or equivalent parameters or technical measures that we believe are appropriate to satisfy these obligations.

We are also required to include other conditions in a permit that we consider appropriate to give effect to provisions relating to issues other than emissions, e.g. energy efficiency, waste management and accidents. We need to ensure your proposals are satisfactory in this regard.

If we are satisfied with your proposals, and that the other requirements of the legislation are met, we will issue you a permit containing appropriate conditions that correspond to what you have proposed. If we are not entirely satisfied, however, we may do one of four things:

- 1) We may issue a permit with conditions that go beyond or are additional to what you have proposed. We cannot do this, however, if we have reason to believe you will not comply with the conditions. If this is so, we will act in accordance with (2), (3) or (4) below.
- 2) We may invite you to submit further information in those areas where we believe there are deficiencies in your application or the proposals you have made.
- 3) We may issue a permit that allows the operation of those activities in respect of which we are satisfied, excluding the other activities for which the application was made.
- 4) We may refuse the permit.

◆ What the Technical Guidance contains

The relevant Technical Guidance note follows the structure of Sections B2, B3 and B4. It describes the information that you should provide to address these issues. This includes advice on where detailed assessments are required and, where appropriate, clear indicate requirements against which your proposals should be compared.

At the front of each Technical Guidance note there is a diagram showing how to employ the three steps described above in putting your application together. In most cases, how to do this should be self-evident from the guidance. The following explanations, however, give more details on how to tackle the decisions required.

The purpose of the Technical Guidance is to improve the consistency and transparency of the permitting process. Where appropriate, the relevant Technical Guidance note will cross-refer to other guidance materials, such as those for monitoring and noise, and the UK Agencies' guidance "*Methodology for IPPC BAT Determinations, H1*" the use of which is described later.

◆ Choosing the right Technical Guidance

You will need to consider which Technical Guidance is the most applicable in the light of your activities. It is vital that you use the most appropriate guidance since this will dictate the standards against which your proposals will be compared. We strongly recommend that you speak to us to find out what is the latest and most appropriate guidance available.

The relevant Technical Guidance note for your sector will either be:

- the specific **IPPC Sector Guidance Note for your sector** where one exists (in some cases interim guidance has been produced in advance of full sector guidance being available);

OR, where such IPPC guidance has yet to be produced for your sector:

- the **IPPC General Sector Guidance Note** which covers the relevant issues under IPPC that were not dealt with by the previous regulatory regimes under the Industrial Pollution Control (NI) Order 1997. This note should be used in conjunction with the appropriate existing IPC guidance.

Either of these Technical Guidance Notes will lead you through this part of your application. The following explanation puts the Technical Guidance and the methodology used into context.

The choice between the **IPPC Sector Guidance Note for your section** and the **IPPC General Sector Guidance Note** depends simply upon the availability of the former.

However, you may be proposing to operate a range of activities that are **covered by more than one guidance note**. For example many non-combustion activities operate alongside a combustion plant. In such cases you will need to consider the issues in all of the relevant Technical Guidance notes. It is up to you whether you follow through the methodology as separate exercises for each activity/guidance note or, alternatively, apply the methodology in the most apt guidance for the main activities and add in relevant technical considerations from the other guidance as you proceed. The outcome should be the same.

In some cases there may be **no guidance relevant to your activities**, for example where they are novel or unusual. The default is to use the **IPPC General Sector Guidance Note** for the structure. You will have to demonstrate that you evaluated a range of options and identified a complete set of techniques, technologies and other measures that you propose to apply. In such cases you should contact us to determine the most appropriate approach.

Explanatory Notes on Part B of the Application Form (continued)

B2 Your proposal techniques

Questions B2.1-B2.12

These questions require you to demonstrate that the techniques you are proposing are BAT and meet the other requirements of the PPC Regulations. The notes below provide general advice on how to do this followed by particular comments in relation to “low impact installations”.

Sections 2.1 to 2.12 of the relevant Technical Guidance note deal with the corresponding application questions B2.1 to B2.12 and cover the various aspects of your plant. The information you need to provide is given in the shaded (BAT) boxes in each section of the guidance.

In demonstrating that BAT is being proposed the approach is based on a combination of assessment using the relevant Technical Guidance note and installation-specific assessment.

Section 2 of the relevant Technical Guidance note contains specific requirements in two ways:

- A. In some cases the guidance identifies **mandatory requirements**. These are derived, for example, from EC Directives for certain types of installations. Where such a mandatory requirement is identified that is applicable to your application, you will not be granted a permit unless you demonstrate that you will comply with it. However, such mandatory requirements typically set maximum permissible emission levels, rather than standards that correspond to BAT. BAT may, in fact, require stricter standards which will have to be applied.
- B. In other cases the guidance contains **clear, indicative requirements**, in the form of standards, measures and timetables. These correspond to cases where it has been possible to make a judgement on what will be sufficient in the majority of cases to meet the standards of BAT and the other legislative requirements. Where such clear, indicative requirements apply to your application, you should either confirm that you propose to meet them or justify a different proposal. Some clear, indicative requirements apply to all installations, while others apply only to new or existing installations. If there is a major modification to an existing installation, however, the new plant standards will normally be applicable. This is because the process of making a major modification will often entail significant replacement or addition of plant anyway, so the marginal cost of meeting new plant standards may be relatively small.

In addition to containing “A” and “B” requirements as above, the relevant Technical Guidance note may direct you to provide information and develop proposals in areas where no such requirements have been set. An example would be where the guidance has identified the main candidates to meet the standards of BAT and other legislative requirements, but the final choice can only be made on an installation-specific basis. Another example would be where some elements at specific sites are not dealt with by the “normal” conditions reflected in the guidance.

◆ Responding to “clear indicative requirements” in Section 2 of the Technical Guidance

Your submissions in response to such clear, indicative requirements should be as follows:

- If you propose to comply with any clear, indicative requirement, you may need to describe how you will do this, if this is not obvious from the wording of the requirement itself. For example, if the clear, indicative requirement involves compliance with a specified emission limit value, you should explain what techniques you will use to achieve this. The guidance itself may indicate where such explanations are required.
- If you propose to deviate from any clear, indicative requirements, you should provide an explanation for this. Such deviations may involve proposals that are either stricter or less strict than the indicative requirements:
 - Stricter proposals may be appropriate if you are seeking to apply new techniques that have become available after the publication of the guidance, or because the particular technical configuration of “standard” techniques at your installation makes higher standards practicable. Stricter proposals may also be necessary where, for example, the indicative standards would not secure compliance with an environmental quality standard in a particular area, or provide adequate protection for a European site. You are advised to consider such possibilities at this stage, and develop further proposals as necessary, rather than assuming that compliance with indicative standards will always be sufficient to obtain a permit. If you do not do this, and your assessment of the environmental effects of your proposals or other information suggests that your releases will have unacceptable impacts, we will not permit you to operate at the standards you propose.
 - Less strict proposals may be justified due to particular factors relating to your installation or the local environment. For example, you may operate to a standard that is very close to an indicative requirement, but using different plant or processes from that upon which the indicative requirement is based. In such a case it may impose a disproportionate cost to replace the old plant with the new techniques for only a small decrease in emissions. However, if you wish to propose a deviation on such grounds, it is essential that you provide a properly costed justification, setting out how the costs of techniques compare with the emission reductions achievable. You should not seek to justify less strict proposals simply on the grounds that you cannot afford to comply with the indicative standards.

Explanatory Notes on Part B of the Application Form (continued)

◆ *Providing an appropriate level of installation-specific justification for your proposals*

Within the steps outlined above, there are various possibilities for the assessment and justification of proposals on a site-specific basis. These include:

- justification of deviations from indicative requirements in guidance;
- assessment of options to determine which of those identified by guidance is best for a particular site; and
- development of proposals for parts (or possibly all) of an installation that are not covered by guidance.

The basic rule in such cases is that you should compare a range of options on the basis of costs and benefits, and propose what you think is most appropriate to meet the requirements of the PPC Regulations. However, the level of detail required will depend on the environmental significance of the matter in question.

In the more complex cases, which include any cases of departures from indicative standards or issues not covered by guidance where:

- there are a range of options available which would lead to significantly different environmental effects,

or

- the cost implications are a major factor (this tends to be connected with the control of the most significant emissions);

It will be necessary to develop proposals through a detailed analysis of the costs and benefits of options. In such cases the assessment will need to compare the range of options against the BAT criteria set out in Schedule 2 to the PPC Regulations, taking into account the technical characteristics of the installation concerned, its geographical location and local environmental conditions.

Our preferred methodology for such assessments is set out in the “*Methodology for IPPC BAT Determinations, H1*” (in preparation). From such an assessment it should be demonstrated that the proposed combination of primary process and abatement equipment satisfies the PPC Regulations. The methodology is flexible and has steps built into it to ensure that the work involved is proportionate to the level of assessment required. Regard should also be had to the principles of BAT determinations set out in *IPPC: A Practical Guide*.

In many situations, however, it will not be necessary to carry out a detailed analysis of options. This may be the case where, for example, an indicative standard is inappropriate for obvious technical reasons, such that a departure can be justified in just a few words. Equally, if there are only minor additional emissions from your installation beyond those covered by guidance, we would not normally require you to demonstrate that you have completed a detailed comparison of alternative control techniques. Rather, we would simply expect you to propose techniques that you believe will meet the requirements of the legislation. We will then consider if what you have proposed is acceptable.

◆ *Energy efficiency and the Climate Change Levy*

The relationship between the IPPC energy efficiency requirements and the Climate Change Levy (CCL) is dealt with in questions B2.7.1-B2.7.3. The IPPC requirements will be met provided that either:

- the Operator meets the basic energy requirements set out in the relevant Technical Guidance **and** holds a valid CCL Agreement (CCLA) or Trading Agreement with the Government; or
- the Operator meets the basic energy requirements **and** the further, sector-specific energy requirements, both of which are set out in the relevant Technical Guidance.

If you are relying on a CCLA, we need proof that you have indeed entered into such an agreement. In response to question B2.7.3, therefore, please provide as a minimum a copy of the front sheet of the Underlying Agreement signed by the DEFRA (CCLA certificates will not be issued by the DEFRA in the first instance), together with a list of participating sites. If you wish to submit the complete Underlying Agreement, please do so.

◆ *Low impact installations*

If you are applying in respect of a “low impact installation”, then your answers to questions B2.1-B2.12 need not be as detailed as described above for the general case. Please answer these questions as follows:

B2.1 – describe how you meet criterion (a) of the low impact installation determination criteria (these criteria are set out in the Department’s *Charging Scheme for Pollution Prevention and Control (PPC)*).

B2.2 – describe how you meet criterion (b) of the low impact installation determination criteria.

B2.3 – describe how you meet criterion (c) of the low impact installation determination criteria.

B2.4 – describe how you meet criterion (d) of the low impact installation determination criteria.

B2.5 – describe how you meet criterion (e) of the low impact installation determination criteria.

B2.6 – provide a brief description of how you propose to recover or dispose of any waste you produce.

B2.7.1 to B2.7.3 – describe how you meet criterion (f) of the low impact installation determination criteria.

B2.8 – describe how you meet criterion (g) of the low impact installation determination criteria.

B2.9 – describe how you meet criterion (h) of the low impact installation determination criteria.

B2.10 – please provide a brief description of any monitoring proposals. In most cases, however, the very small levels of releases from “low impact installations” should mean that only minimal monitoring (if any) is required.

Explanatory Notes on Part B of the Application Form (continued)

B2.11 – please answer this question by referring to section 2.1.1 of the relevant Technical Guidance. However, your description of proposed measures upon cessation should be proportionate to the pollution risk of your installation, which should by definition be low.

B2.12 – please answer this question by referring to section 2.1.2 of the relevant Technical Guidance, if it applies to you. It is unlikely to apply to most Operators of “low impact installations”, however, since such installations will normally be small with each having just a single Operator.

B3 Your proposed emissions

Question B3.1

This question asks you to compare the emissions resulting from your proposed techniques with any

BAT-based benchmarks.

Section 3 of the relevant Technical Guidance note describes the details of what is required. Where specific Sector Technical Guidance is available it will also contain the benchmarks.

The comments under Section B2 above are equally valid in responding to this question for:

- “mandatory” and “clear indicative requirements” (the clear indicative requirements in this case are the BAT benchmarks);
- responding to the clear indicative requirements;
- providing an appropriate level of justification for your proposals.

◆ Low impact installations

If you are applying in respect of a “low impact installation”, please answer this question by describing how you meet criteria (i) and (j) of the low impact installation determination criteria.

B4 The impact of your proposals on the environment

Questions B4.1 -B4.3

These questions require you to assess the impact of your emissions on the environment.

Once you have worked through Sections 2 and 3 of the relevant Technical Guidance, you will have developed a full set of proposals for your intended operations, described the nature, quantities and sources of your foreseeable emissions into each environmental medium and compared these with the benchmark values.

You should now describe any potentially significant effects of those emissions on the environment, following Section 4 of the guidance. The purpose of this assessment is to demonstrate that the impacts of your proposals will be acceptable – for example through compliance with environmental quality standards. This is why any indication at an earlier stage that the options or standards under consideration might lead to unacceptable consequences should lead you to consider alternative proposals that are available with a lower environmental impact.

Question B 4.2 requires you to demonstrate that the relevant objectives in Schedule 3 of the Waste and Contaminated Land (N.I.) Order 1997 have been addressed.

These apply to any installation involving the disposal or recovery of waste, whether or not that is the primary purpose of the installation. If you have already addressed this requirement in other sections of your application (e.g. questions B 2.5 and B 2.6), simply refer to these in your answer to question B 4.2.

The relevant objectives are:

- Ensuring that waste is recovered or disposed of without endangering human health and without using process or methods which could harm the environment and in particular without risk to water, air, soil, plants or animals, or causing nuisance through noise or odours or adversely affecting the countryside or places of special interest.
- Implementing as far as material any plan made under the plan-making provisions.

Plans referred to in the second objective include any regional or sub regional plan to implement the N.I. Waste Strategy.

◆ Low impact installations

If you are applying in respect of a “low impact installation”, please answer these questions as follows:

B4.1 – you do not need to provide any information as, by definition, an installation that meets the low impact criteria should have no significant environmental effects. Simply write “low impact installation” in the box.

B4.2 – please answer this question by referring to section 4.2 of the relevant Technical Guidance and the previous section.

B4.3 – you do not need to answer this question for the same reason as described in respect of B4.1. Simply write “low impact installation” in the box.

B5 EIA Directive assessments

Question B5.1

EIA Directive information. You are required to provide information so that we can take account of any relevant Environmental Impact Assessment

(EIA) for your installation undertaken in fulfilment of EC Directive 85/337 on the assessment of the effects of certain public and private projects on the environment (the EIA Directive).

If the development of your installation or any subsequent change or extension of it has required an environmental statement under the EIA Directive, please supply a copy of it and details of any decisions made in respect of it through the planning process. You may need to obtain this information from the relevant planning authority if you do not already have it. You should supply the information regardless of whether the environmental statement was required in respect of a past planning decision that has already been determined or a current planning application that has yet to be determined.

Explanatory Notes on Part B of the Application Form (continued)

B6 Statutory consultees

This section of the Application Form asks a series of questions that will assist prompt processing of your application by ensuring your application is sent to the right statutory consultees. In some cases you may need to identify specific authorities, such as the applicable district councils, Health & Social Services Board or Harbour Authority. If you do not know the name of the appropriate authority in relation to a question, please contact us and we will endeavour to help you to identify the authority or direct you to another source of information.

Question B6.1

District Councils. Please identify any relevant district council in whose area your installation is situated.

Question B6.2

Health & Social Services Board. Please identify any relevant in whose area your installation is situated. “Health & Social Services Boards” are defined in the PPC Regulations.

Question B6.3

Release into a sewer. Where the operation of an installation may involve the release of any substance into a sewer, we are required to consult with the Water Service. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission.

Question B6.4

ASSI's (within 2kms). Where the operation of an installation may involve an emission that may affect an Area of Special Scientific Interest (ASSI), we must consult the Department of the Environment for Northern Ireland. This question therefore provides a simple way to identify the most common cases where an effect on an ASSI could (but not necessarily will) arise. It asks you to identify any ASSIs that are within 2km of your installation. If this is the case, we will automatically consult with the Department. You can obtain help in identifying the location of ASSIs from EHS Natural Heritage, 028 90 546591.

Question B6.5

Other ASSI's Please identify any other ASSI's (i.e. not covered under question B6.4) that could be affected by emissions from your installation. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission. Negligible or trivial effects should be disregarded.

Question B6.6

European sites under the Habitats Regulations. If your assessment for the purposes of answering question B4.1 or B4.3 has indicated that any European Sites may be affected by emissions from your installation, please list them here. Negligible or trivial effects should be disregarded. “European Site” is defined in the PPC Regulations. Section 4.3 in either the IPPC Technical Guidance note for your sector or the General Sector Guidance note gives further details on what constitutes a European Site.

Question B6.7

Release into any Waters. Where the operation of an installation may involve the release of any substance directly into any waters, we must consult the Water Management Unit of the Environment and Heritage Service. Please identify the waters concerned if this is the case. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission.

Question B6.8

Release into Inland Fisheries Waters. Where the operation of an installation may involve the release of any substance directly into inland fisheries waters, we must consult the Department of Culture, Arts and Leisure. Please identify the waters concerned if this is the case. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission.

Question B6.9

Harbour Authorities. Where the operation of an installation may involve the release of any substance into a harbour managed by a Harbour Authority, we are required to consult with the Harbour Authority. Please identify the Harbour Authority if this is the case. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission. “Harbour Authority” is defined in the PPC Regulations.

Question B6.10

Release into Coastal Waters. Where the operation of an installation may involve the release of any substance directly into relevant territorial waters or coastal waters, we must consult the Department of Agriculture and Rural Development. Please identify the waters concerned if this is the case. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission.

Question B6.11

COMAH If a major accident prevention policy document or safety report (under the Control of Major Accidents Hazards Regulations (NI) (2000) is required in relation to the site of your installation, we are required to consult the Health and Safety Executive for Northern Ireland. Please tell us, by ticking the relevant box, if either of these requirements applies to the site of your installation. You need not be the holder of the major accident document policy or safety report – they may apply to another Operator in the same installation or another installation on the same site.

Question B6.12

Planning Service. Where the operation of the installation will involve the carrying out of a specified waste management activity, we must consult the Department of the Environment, Planning Service.

Question B6.13

Releases into Waters under the control of the Loughs Agency or Waterways Ireland. Where the operation of an installation may involve the release of any substance directly into waters under the control of the Loughs Agency or Waterways Ireland, we must consult them. Please identify the waters concerned if this is the case. Your answer should reflect the possibility of unintentional releases as well as releases for which you are seeking permission.

Explanatory Notes on Part B of the Application Form (continued)

B7 Specified waste management activities

This section is intended to ensure that certain regulatory requirements are met before we issue any permit that authorises any “specified waste management activities”.

Question B7.1

Identification of any “specified waste management activities”.

This question asks you to tick the appropriate box depending on whether or not you are applying to operate any “specified waste management activities”. You will need to know what this means – it is defined in the PPC Regulations and explained in *IPPC: A Practical Guide*. If you tick the “Yes” box, please identify the specified waste management activities in the space provided and then answer the remaining questions in this section.

Question B7.2

Planning status.

We are not allowed to permit the carrying out of any specified waste management activity unless any necessary planning permission under The Planning (General Development) Order (Northern Ireland) 1993 has been granted. You must demonstrate how you meet this requirement. A certificate of lawful use or development, or an established use certificate, is acceptable. Please provide relevant information in the appropriate box(es) on the form. Send us a copy of any existing relevant planning permissions or certificates. You should do this for all specified waste management activities that you are applying to operate. If you are waiting for the decision of the Planning Service, please provide a copy of the planning application.

Question B7.3-B7.9

Fit and proper person.

We are not allowed to authorise any specified waste management activities unless we are satisfied that you are a “Fit and Proper Person” (FAPP) in relation to those activities. The component requirements of a FAPP are set out in the PPC Regulations.

Question B7.3-B7.9

Fit and proper person.

We are not allowed to authorise any specified waste management activities unless we are satisfied that you are a “Fit and Proper Person” (FAPP) in relation to those activities. The component requirements of a FAPP are set out in the PPC Regulations.

Explanatory Notes on Part C of the Application Form

The questions in Part C are specific to applications for variations. They ask for various details about the proposed changes and their effects on the environment.

C1 About your proposed changes

Question C1.1

Installation table. Please complete the table to identify the entire scope of the installation and the activities

currently carried out in it as things stand, and indicate the proposed variations.

Completion of **columns 1 to 3** should follow the approach set out in the explanation to question B1.1 on Part B of the Application Form. Indeed, you may simply be able to reproduce the information entered in the table for your original permit application. However, if there have been any variations, transfers or surrenders (whether affecting you or any other Operator at the installation) between the issue of your permit and the variation for which you are now applying, you will need to amend the information in columns 1 to 3 accordingly. In addition, if your proposed changes would add any new activities, you will need to detail them in columns 1 to 3.

In **column 4**, please indicate which activities would be affected by the variation for which you are applying. We are not looking for detailed information here, since this should be provided in response to subsequent questions. Please use the following approach to complete this column:

- If a current activity would be unaffected by the proposed changes, write “none”.
- If a current activity would be affected, please briefly indicate the proposed change, e.g. “Change in fuel”, “Change in process”, “Capacity increase”, etc.
- If a new activity would be introduced, write “New activity”.

Question C1.2

Summary of the variation. Please provide a sufficiently detailed summary of the variation for which you are

applying to enable us to understand what changes are proposed and why.

Your variation application may or may not relate to a proposed “change in operation”, defined in the PPC Regulations as “a change in the nature or functioning or an extension of the installation ... which may have consequences for the environment”. A change in fuel or capacity, for example, might constitute a change in operation while a change in reporting arrangements might not (although it could still require a variation to the permit).

If you think the variation for which you are applying requires any specific changes to your permit conditions, and you believe you know what those changes should be, you may suggest them to us. For example, if you are planning a change in fuel or process that would lead to different emissions, you may propose what the new or amended emission limit values should be. You should include suitable justification for any such proposals, and normally this should be based on your answers to the questions in C2-C4 below.

Question C1.3

Details of any additional land. If you are proposing a “change in operation”,

you must tell us if the change would result in any additional land being included within the site of the installation. If it would, you must provide appropriate information that updates the **maps or plans** and the **site report** that were submitted when you applied for your permit (as amended by any subsequent variations, transfers or surrenders).

The information should be submitted in a manner consistent with the new approach described for these requirements in respect of a new permit application. This is explained in the notes on question B1.3 in Part B of the Application Form.

Question C1.4

Assessment of “substantial change”. We need to know if a proposed variation would constitute a “substantial change”. If

it would, we have to consult with the public and statutory consultees. Based on your answers to the questions in Section C2, C3 and C4 below, you should be in a position to make a judgement on whether the variations for which you are applying would entail a “substantial change”. You should set out this judgement for our consideration, by ticking the “Yes” or “No” box as appropriate and attaching an explanation. Your explanation will need to reflect the definition of “substantial change” in the PPC Regulations as well as policy and guidance on this issue produced by the Department of the Environment (in *IPPC: A Practical Guide*) and by the Chief Inspector (available on request).

C2-C4 Impact on the environment

These sections require you to set out various details about the effects of your proposed changes on the environment. They lay out the 16 issues on which information is required.

You should provide your responses in the way that is explained for the same 16 issues in respect of a new permit application (Sections B2-B4 on Part B of the Application Form). Of course, your answers need only reflect any changes that would be brought about compared to the current situation. For example, if you are proposing to switch the raw materials that you use (issue C2.2), with consequences for your emissions (issue C3.1) and their effects (issue C4.1), you should detail these changes accordingly. However, if there are no consequences in other areas, a simple “no change” statement will suffice.

C5 EIA Directive Assessments

Question C5.1

EIA Directive information. If the development of your installation or any subsequent change or extension

of it has required an environmental statement under the EIA Directive, we need to see a copy of it and details of any decisions made in respect of it through the planning process. This requirement is equivalent to the one explained in question B5.1 on Part B of the Application Form for a new permit application.

We must consider this information regardless of whether the environmental statement was required in respect of a past planning decision that has already been determined or a current planning application that has yet to be determined. In the case of a past planning decision, however, you may have submitted the information to us before (for example in your original application for your permit). You need not supply such information a second time, but instead can refer back to your previous submission.

C6 Statutory consultees

This section of the Application Form asks a series of questions that will help us to ensure your application is sent to the right statutory consultees if necessary. The questions in this section are the same as those in Section B6 of Part B of the Application form, relating to new permit applications, on which guidance has been given earlier.

Explanatory Notes on Part D of the Application Form

The questions in part D are specific to applications for transfers. They ask for various details about the extent of the transfer and the proposed transferee.

D1 About the parts of the site you want to transfer

Question D1.1

Installation table. Please complete the table to identify the entire scope of the installation and the Operators

of the activities carried out in it as things currently stand, and indicate the proposed transfers.

Completion of **columns 1 to 3** should follow the approach set out in the explanation to question B1.1 in Part B of the Application Form. Indeed, you may simply be able to reproduce the information entered in the table for your original permit application. However, if there have been any variations, transfers or surrenders (whether affecting you or any other Operator at the installation) between the issue of your permit and the transfer for which you are now applying, you will need to amend the information in columns 1 to 3 accordingly.

In **column 4** please indicate which activities would be transferred by writing the name of the proposed new Operator – the “transferee”.

D2 About the proposal transfer

As well as answering the questions in this section you must send us the original (not a copy) of the permit you are applying to transfer.

Question D2.1

Extent of the transfer. This question asks if the application is for a partial transfer of the permit. This is defined in the PPC Regulations.

The answer to this question will be “No” if the transferee would become the person with control over all of the activities covered by the permit. If however, the current Operator wishes to retain part of the permit – for example to continue operating some of the activities – the answer to this question is “Yes”.

In the case of a partial transfer, two sets of explanatory documents must be attached to your application.

Firstly, you must explain how the **operational integrity** of the installation would be maintained under the proposed transfer. This should demonstrate, in particular, how any necessary inter-reliances between the applicants and their activities will be ensured.

Secondly, you must provide a **map or plan** identifying the part of the installation to which the proposed transfer applies. This should be prepared in accordance with the approach explained for the similar requirement that arises in respect of a new permit application under question B1.3 on Part B of the Application Form.

Question D2.2

Variations to the permit conditions. It may be necessary, as a result of a partial transfer, to vary

some of the permit conditions in the resulting permits. For example, ELVs may have to be apportioned, or further conditions may become needed upon divided operation to ensure that necessary inter-reliances are maintained. If you think the transfer that you are applying for requires any variations to the permit conditions, and you believe you know what those changes should be, you may suggest them to us. You should include suitable justification for any such proposals.

D3 About the transferee proposed

Questions D3.1-D3.6

These questions are concerned with the identity and legal status of the transferee. They are the same as questions A3.1 to A3.6 on Part A of the Application Form that must be answered in respect of the current Operator.

D4 Specified waste management activities

Questions D4.1-D4.8

Fit and proper person. We are not allowed to authorise any specified waste management activities unless we are satisfied that you are a “Fit and Proper Person” (FAPP) in relation to those activities. The component requirements of a FAPP are set out in the PPC Regulations

Explanatory Notes on Part E of the Application Form

The questions in Part E are specific to applications for surrenders. They ask for various details about the extent of the surrender and the condition of the site.

E1 About the parts of the site you want to surrender

Question E1.1

Installation table. Please complete the table to identify the entire scope of the installation and the activities

carried out in it as things currently stand, and indicate the proposed extent of the surrender.

Completion of **columns 1 to 3** should follow the approach set out in the explanation to question B1.1 on Part B of the Application Form. Indeed, you may simply be able to reproduce the information entered in the table for your original permit application. However, if there have been any variations, transfers or surrenders (whether affecting you or any other Operator at the installation) between the issue of your permit and the surrender for which you are now applying, you will need to amend the information in columns **1 to 3** accordingly.

In **column 4**, please tick the relevant boxes to indicate the activities that you have ceased or intend to cease operating and in respect of which you are applying for surrender of your permit.

E2 For partial surrender

Question E1.1

Partial surrender. This question asks if you are applying for a “partial surrender”. This is defined in the

PPC Regulations. It refers to the situation where you apply for surrender in respect of some but not all of the activities covered by your permit. If such an 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 and thus render the latter redundant. In this case you might want to surrender the permit in respect of the waste facility.

If you are applying for a partial surrender, you will need to supply a map or plan identifying the part of the installation to which the surrender application relates. This should be prepared in a manner consistent with the information supplied in your original permit application, as set out earlier in the explanation for question B1.3 in Part B of the Application Form (and any subsequent updates to that information through previous variations, transfers or surrenders).

Question E2.2

Variations to the permit conditions. It may 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 some aspects 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 accordingly. If you think the surrender for which you are applying requires any variations to the remaining permit conditions, and you believe you know what those changes should be, you may suggest them to us. You should include suitable justification for any such proposals.

E3 For all surrender applications

Question E3.1

Site report. You must supply a site report describing the condition of the site of your installation (or the relevant part of the site in the case of

a partial surrender). This should identify, in particular, any changes from the condition of the site as described in the original permit application (or the variation application if appropriate). The site report on surrender should therefore be produced in a way that allows for ready comparison against the original site report, as described in the explanation to question B1.3 in Part B of the Application Form.

Question E3.2

Details of steps taken on the site.

Please indicate 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 installation since the IPPC permit was granted have been removed. In the case of specified waste management activities, however, you may also need to take steps in relation to pollution risks that resulted from operations before the IPPC permit was granted (i.e. under previous regulatory regimes). This is detailed in the PPC Regulations. You should describe the pollution risks that you have identified and the steps you have taken to address them. Where appropriate, you should 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.

Explanatory Notes on Part F of the Application Form

This part of the form should be completed and signed for any type of application.

F1 Fees and charges

When you send us any application, you need to enclose a fee in all cases except where the application is for a non-chargeable variation. The application will not be duly made (valid) unless the necessary application fee is received.

The notes below should be used in conjunction with the Department's *Charging Scheme for Pollution Prevention and Control*, which you should have received with your Application Form, to help you answer the questions on the form. The "scheme paragraph" references in the notes identify the relevant parts of that charging scheme where appropriate. The scheme is regularly reviewed, so please make sure that you are using the right version for the year in which you are applying.

Question F1.1

Type of application. All applicants should complete this question. Please tick one box (and only one) from the

following as appropriate:

F1.1.1 Permit (scheme paragraphs 4 – 6)

If you are making an application for a permit, please tick either (a) or (b) as follows:

- (a) if the installation has been put into operation or has been subject to a substantial change between 31 October 1999 and 31 December 2003, **and** a fee has been paid for the new or varied IPC authorisation or discharge consent; or
- (b) if (a) does not apply.

Applicants who have paid a fee as in (a) above will only pay the difference between the fee due for the IPPC application and that already paid for the IPC or discharge consent application.

F1.1.2 Variation (scheme paragraphs 12 – 15)

If the application is for a variation to an existing permit, please tick either (a) or (b) as follows:

- (a) if the variation is of the nature of a minor administrative change (in which case **no charge is payable** and you do not need to complete any further parts of this section – please proceed to section F2); or
- (b) if the variation is other than a minor administrative change ("standard variation").

Should the Chief Inspector consider that the variation would involve a substantial change, we will send a notice to you along with an invoice for the additional application charge due (scheme paragraphs 14 and 15). We will not be able to determine the application until payment of this invoice has been received.

F1.1.3 Transfer (scheme paragraphs 16 – 17)

If the application is to transfer all or part of an installation to another party, then tick the appropriate box (a) or (b).

F1.1.4 Surrender (scheme paragraphs 18 – 19)

If the application is to surrender all or part of an installation, then tick the appropriate box (a) or (b).

Question F1.2

Type of installation. All applicants should complete this question. Please tick one box (and only one) from the following as appropriate:

F1.2.1 Low impact installation (scheme paragraph 20)

Please tick this box if you are applying in respect of a low impact installation. You should tick this box if, and only if, you are able to answer "Yes" in response to question A1.5 on Part A of this form. If you tick this box, please complete question F1.3 if appropriate, and then go straight to F1.5.4.

F1.2.2 Mobile plant (scheme paragraph 7)

If the application is for a *permit* to operate a Part A mobile plant (but not for a *variation*, *transfer* or *surrender*) then tick box:

- (a) if the mobile plant is not the subject of a current IPPC permit; or
- (b) if the mobile plant has already been the subject of an IPPC permit ("subsequent application").

The charge for subsequent applications is the same as the charge for a variation of a permit involving a substantial change.

F1.2.3 Other

Please tick this box for all other installations not covered by F1.2.1 to F1.2.2 above.

Question F1.3

Applicants for *new permits* or *transfers* (the transferee) should complete this question. *Other*

applicants need only complete it if any of the details previously supplied in relation to an IPPC permit require changing.

Please give the details of the contact name and address to which we should send any invoices. We will invoice an applicant or permit holder where:

- we think that a variation application involves a substantial change;
- annual subsistence charges are due (scheme paragraphs 8 – 11).

Explanatory Notes on Part F of the Application Form (continued)

Question F1.4

Components. If you are making a *transfer application* or *surrender application* you do not need to

complete this question. For *all other applications*, you only need to complete this question if any charges applicable to your application fall (in part or in total) in the **components appendix** section of the charging scheme. Each item in the appendix relating to the application should be separately identified. If you are unable to identify any components but are required to have a minimum component allocation of 1 (see scheme appendix paragraph 6), simply enter “1” in the “**Total**” box. If there is not enough room on the Application Form to answer this question, please write “continued” in the box and continue on a separate piece of paper, which should be attached to the form.

The “**Scheme Ref. No.**” is that shown in the “Scheme Ref. No.” column of the appendix.

The “**Description**” should be sufficient to check that the appropriate “Scheme Ref. No.” has been entered. It need not be the whole description as specified in the appendix.

The “**No. of components**” is the number of components given in the appendix. Please note that where the application is for a *variation*, the relevant number of components is the number of components in that part of the installation **affected** by the application. If you are the current holder of an IPC authorisation applying for a permit and qualify for a component cap (see scheme appendix paragraph 4), please enter the capped number of components in the “**Total**” box if this is different to the number identified in this section and write the word “capped” beside it.

Question F1.5

Calculation of charge. Please complete this question to show how you have calculated the amount that you are

submitting with your application. *All applicants* should complete this question, although some parts may not be applicable.

F1.5.1 Component Charge

“**No. of components**”. If you have completed question F1.4 above, please copy your total number of components from F1.4 into this box. Otherwise, go straight to F1.5.2, except if you are making an *application*, in which case please first complete the “Amount (£)” box as explained below.

“**Charge per component**”. Please enter the appropriate charge per component in the second box. This depends on the type of application (question F1.1) as follows:

Permit insert figure from scheme paragraph 5(1)
(e.g. **£3,880 in 2003/04**)

Standard variation insert figure from scheme paragraph 14(1)
(e.g. **£1,165 in 2003/04**)

“**Amount (£)**”: Where applicable, multiply the number of components by the charge per component and enter the result in the third box, or enter the appropriate flat rate fee.

F1.5.2 APC Charge

This applies to any activities in the installation which, prior to the requirement for an IPPC permit, would have required a Part B authorisation issued by the Chief Inspector or a Part C authorisation issued by the district council under the Industrial Pollution Control (NI) Order 1997. Complete this section only if you have such activities and are making an application for a permit or variation.

F1.5.3 Low impact installation

This part should only be completed in respect of an application for a *low impact installation*. Please see scheme paragraph 20 to identify the appropriate figure to enter in this box. There are different charges for different types of applications for low impact installations (e.g. £2,000 for a permit application in 2003/04, £250 for a transfer, etc).

F1.5.4 Subtotal

Enter the sum of the amounts for F1.5.1 to F1.5.3 in the subtotal box.

F1.5.5 Less: fee paid for “Original Operation”

If you have ticked box F1.1.1(a), i.e. you are applying for a *permit in a “transitional case”*, enter the amount for which a rebate is being claimed (see scheme paragraph 6). We will validate this claim.

F1.5.6 Total fee enclosed

Enter the result of deducting F1.5.5 from F1.5.4, i.e. the Subtotal less any fee already paid for “Original Operation”. This total fee you have calculated should be sent with your application.

Explanatory Notes on Part F of the Application Form (continued)

F2 Commercial confidentiality and national security

This section allows you to submit a claim for information to be protected as commercially confidential and asks you to tell us if you have applied to the Secretary of State for a direction on national security.

Question F2.1

Commercial confidentiality. You have the right to claim that any information contained in or attached to an application is commercially confidential. If you wish to do this, you should tick the “Yes” box in response to this question. You should submit an attachment giving precise reasons to justify any such claim. If possible, please submit the information that you consider to be confidential in a way that will allow it to be removed easily if we agree with your claim. For example, you may submit it on separate pages rather than mixing it with information for which confidentiality is not claimed. You should also mark the information “claimed confidential” where appropriate on the application form or any attachments.

We will consider whether any such claim is justified. We are required to let you know within 28 days of receipt of the application whether or not we agree that the information is confidential, unless we jointly agree a longer period for this decision. If we agree, the application will be placed on the register with the confidential information removed. If we do not agree, you may withdraw the application or appeal to the Planning Appeals Commission. If you do not appeal or withdraw the application within 21 days of our decision on the confidentiality claim, we will place the information on the public register. If you appeal, the information will only be placed on the register, if appropriate, once the appeal has been determined.

The scope for confidentiality claims is limited. Before making one you should read the relevant provisions of the PPC Regulations and the accompanying text in *IPPC: A Practical Guide*.

Question F2.2

National security. You may also claim that your application includes information that needs to be protected for reasons of national security. Any such claim should be submitted for determination by the Secretary of State, who will direct the Chief Inspector. Again, you should look at the PPC Regulations and *IPPC: A Practical Guide* before you make a national security application.

If you believe there is any information in your application that should be kept from the public register for reasons of national security, please **do not write anything on the Application Form that reveals this**. Rather, you should provide details on a separate sheet and attach a copy of the application to the Secretary of State for a national security direction. You should contact us before submitting the application to ascertain who is authorised to receive such information. You should then submit the full application in a sealed package with the name of that person clearly marked upon it.

F3 Data Protection notice

The person signing the data protection declaration must be one of the signatories to Section F6. In signing the declaration you are confirming that you have ensured that the data protection notice in Section F3 has been brought to the attention of all the individuals named on the form.

The information you give will be used by us to process your application. It will be placed on the relevant public register(s), and used to monitor compliance with licence/permit conditions, or to process renewal applications.

We may also use/or disclose any of the information you give us in order to:

- consult with the public, public bodies and other organisations (for example the Health and Safety Executive for NI, district councils, emergency services, other parts of EHS) on environmental issues;
- carry out statistical analysis, research and development on environmental issues;
- provide public register information to enquirers;
- investigate possible breaches of environmental law and take any resulting action;
- prevent breaches of environmental law;
- offer/provide you with literature/services relating to environmental matters; and
- assess customer service satisfaction and improve our service.

We may pass on the information to agents/representatives who we may ask to do other things on our behalf.

Individuals have a right to see information we hold about them. We will correct it if it is inaccurate.

Explanatory Notes on Part F of the Application Form (continued)

F4 Non-technical summary

You must provide a non-technical summary of your application. This should cover your answers to all the previous questions that are relevant to your application. It should follow the same order in which you have answered the questions, highlighting the main points in language that is understandable by the public. Typically, the non-technical summary for a more complex application should be around 10 pages. Summaries for very simple applications need not be more than one or two pages.

F5 Any other information

This section of the Application Form provides an opportunity for you to provide any other information that you wish us to take into account in considering your application.

You may attach any information that you consider relevant to your application. You are advised to avoid supplying non-relevant information as it can slow down the determination. Also, any information that you do supply may become part of the permit and, if so, you will need to be able to demonstrate compliance with it on an ongoing basis.

F6 Declaration

By completing and signing the declaration you certify that the information in your application is correct. We will return unsigned applications.

One or more signatures and associated information should always be provided in the boxes under the heading “**Signature(s) of operator**”. These should be the signatures of the person (or persons) applying to obtain a permit in the case of a permit application, or the person who already holds the permit in the case of a variation, transfer or surrender. In the case of a transfer, the proposed transferee should not sign here but rather should do so in the next set of boxes under the heading “**Signature(s) of proposed transferee**”. If more than three signatures are required in either case, please attach separate sheets.

Note that it is an offence under Regulation 32 of the PPC Regulations to:

- make a statement which you know to be false or misleading in a material particular;
- recklessly make a statement which is false or misleading in a material particular;

for the purpose of obtaining a permit (for yourself or anyone else). If you make a false statement:

- you may be liable to prosecution; and

if you are convicted, you are liable to a fine or imprisonment, (or both).

Submitting your Application

When you have completed your application, please return the Application Form, together with all the supporting information and payment, to the address given on the form. (If you have downloaded the form from the internet, it will not have the address written on it. You can obtain the correct address by telephoning 028 90 254709 or, for specified waste management activities 028 90 546449.

Please submit the original, signed Application Form that you have completed with its supporting attachments, plus an appropriate number of copies of each document. The number of copies required will vary depending on the type of application and the number of statutory consultees. This is shown in the table below. There is a similar table on the last page of the Application Form, which you can use to calculate the number of copies needed. The determination process will be slowed down if enough copies are not submitted, as we must send copies to all of the statutory consultees.

Please note that in the case of a variation application, the responsibility for deciding if any proposed change is substantial rests with the Chief Inspector. Therefore, if you apply for a variation and indicate that you think it may be a substantial change, he might decide that it is not substantial and could then return some copies of the application to you.

Conversely, if you think that a proposed variation is not a substantial change, but the Chief Inspector takes the opposite view, we will ask you for the additional copies required. The same is true if he decides to undertake statutory consultation on a non-substantial change.

Please contact us if you have any questions about the number of copies you should submit. We may under some circumstances be able to accept electronic submission of applications, although this would be rather exceptional at the moment as we need to make sure that all the documents can be read by all the consultees. Please let us know if you would like to discuss this.

Reason Required	Application for Permit	Application for Variation with Substantial Change ("Yes" to question C1.4)	Application for: (a) Variation with no Substantial Change ("No" to question C1.4); (b) Transfer; (c) Surrender
Original for our determination	✓	✓	✓
Copy for our public register	✓	✓	✓
Copy for Food Standards Agency	✓	✓	x
Copy for District Council public register	✓ (may need more than one copy if on a boundary – question B6.1)	✓ (may need more than one copy if on a boundary – question C6.1)	✓ (may need more than one copy if on a boundary)
Copy for District Council as statutory consultee	✓ (may need more than one copy if on a boundary – question B6.1)	✓ (may need more than one copy if on a boundary – question C6.1)	x
Copy for Health & Social Services Board	✓ (may need more than one copy if on a boundary – question B6.2)	✓ (may need more than one copy if on a boundary – question C6.2)	x
Copy for DRD Water Service	Only if answer to question B6.3 is "Yes"	Only if answer to question C6.3 is "Yes"	x
Copy for EHS Conservation, Designations and Protection.	Only if answer to question B6.4, B6.5 or B6.6 is "Yes"	Only if answer to question C6.4, C6.5 or C6.6 is "Yes"	x
Copy for Water Management Unit	Only if answer to question B6.7 is "Yes"	Only if answer to question B6.7 is "Yes"	
Copy for DCAL	Only if answer to question B6.8 is "Yes"	Only if answer to question B6.8 is "Yes"	
Copy for Harbour Authority	Only if answer to question B6.9 is "Yes"	Only if answer to question C6.9 is "Yes"	x
Copy for DARD	Only if answer to question B6.10 is "Yes"	Only if answer to question C6.10 is "Yes"	x
Copy for Health and Safety Executive for Northern Ireland	Only if either box ticked in question B6.11	Only if either box ticked in question C6.11	x
Copy for DOE Planning Service	Only if installation includes "specified waste management activities" (answer to question B6.12 is "Yes")	Only if installation includes "specified waste management activities"	x
Copy for Loughs Agency or Waterways Ireland	Only if answer to question B6.13 is "Yes"	Only if answer to question B6.13 is "Yes"	
For specified waste management activity	2 copies	2 copies	2 copies

Glossary

ASSI	Area of Special Scientific Interest
BAT	Best Available Techniques
BREF	BAT Reference – sectoral notes being produced by the Commission
CCL	Climate Change Levy
CCLA	Climate Change Levy Agreement
COMAH	Control of Major Accident Hazards
EIA	Environmental Impact Assessment
ELV	Emission Limit Value
EQS	Environmental Quality Standard
FAPP	Fit and Proper Person
IPC	Integrated Pollution Control
IPPC	Integrated Pollution Prevention and Control
PPC	Pollution Prevention and Control (the name of the regulations which cover, <i>inter alia</i> , IPPC)
SI	Statutory Instrument
SIC	Standard Industrial Classification.

ANNEX A – Documents Relevant to IPPC

IPPC operates under the Pollution Prevention and Control (Northern Ireland) Regulations 2003, Statutory Rule (SR 2003/46) (the PPC Regulations). These Regulations have been made under the Environment (Northern Ireland) Order 2002 Statutory Instrument (2002/3153 (N.I. 7)). They are available in hard copy from TSO or free in electronic copy via <http://www.tsonline.co.uk>.

The Department of the Environment's documents *IPPC: A Practical Guide* and *Charging Scheme for Pollution Prevention and Control and Pollution Prevention and Control Charging Scheme* are available on request from Environmental Protection Division, telephone number 028 90 547718 or from the EHS Website <http://www.ehsni.gov.uk>

Sector guidance is available free of charge for viewing or download from the Environment Agency Website <http://www.environment-agency.gov.uk>. The same information can also be accessed via the SEPA Website <http://www.sepa.org>, or the EHS Website <http://www.ehsni.gov.uk>.

A full listing of all UK SIC codes is available on <http://www.statistics.gov.uk/methods-quality/sic>.

Most titles will also be available in hard copy from The Stationery Office (TSO). Some existing titles are not yet available on the Websites but can be obtained from TSO.

The Stationery Office on-line ordering service can be accessed from the Environment and Heritage Service's Website, or directly via <http://www.tsonline.co.uk>. Alternatively publications can be ordered from:

- TSO Publications Centre (mail, fax and telephone orders only)
PO Box 276, London SW8 5DT
Telephone orders: 0870 600 5522 (all major credit cards accepted) Fax orders: 0870 600 5533
- Belfast, 16 Arthur Street, BT1 4GD Tel: 028 9023 8451 Fax: 028 9023 5401
- Also available from TSO's accredited agents – see Yellow Pages – and from some booksellers.

ANNEX B – Advertising Your Application

If you are required to advertise an application for public consultation, you must do so by placing advertisements in a local newspaper and the Belfast Gazette. The time periods for placing advertisements are:

- for an application for a permit:
 - 1) within a period of 28 days beginning 14 days after the day on which the application is made where there are no matters of commercial confidentiality or national security to be “disposed of” (this term is defined in the PPC Regulations); or
 - 2) within a period of 28 days beginning 14 days after the day on which any matters of commercial confidentiality or national security are “disposed of”;
- For an application for a variation:
 - 1) within 28 days beginning on the day that we notify you of the requirement to advertise, where there are not matters of commercial confidentiality or national security; or
 - 2) within a period of 28 days beginning 14 days after the day on which any matters of commercial confidentiality or national security are “disposed of”.

The advertisement should give a clear picture of the main details of the application in a way that is understandable to the public. The precise requirements for advertising are specified by the PPC Regulations. Broadly, each advertisement must:

- state the name of the applicant;
- state the address of the installation;
- describe briefly the activities in Part 1 of Schedule 1 to the PPC Regulations to be carried out in the installation and, in the case of an application for a variation, describe the change in the operation of the installation that would be authorised;

- state that the application describes any foreseeable significant environmental effects;
- state where any register which contains particulars of the application may be inspected and that it may be inspected free of charge;
- explain that any person may make representations in writing to the Regulator within the period of 42 days beginning with the date of the advertisement and give the Regulator’s address (you may need to contact us to obtain this information); and
- explain that any such representations made by any person will be entered in a public register unless that person requests in writing that they should not be so entered, and that where such a request is made there will be included in the register a statement indicating only that representations have been made which have been the subject of such a request.

The local newspaper should be registered with the Post Office and available on demand at local newsagents. The address and telephone number of the Belfast Gazette are:

16 Arthur Street
Belfast
BT1 4GD
Telephone number 028 90 895135

You should word your advertisement carefully and check copies of the editions the advertisements appear in. If there is any mistake, you may have to re-advertise – this can be time consuming and expensive.

To prove that you have publicised your application, we will need to see the complete page of the local newspaper where the advertisement appeared. *We need to see originals, not copies.* We need the complete page so as to confirm the date, and may sometimes ask to see the complete newspaper.

The box overleaf provides a sample advertisement for a permit application.

ANNEX B – Advertising Your Application (continued)

Sample Advertisement

Public Notice

**PUBLIC NOTIFICATION OF AN APPLICATION MADE UNDER REGULATION 10
OF
THE POLLUTION PREVENTION AND CONTROL (NORTHERN IRELAND) REGULATIONS 2003
INTEGRATED POLLUTION PREVENTION AND CONTROL**

Notice is hereby given that "name of applicant" has applied to the Chief Inspector for an Integrated Pollution Prevention and Control (IPPC) permit to operate an installation involving the "brief description of activities in Part 1 of Schedule 1 of the Regulations to be carried out". The installation is located at "site address" in the District of "Name of District" in the County of "Name of County".

The application contains a description of any foreseeable significant effects of emissions from the installation on the environment.

Information relating to the above IPPC application for a permit to operate the "name of installation" is held in registers at the following locations:

<i>The Industrial Pollution and Radiochemical Inspectorate</i>	<i>or</i>	<i>Waste & Contaminated Land Unit</i>
<i>Calvert House</i>		<i>Commonwealth House</i>
<i>23 Castle Place</i>		<i>35 Castle Street</i>
<i>Belfast</i>		<i>Belfast</i>
<i>BT1 1FY</i>		<i>BT1 1GU</i>

"District Council and Address"

Members of the public can inspect these registers free of charge at the above stated addresses during normal office hours. In addition, members of the public who wish to obtain a copy of the relevant information contained in the registers can do so upon the payment of a reasonable charge to cover the costs of copying.

Any objections or representations to the above IPPC application should be made in writing to the Chief Inspector at the address below, within 42 days from the date of this public notice.

<i>The Industrial Pollution and Radiochemical Inspectorate</i>	<i>or</i>	<i>Waste & Contaminated Land Unit</i>
<i>Calvert House</i>		<i>Commonwealth House</i>
<i>23 Castle Place</i>		<i>35 Castle Street</i>
<i>Belfast</i>		<i>Belfast</i>
<i>BT1 1FY</i>		<i>BT1 1GU</i>

Any such objections or representations will be entered into a public register unless the person making them requests in writing that they should not be so placed. If there is such a request, the register will only include a statement that there

ANNEX C – Site Report Guidance

GUIDANCE ON THE PREPARATION OF A SITE REPORT IN A PERMIT APPLICATION

Section 1 - Introduction

The PPC Regulations require that an Applicant submit a site report as part of the permit application to operate a Part A installation or Part A mobile plant. Where this guidance refers to installation this includes both Part A installation and Part A mobile plant.

The site report is required to describe the condition of the site and must, in particular, identify any substance in, on or under the land that may constitute a pollution risk. The site report therefore needs to set out the “initial” condition at the site including contamination present prior to operation of the installation and to allow an effective reference point for comparison with the condition of the site at cessation of operations. A further site report is required at cessation of operations to enable the Operator (and Regulator) to decide whether there has been any contamination of the land during the operation of the installation and therefore whether there is a need for remediation. Separate specific guidance will be produced on the requirements of the report (including the use of operational records) to be submitted at the cessation of operations.

Section 2 – Aim of this guidance

The aim of this guidance is to provide an applicant with the framework for the production of a site report to accompany a PPC permit application. It therefore includes information on the main data collection and assessment activities required to produce such a report.

The purpose of this guidance is to:

- outline the objectives and purpose of the site report;
- highlight the methodology of the work underpinning the site report;
- detail what should be included in the report.

This guidance applies to all installations for which permit applications must be submitted, except for landfill sites.

It should be noted that this guidance is not prescriptive and has no legal status: it has been issued to provide an indication to operators of EHS’s broad requirements, which may vary for individual installations.

Section 3 – Key Concepts

The main aim of PPC is to **prevent** emissions to the environment through the adoption of appropriate measures at the installation. All measures should be taken to prevent unintentional emissions to land. The requirement to return the installation to a satisfactory state upon cessation of activity provides a major driving force to achieving this, as satisfactory state is taken to be the condition of the installation site immediately prior to issue of a PPC permit.

Unless an emission to land is granted in the permit, there should be **no deterioration** in the quality of the land and associated groundwaters at an installation over the duration of the permit. If land contamination occurs as a result of poor operational practices and unintentional emissions then the site will need to be restored to address any deterioration. Consideration of the site condition prior to operation and upon cessation of activity enables a view to be taken on any deterioration of the quality of land and associated groundwaters at the installation and any requirement for site restoration.

The condition of the site is established by reference to a site report. Site reports submitted on application provide an assessment of the potential for emission of substances to land, as well as the extent to which land and associated groundwater may be adversely impacted by such emissions, and establish the current condition of that land and groundwaters in relation to those substances. Site reports submitted on surrender should confirm that the condition of the land and associated groundwater has not been adversely impacted by the installation.

ANNEX C – Site Report Guidance (continued)

Restoration will not be required in relation to any permitted change in site condition associated with emissions to land, since a deterioration in site condition is an inherent characteristic of landfill and similar operations. However, any change in site condition must be confined to the actual permitted disposal/discharge area. In such situations, the site report should focus on the condition of the soils and associated groundwater surrounding the disposal/discharge area.

PPC focuses on the **substances associated with the operation of the installation under PPC**, rather than those historically associated with the site. Substances with the potential to cause pollution if emitted (i.e. emissions which are harmful to human health or the quality of the environment) are of particular concern. In many cases, the substances associated with operation of the installation under PPC are likely to be the same as those used in the past and it is important that such situations are identified. Where substances are liable to change during the lifetime of the installation, the operator may consider groups of substances rather than individual substances. Where this is not taken into account, the site will need additional characterisation prior to the substances being introduced onto the installation.

A PPC site report should establish the condition of the whole installation. It should be noted that the installation boundary may differ from the site boundary and the extent of the installation should be confirmed at an early stage with EHS. Where the condition is unlikely to be the same across the site of the installation, the site should be divided into different areas or zones and the condition of each area/zones should be established. Particular emphasis should be given to establishing the actual condition of areas on site where substances with potential to cause pollution are present, even if the substances are unlikely to be already present or are not considered to pose a risk if present. The extent to which the condition is detailed depends on the potential for emission and the possibility of existing contamination by the same substances.

The reference point established in the “initial” condition site report will need to be revised if the condition of the site is later improved following validated remedial action required by other legislation or carried out voluntarily by the Operator or another party.

Section 4 – Relationship with other legislation

PPC address future contamination. The site report details the condition of the site to ensure that it is not impacted by the operation of the installation under PPC. PPC does not consider whether the existing condition is acceptable: this is the role of the other legislation.

The land use planning system provides a mechanism for addressing land contamination issues upon change of land use, either prior to or following operation of an installation.

The Operator and Regulator should only consider remediation of contamination that has occurred since the issue of the PPC permit. It is not the intention of the regime to provide a vehicle for the remediation of historical contamination. It will therefore be necessary to understand the level of contamination already present at the site (i.e. prior to issue of a PPC permit) to be sure that only contamination caused after the issue of the permit is required to be remediated at cessation of operations.

The only exception from this approach relates to “specified waste management installations”. Guidance specific to these installations is being prepared.

Section 5 – Framework for site reports

It should be noted that the majority of guidance available on land contamination uses a risk-based approach, and whilst the PPC standard of remediation does not focus on risk with respect to the ultimate standard of remediation, it nevertheless draws upon the risk assessment principles for part of the site report and permitting process. Determining the initial site conditions for PPC forms the **first step** in a land contamination risk based assessment, i.e. **that of defining the source of contamination**. Furthermore, determining appropriate conditions for the permit should be based on the consideration of pathways to receptors which may be at risk.

ANNEX C – Site Report Guidance (continued)

It is not possible to specify precise requirements for the amount of investigation each site will require, as all sites will be different. The methodology for production of a site report will enable the required amount of data to be collected but will be flexible enough **to allow the Operator to exit from the process when sufficient information has been collected. This therefore means that it will not always be necessary to complete all phases within the process.** At the end of each phase there is a suggested decision sheet to aid the Applicant to consider whether sufficient information has been collected to allow production of the report. Where sufficient information has been collected the site report can be produced and exit from the process is possible. Where there is not

sufficient information, the Applicant will need to move on to the next phase and collect further data. An example of how to fill in the suggested decision sheet is given in Section 10. This is provided to aid the understanding of the types of information to be taken into account when considering the answers to the questions on the sheet.

The framework for data collection is divided into three phases – namely Phase 1a, Phase 1b and Phase 2 – each building on the work of the previous phase. It is anticipated that where intrusive investigation is required, combining Phases 1b and 2 will be the norm for most sites.

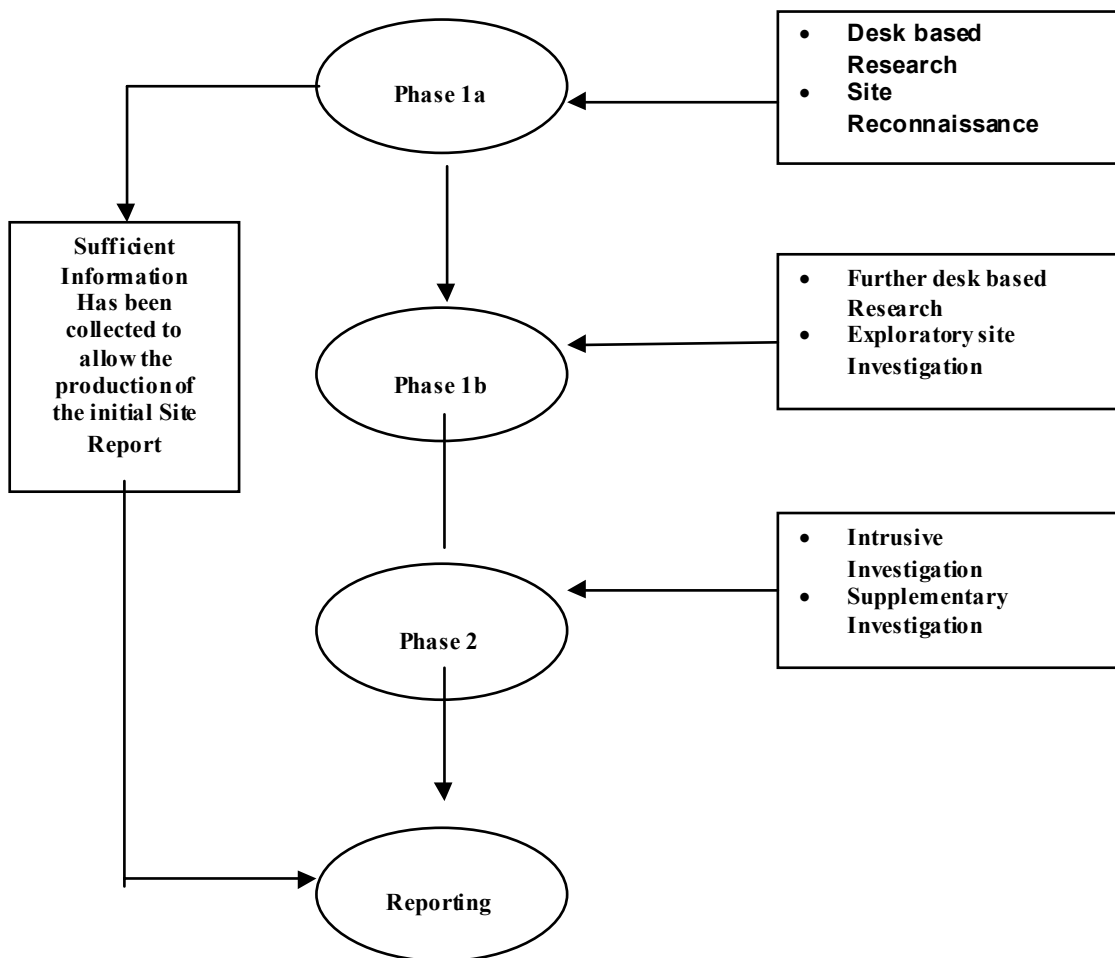


Figure 3 – Flow chart of main phases and data collection activities for production of an initial site report.

ANNEX C – Site Report Guidance (continued)

In some situations (for example, where only a small amount of extra data are required, it may be more practical and economic to carry out Phase 1b as a discrete phase. The main phases for data collection and reporting requirements are therefore outlined in Figure 3.

Section 6 – “Initial” conditions at the site

Prior to undertaking the investigations and production of the report required to describe the “initial” condition at the site, the Applicant may wish to consider the questions and issues highlighted below.

(i) What will the “initial” condition site report be used for?

The site report in PPC will be used to provide:

- a point reference against which later determinations can be made as to whether or not deterioration of the site has taken place from the operations covered by the permit. As a result, when the Operator wishes to surrender the permit the surrender application will need to include another site report identifying any changes in the site.
- useful information on the physical attributes of the site and its vulnerability, for example the presence of groundwater close to the surface. This will therefore provide information on the sensitivity of the site for the installation and aid in the process of setting appropriate permit conditions for protection of the environment. The site report may also identify the parameters to be monitored during the operation of the installation to ensure that the environment is protected.

(ii) What further issues should be considered when collecting data for the initial condition site report?

- Ways in which it would be appropriate to split the site into zones/areas.
- The use of historical and current information to target areas of potential contamination.
- The use of the design and proposed operation of the installation to identify areas of potential concern for future contamination from the installation.
- Recording the locations of samples accurately to enable return to the same location for the later site report, if appropriate.
- The potential for the lateral and vertical extent of contamination.
- Recording the analytical techniques used on the samples to ensure that their limitations, accuracy, precision etc are understood and fully documented.

- Ensuring representative samples of soil, gas and water are collected as appropriate.
- How the Applicant will be satisfied that the baseline condition can be compared with the condition at the cessation of operations.

(iii) How much and what type of information is required?

There is a reasonable minimum level of information below which the uncertainty surrounding the “initial” condition will be too large to be acceptable. Applicants should therefore decide how much and what type of information is to be collected bearing in mind:

- the need to produce an “initial” condition for the site as part of the permit application;
- **that any contamination found during the operation or at surrender is likely to be attributed to the operation of the installation unless identified in the initial site report, or positively identified as resulting from another source;**
- the types of contaminant likely to be present from historical activities, their behaviour, and expected variations in concentration in space and over time;
- the types of substances which are likely to be used or produced by any current or future operation on the site;
- the characteristics of the site which may affect the behaviour, variations in concentrations and the way in which contamination may denigrate;
- the distribution of contamination between groundwater and ground materials;
- the potential for migration/escape of contamination onto (or off) the site of the installation;
- the possible consequences if insufficient information is collected; and
- the extra costs and liabilities that may be incurred if any existing contamination is not identified prior to operations.

Applicants may choose to collect different levels or types of information in different areas or zones of a site where justified by site conditions. In this case, it is important to record the justification for the approach, any findings, and subsequent decisions, on a zone-by-zone basis.

ANNEX C – Site Report Guidance (continued)

(iv) How should the “initial” conditions be described and presented?

- The operator should give some thought to the best way to present the results of any investigation (desk based or site investigation) for the site. Due to the quantity of data which may have been collected it will be useful to analyse and interpret the data in some way through the use of simple statistical tools such as mean and standard deviations or graphical representation. These techniques can be used to describe the “envelope” of data which may exist rather than just the raw data. It will also be useful to present the data in the zones/areas into which the site was divided for investigative purposes, therefore leading to different “initial” conditions being described for different areas of the site.
- If the data are described using mean and standard deviation values it may be possible to test whether or not a result for a sample can be considered to be part of the same population. This is a test which may also be useful for comparing the data derived at cessation of activity with that submitted with the permit application.

Section 7 – Additional considerations

An applicant may also wish to consider the following additional issues in deciding the type and amount of information to collect during each phase of assessment.

• All applicants

- The more extensive and complete the original site characterisation, the less need there is likely to be for further site investigations throughout the operating life of the installation to further develop the understanding of the site (for example where additional or different substances are to be used at the installation and it is suspected that they may have been used at the site previously). However, this would not remove or replace the need for monitoring of the impact of the installation, for example via requisite surveillance of groundwater.
- Any contamination apparent on closure, which was not noted in the initial site report, will be attributed to the operation of the installation under PPC, unless the Regulator is convinced that the operator cannot reasonably be held responsible for it. Evidence may include operational measures such as regular checking of tanks and loss inventories with nil returns.

- The full range of desk-based, intrusive and non-intrusive techniques should be considered. Combinations of such techniques may be particularly valuable, for example, at existing installations where there may be difficulties with access within operational areas, due to the location of services, and the location of containment features. Therefore, the EHS would not normally expect an applicant to have taken samples which will:
 - interrupt the operation of the installation
 - be located in areas of known or suspected services, underground structures, such that damage may be caused;
 - breach the integrity of adequate containment features such as suitably constructed bunds.

• New installations

- If the assessment for an “initial” site report is planned and undertaken in an appropriate manner it may satisfy some of the requirements for planning and environmental impact assessment purposes. The Applicant is therefore urged to make enquiries with respect to the requirements of these regimes to consider the potential for combining some of these investigations to make time and cost savings.
- A site assessment which has already been undertaken for other purposes may provide some or all of the information required for the initial PPC site report. Careful consideration should be given to when and how the information was collected to ensure that it meets current best practice and standard requirements.

• Existing installations

- Although it is appreciated that there are added difficulties for investigation of operational sites e.g. access, locations of services etc. (see additional considerations for all applications above), it should still be possible to produce a relatively comprehensive “initial” site report setting out the status of the site prior to operation under the PPC regime. It will be all the more important for Applicants at such sites to undertake a comprehensive investigation due to the similarity between substances to be used, for example, within the PPC activities and those used within the former operations. It is therefore in the Applicant’s interest to ensure that the site is investigated effectively, so any contamination that has already taken place at the site, which may be similar in nature to any substances likely to be used or produced by any current or future operation of the installation, is identified.

ANNEX C – Site Report Guidance (continued)

- A site assessment which has already been undertaken for other purposes may provide some or all of the information required for initial PPC site report. Careful consideration should be given to when and how the information was collected to ensure that it meets current best practice and standard requirements.

Section 8 – Description of activities within each phase

- *Phase 1a assessment*

Objectives

The objectives of Phase 1a for the production of an “initial” site report are:

- To review the historical and current uses of the site to identify the potential for areas of contamination to exist.
- To review information on the site’s environmental setting to aid the understanding of the nature, extent and behaviour of any contamination that may be present.
- To obtain sufficient information with respect to the site to allow the development of a “conceptual model” of the site and its environs. The term “conceptual model” is used to mean a description which can be in pictorial form or words that effectively describes the inter-relationships between all environmental media, receptors and contamination which may exist at the site.

Activities

Phase 1a encompasses desk-based research and site reconnaissance. It involves the collation and review of all readily available information to allow the identification and characterisation (as far as possible) of any contamination which may be present at the site. This will then be used to develop the conceptual model (or picture) of the site describing the nature and extent of any potential contamination. The main data collection activities under Phase 1a are therefore:

- Desk-based research, including review of documentary information and consultation with relevant parties (eg landowners, operators and regulatory authorities).
- Observations made on site during site reconnaissance to confirm the desk-based findings and provide further information.

Steps to be followed

- (i) The activity is to collate the existing information about the site and ensure that all information sources used are recorded and suitably referenced in any reports produced. Box 1 provides examples of the type of information required. The shaded items in the box indicate a suggested reasonable minimum level of information that needs to be reviewed in the desk-based research.
- (ii) Using the information collected during the desk study, the Applicant needs to plan and carry out the site reconnaissance. Box 1 provides examples of the information that should be obtained during a site reconnaissance visit.
- (iii) The information gathered should then be used to identify and list any contamination or sources of contamination which may be present at the site. It is also essential to consider the potential nature, extent and likely behaviour of any contamination already present to ensure that all possible locations and media where the contamination may be present may be adequately investigated, if necessary. Box 2 provides examples of relevant characteristics of contamination that should be considered.
- (iv) Use the information gathered and analysed above to develop a conceptual model (or picture) of what the site is currently like and how any contamination may be behaving. This model should take into account the geological, hydro-geological and environmental setting of the site in order to ensure that any possible migration pathways and behaviour of the contamination is understood. Box 3 provides an example of a simple matrix for identification of potential contaminants at a site. This information can then be combined with the information on the environmental setting of the site to produce the conceptual model.

ANNEX C – Site Report Guidance (continued)

Box 1: Information requirements for Phase 1a Assessment

Indicates reasonable minimum needs

Readily available background material:

- Current ownership
- Size and location
- Current use (including site layout, operational records etc where available) and future use of the site (including details of the proposed operation of the installation)
- Current and (where appropriate) future use of land in the vicinity of the site

Information obtained by desk study research:

- Historical uses of the site and surrounding land
- Authorisations for Part A and B prescribed processes on site or in surrounding area
- Waste management licences on site or in surrounding area
- Local geology (drift and solid)
- Local surface water and groundwater hydrology and surface/groundwater water quality, pollution incidents
- Surface water and groundwater catchment and source protection zones, groundwater vulnerability
- Water abstraction details
- Topography
- Details of any accidental releases at site (in particular for already operational sites)
- Proximity of protected or “sensitive” habitats or species
- Existing site investigation, assessment and remediation records if available
- Details of the operation of the proposed installation, including review of chemical inventory for installation
- Existing operational records, environmental audit etc (for installations which are already operating)
- Emergency response records (e.g. explosion, fire spillages etc – in particular for operational sites)
- Building control reports
- Effluent discharges consents
- Aerial photographs
- Planning register details
- Environmental health department records (e.g. statutory nuisance)

Information obtained by site reconnaissance:

- Access arrangements and potential for public (including unauthorised) access to the site
- Site layout including presence and condition of above and below-ground buildings/structures etc
- Evidence of disturbed ground, discoloured soil or water, subsidence, above ground deposits etc
- Vegetation type and signs of distress
- Significant odours
- Liquid discharges from site
- Direction and flow of surface water run-off and presence of ponding
- Land uses in the vicinity of the site
- Presence and condition of surface water features
- Evidence of any accidental/uncontrolled releases at site (previous or current)
- Details of operations currently being undertaken at the site
- Identify potential access constraints e.g. overhead cables, location of machinery, operations at the site

ANNEX C – Site Report Guidance (continued)

Box 2: Examples of relevant characteristics of contamination which need to be considered

Examples characteristics of possible contamination present at the site:

- Substances likely to be soluble in water
- Mobile contaminants;
- Volatile contaminants;
- Contaminants not soluble in water;
- Contaminants immiscible with water;
- Possible breakdown products of contaminants

Box 3: Example of a simple matrix for possible contamination at a site

Former and current uses at the site ¹	Contaminants ² (i.e. used in previous and current activities)			
	Arsenic	Cadmium	Trichloroethylene	Polychlorinated Biphenyls
Green field site in areas of naturally occurring metal ores	✓	X	X	X
Metal manufacturing, refining and finishing works (former)	✓	✓	✓	✓
Chemical works (current) using trichloroethylene.	X	X	✓	X

¹ The list of former and current issues will vary greatly between sites with some sites having had several former uses and others having been green field sites. Naturally occurring contamination may exist on some greenfield sites.

² The list of contaminants is likely to be more extensive than those shown here for illustration.

Key decisions

- (i) The next stage for an Applicant is to decide whether sufficient information has been collected to enable the production of an appropriate “initial” condition site report or whether there is a need to collect more information.
- (ii) The Operator needs to decide whether the operation of the proposed installation is likely to add contamination to the site which is similar to that which may already exist. If so, the Operator should use the decision summary sheet (DSS) in Section 9 of this Annex, in association with the Decision Criteria Sheets, to determine the need for further information on the existing levels of contamination which will provide the necessary information when the permit is eventually surrendered. An example of how to complete / use the DSS is provided in Section 10.
- (iii) Note that the questions set out in the DSS should not be answered unless a reasonable minimum amount of information has been collected (defined in Box 1). Thereafter, in answering the questions, the Applicant should consider whether a further more detailed desk study or site reconnaissance is required to be sufficiently confident about the assessment of the presence of contamination and the consequences of any subsequent actions. If so, this information should be collected and the questions answered on the basis of all the information obtained.
- (iv) Using the answers provided within the DSS the Applicant will need to decide whether further data collection is required. Where there is no evidence to indicate that contamination may exist at the site, which is similar in nature to any substances that are

used or may be produced / generated by the operation or presence of the installation, the Applicant will be able to demonstrate that no further action need be taken. The Applicant should then document Phase 1a findings. A suggested format for such reports is provided in Box 4. The Applicant may then exit the “initial” site report process.

- (v) Where there is evidence to indicate that contamination may exist the Applicant will need to consider proceeding to either **Phase 1b, Phase 2 or a combined Phase 1b and 2 assessment, unless sufficient information has already been collected through current or previous investigations which allows the production of the site report.** The information presented in Box 7 may be useful when considering the sufficiency of the information already available.

ANNEX C – Site Report Guidance (continued)

Box 4: Minimum Reporting Requirements for Phase 1a Assessment

1. INTRODUCTION AND BACKGROUND INFORMATION
2. OBJECTIVES OF PHASE 1A ASSESSMENT
3. SOURCES OF INFORMATION CONSULTED
4. SITE RECONNAISSANCE DETAILS
5. SUMMARY OF FINDINGS
 - site description
 - geology and hydrogeology
 - archive search and land use chronology
 - relevant information from the inventory of substances for the site
 - relevant details of the proposed operation of the site
 - history of incidents
 - consultation with statutory authorities/review of statutory records
 - consultation with other parties
 - other data gathering
6. DISCUSSION OF RESULTS INCLUDING DEVELOPMENT OF CONCEPTUAL MODEL
7. DATA INTERPRETATION
 - proposal of initial conditions for the site
 - main limitations/constraints on the investigation findings/baseline proposals (e.g. relating to data quality and quantity)
8. CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER ACTION
9. REFERENCE LIST
10. TECHNICAL APPENDICES CONTAINING SUPPORTING INFORMATION
 - e.g. site location plan, site layout plan, record of correspondence with information sources, site reconnaissance record, photographic record (if taken)

ANNEX C – Site Report Guidance (continued)

• Phase 1b assessment

Objectives

The objective of Phase 1b for an “initial” site report is to refine the conceptual model developed during Phase 1a to gain a better understanding of the site and the contamination present.

Activities

This phase encompasses further desk-based research and exploratory investigation to refine the conceptual model produced during Phase 1a. This phase should be used to collect further information on the nature, likely location and behaviour of potential contaminants at the site. **As discussed earlier under “Framework for the site reports” (section 5) it is anticipated that where intrusive investigation is required, combining Phase 1B and 2 will be the norm for most sites. In some situations (for example, where only a small amount of extra data are required) it may be more practical and economic to carry out Phase 1b as a discrete phase.**

Steps to be followed

- (i) Review all the existing information, and identify the priority information to be collected during Phase 1b. This may include further desk-based research and/or contamination in certain areas of the site. If further desk-based research is required this should be carried out prior to any exploratory investigation.
- (ii) Review all the information collected and plan and carry out an appropriate exploratory investigation.
- (iii) The Applicant should then review and refine the conceptual model developed during Phase 1a using the findings of the further desk-based research and exploratory site investigation. This should confirm or refute the presence of any contamination where possible. Box 5 shows an example of the type of factors to be taken into account when refining the conceptual model.

Box 5: Factors to be taken into account when refining the conceptual model

Known or likely characteristics of contamination already present at the site e.g.:

- nature of contamination (e.g. Industrial residues and waste, contaminated soils, dusts, gases or liquids)
- composition and concentration
- extent or amount
- toxicity (including carcinogenic potential)
- mobility, solubility, volatility
- persistence
- potential for biodegradation or bioaccumulation

Key decisions

- (i) The next stage for the Applicant is to decide whether sufficient information has been collected to enable the production of the site report.
- (ii) The Operator needs to decide whether the operation of the proposed installation is likely to add contamination to the site which is similar to that which may already exist. If so, the Operator should use the decision summary sheet (DSS) in Section 9, in association with the Decision Criteria sheets, to determine the need for further information on the existing levels of contamination to provide the necessary information when the permit is eventually surrendered. An example of how to use / complete the DSS is provided in Section 10.
- (iii) Note that the questions set out in the DSS should not be answered unless a reasonable minimum amount of information has been collected. Thereafter, in answering the questions, the Applicant should consider whether an additional exploratory investigation is needed, to be sufficiently confident about the presence or absence of contamination and the consequences of subsequent actions. If so, this information should be collected and the questions answered on the basis of all the information obtained.

ANNEX C – Site Report Guidance (continued)

- (iv) Using the answers provided within the DSS the Applicant will need to decide whether further data collection is required. Where there is no evidence to indicate that contamination may exist at the site, which is similar in nature to any substances that are used or may be produced / generated by the operation or presence of the installation, the Applicant will be able to demonstrate that no further action need be taken. The Applicant should then document Phase 1b findings. A suggested format for such reports is provided in Box 6. The Applicant may then exit the “initial” site report process.
- (v) Where there is evidence to indicate that contamination may exist the Applicant will need to consider proceeding to **Phase 2 assessment, unless sufficient information has already been collected through current or previous investigations which allows the production of the site report.** The information presented in Box 7 may be useful when considering the sufficiency of the information already available.

ANNEX C – Site Report Guidance (continued)

Box 6: Minimum Reporting Requirements for Phase 1b Assessment

1. INTRODUCTION AND BACKGROUND INFORMATION
2. OBJECTIVES OF PHASE 1b ASSESSMENT
3. RATIONALE FOR EXPLORATORY INVESTIGATION
4. DETAILS OF EXPLORATORY SITE INVESTIGATION STRATEGY, e.g.
 - numbers and types of samples collected/tests conducted
 - sampling locations
 - laboratory analysis
5. SUMMARY OF EXPLORATORY INVESTIGATION FINDINGS, e.g.
 - on-site observations
 - results of in-situ testing
 - results of laboratory analysis
6. DESCRIPTION OF DATA AND PRESENTATION OF CONCEPTUAL MODEL TAKING INTO ACCOUNT THE LIKELY NATURE, EXTENT AND BEHAVIOUR OF ANY CONTAMINATION AT THE SITE
7. DISCUSSION OF FINDINGS (INCLUDING CONFIDENCE LEVEL GIVEN TO THE SCOPE OF EXPLORATORY INVESTIGATION WORK)
8. DATA INTERPRETATION
 - proposal of baseline conditions for the site
 - main limitations/constraints on the investigation findings/baseline proposals (e.g. relating to data quality and quantity)
9. CONCLUSIONS and RECOMMENDATIONS FOR FURTHER ACTION
10. TECHNICAL APPENDICES

ANNEX C – Site Report Guidance (continued)

Objectives

The objective for Phase 2 is to collect the additional information and data to enable the development and production of an "initial" site report.

Activities

In broad terms this phase encompasses any additional site investigation required at the site. It involves further (and sufficient) data collection to better characterise the contamination present to enable the development and production of the "initial" site report. This may involve, for example, defining the extent of any existing contamination identified during Phase 1b.

As this phase marks the point at which substantial resources may be required for site investigation and associated data-gathering activities, it is particularly important that there is a clear plan and understanding of the type and amount of information required, from which location and over what period (refer back to the "initial conditions at the site" description).

Steps to be followed

- (i) Review the existing data for the site and decide what further information is required to enable the "initial" conditions at the site to be further defined.
- (ii) Use this to plan and carry out the site investigation works needed to generate the necessary additional data. Ensure that any health and safety and environmental protection measures needed to permit safe investigation of the site are identified and addressed.
- (iii) The Applicant should then assess the data collected during the site investigation to establish whether further information is required. Box 7 provides some information that may help in establishing whether sufficient information has been collected. Where further data are required these should be collected prior to collation of the site report.

Key decisions

- (i) The Applicant must decide whether sufficient information has been collected to produce an "initial" condition for the site. The information provided in Box 7 may be used as an aid when making the decision.
- (ii) A suggested format for the production of a site report where the Phase 1b assessment has been completed is provided in Box 8.

ANNEX C – Site Report Guidance (continued)

Box 7: Factors to take into account when deciding whether to carry out a more detailed site investigation (where Phase 1b exploratory investigation or previous site investigations have been carried out)

More detailed sampling may be required where contaminant concentrations are likely to vary significantly over the area of the site. Applicants should take the following “weight of evidence” factors into account when deciding whether further sampling is required within individual zones on the site:

- Likely origins and distribution of the contamination (e.g. point vs multi-source contamination).
- Location and extent of known or suspected waste disposal, processing and related activities.
- Extent to which visual and other field observations made during the site investigation can be used to infer likely ground conditions in unsampled locations – specific aspects include:
 - * nature, depth and extent of fill and other materials.
 - * presence and type of sub-surface features.
 - * location and extent of discoloration, abnormal textures or odours.
 - * evidence of existing effects (e.g. on vegetation, building materials etc.) in specific parts of the site.
 - * likely behaviour and extent of contaminants in the soil environment.
- Extent to which available information on the concentration of contaminants in soils already shows a reasonable possibility that these concentrations can be used with confidence in the prediction of soil concentration values in unsampled locations.
- The degree to which analysis of sample from all appropriate media (i.e. soil and water) for suspected contaminants identified in the desk study, site visit and exploratory investigation have been interpreted.
- The attention that has been paid to those contaminants/type of contaminants which may be used in the future at the installation, such that any increases in contamination can be adequately assessed.
- The extent to which appropriate sample collection, transport, storage, handling and analysis techniques have been followed.
- The extent to which the potential of mobilisation of contaminants and the potential for breakdown and changes in the composition of contaminants has been taken into account in relation to the sampling strategy at the site.

Where there are actual or proposed discharges or disposals to land or to groundwater, the needs of prior investigation and potential requisite surveillance to ensure compliance with the Groundwater Directive should be considered in tandem with the above, to avoid duplication of effort.

ANNEX C – Site Report Guidance (continued)

Box 8: Minimum Reporting Requirements for Phase 2 Assessment

1. INTRODUCTION

2. BACKGROUND TO THE ASSESSMENT

- site details
- summary of Phase 1a and Phase 1b (if reported separately – if not this report should address the requirements for Phase 1a and Phase 1b reporting as defined in Boxes 4 and 6)

3. OBJECTIVES OF THE ASSESSMENT

- context within PPC regime e.g. to define initial site conditions etc
- description of general approach e.g. followed EHS Guidance, used a different approach
- different types of contaminants to be considered

4. SITE INVESTIGATION (DATA COLLECTION) DETAILS

Description of site investigation and related work activities

- details of and reasoning for sampling strategy (including referencing to staged investigations)
- sample methods
- number, location and type of samples collected
- in-situ testing details
- monitoring activities including methods, equipment specification, duration/frequency, ambient conditions etc
- sample preparation and analysis methods
- limitations/constraints on laboratory analysis
- **Description of laboratory analysis**
- details of and reasoning for selection of test parameters
- sample preparation and analysis methods
- limitations/constraints on laboratory analysis

5. SUMMARY OF SITE INVESTIGATION AND ANALYSIS FINDINGS

- on-site observations
- in-situ testing results
- monitoring data
- laboratory QA/QC data
- identification of invalid data
- data summaries

6. DATA INTERPRETATION

- proposal of baseline conditions for the site
- main limitations/constraints on the investigation findings/baseline proposals (e.g. relating to data quality and quantity)

7. CONCLUSIONS

8. REFERENCES

ANNEX C – Site Report Guidance (continued)

9. TECHNICAL APPENDICES/SUPPORTING INFORMATION

For example:

- A. Site investigation details (e.g. site location and layout, photographs, sampling locations, trial pit/borehole logs, sample descriptions, in-situ test data, monitoring results, equipment details)
- B. Laboratory analysis (e.g. analytical methods, certificates of analysis, QA/QC results, summary data)

ANNEX C – Site Report Guidance (continued)

Section 9 – Supporting information

Decision Summary Sheet – Phase 1a and 1b

Note to DSS

Decision Summary Sheet DSS should not be completed unless a reasonable minimum amount of information has been collected and the assessors consider that the information is complete, relevant, reliable and clear. Assessors should take into account the criteria set out in Decision Criteria Sheets 1.1 and 1.2 to judge whether to answer “yes” or “no” to the questions listed. In the course of considering the questions, the assessor may decide to collect more information in order to improve confidence in the answers. The questions should then be answered on the basis of all of the available information. If the site has been split into zones or areas for the purpose of the production of the site report, a DSS will need to be completed for each zone/area to aid the consideration of whether more information is required on a zone-by-zone basis. In addition, where there are any known or planned changes to the site, surrounding environment or operation of the site (e.g. a change of chemicals used at the site) the assessor would be wise to complete the DSS with these changes in mind.

Project site Name: Zone Assessor:

Date: Signature:

1. POTENTIAL CONTAMINATION AT THE SITE (Decision criteria sheet 1.1)	YES	NO
<ul style="list-style-type: none"> • Does the available evidence indicate that contamination is likely to exist at the site which is similar in nature to any substances which are used or may be produced / generated by the operation or presence of the installation? remember to consider: <ul style="list-style-type: none"> - that contamination may have arisen from current or past uses of the site; - that a relevant authorisation for the site may indicate that there is the presence of pre-existing contamination at the site. “Relevant” in this case means an authorisation which indicates that a process has been used at the site in which materials similar to those currently or proposed to be used at the installation have been handled in the past. 	<input type="checkbox"/>	<input type="checkbox"/>
• Are there any relevant analytical data available for the areas of the site which are suspected of being contaminated:	<input type="checkbox"/>	<input type="checkbox"/>
• Are these analytical data sufficient for the purposes of the site report?	<input type="checkbox"/>	<input type="checkbox"/>
2. DATA QUALITY (Decision Criteria Sheet 1.2)		
• Does the information provide sufficient levels of confidence and/or comply with in-house requirement etc?	<input type="checkbox"/>	<input type="checkbox"/>
3. LEVEL OF INFORMATION	Min	Min
Indicate the level of information on which the answers have been based (See Box 1 for Phase 1a).	<input type="checkbox"/>	<input type="checkbox"/>

ANNEX C – Site Report Guidance (continued)

Decision Criteria Sheet 1.1: Indicators of Relevant Pollutant Linkages (Phase 1a)

Evidence to Support the Existence of Contamination at the site

- Current or historical use of the site or surrounding land for the handling, processing, storage or disposal of hazardous materials
- Documentary evidence (e.g. planning records, site investigation reports) of the presence of hazardous materials
- History of local nuisance, accidents, fire, spillages
- Putrescible material deposited on, or within an appropriate distance (given likely ground conditions) of the site
- Visual evidence (e.g. obvious discoloration, odours, uneven or made ground, pits, ponds, lagoons, process plant or structures)
- Existing adverse effects (e.g. health effects, vegetation die-back)
- Spreading of waste materials on land or discharges/disposals to ground

Decision Criteria Sheet 1.2: Data Quality Criteria (Phase 1a and 1b)

Completeness

Data can be considered complete if a reasonable minimum amount of information has been collected.

Relevance

Data can be considered relevant if the assessor is confident that:

Phase 1a:

- all the appropriate document sources relevant to the site use have been consulted

Phase 1b:

- the presence of all likely relevant contaminants has been investigated

Reliability

Data can be considered reliable if:

Phase 1a:

- significant gaps in the historical/current land use record have not been found
- unavoidable information gaps and uncertainties have been identified and taken into account in the assessment
- site reconnaissance information is generally consistent with documentary records
- an appropriate assessment procedure has been used
- suitably qualified and competent professionals (either internal or external) have been used to collect and interpret the data

Phase 1b:

- trail pits/boreholes/spot samples etc. have been appropriately located
- samples have been appropriately collected, transported and stored
- appropriate testing and analysis has been carried out
- an appropriate assessment procedure has been used
- unavoidable data gaps and uncertainties (to include possible access constraints, temporal effects, likely pattern and distribution of contamination) have been identified and taken into account in the assessment
- suitably qualified and competent professionals (either internal or external) have been used to collect and interpret the data

Clarity

Data can be considered to be clear if there is no ambiguity about their origins, meaning or interpretation

ANNEX C – Site Report Guidance (continued)

Section 10 – Worked example to explain the completion of the decision summary sheet

In this example an Operator is carrying out the work to produce a site report as part of an application for a PPC permit. The example has been simplified to assist in highlighting a number of the key issues which need to be considered during the production of the report.

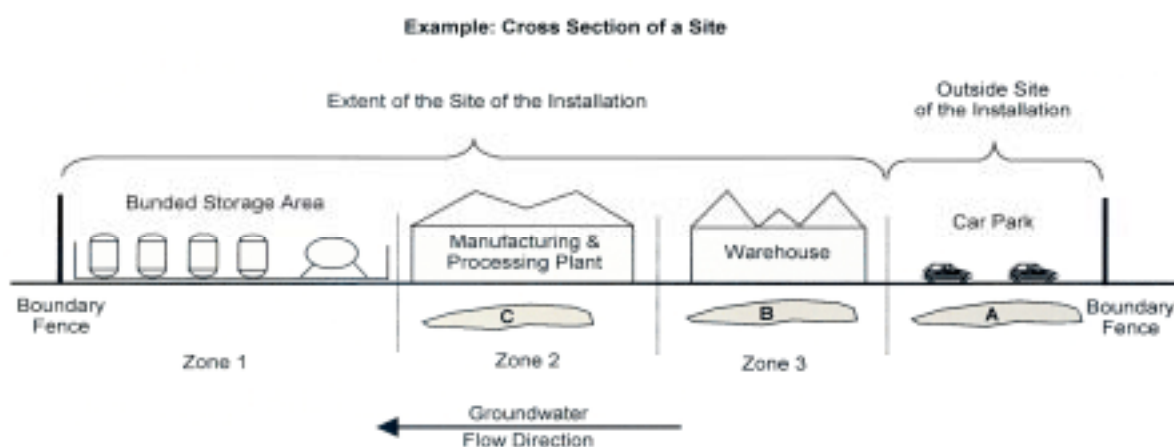
The Site:

Background

The Operator carries out one of the activities listed as a Part A (1) activity under Schedule 1 of the Pollution Prevention and Control (Northern Ireland) Regulations 2003, and is therefore required to make an application for a PPC permit which must contain a site report. A Phase 1a assessment has been carried out. The Operator is now working through the guidance on the production of a site report in a PPC permit application to consider whether further information needs to be collected.

Current Information

The situation at the site is summarised in the diagram below and in the following text. The diagram does not constitute a complete conceptual model for the site as it has been simplified for the purposes of highlighting a number of key issues.



On basis of the desk study and site reconnaissance information, the site has been split into three zones, namely:

- Zone 1 : A bunded area used for the storage of chemicals;
- Zone 2 : An area containing the manufacturing / processing plant for the site;
- Zone 3 : An area containing the warehouse for completed products.

The area containing the staff car park is considered to be outside the site of the installation (although it is within the “site” boundary fence) as this area is not considered to be integral to the operation of this installation.

The site has been zoned on the basis of the current use of the site. However, in other situations it will be appropriate to zone on the basis of previous uses or both previous and current uses. The appropriateness (or otherwise) of zoning the site will depend on the types of activities which have been or are being carried out and the potential contaminants which may be present at the site. Analytical data are only available for Zone 1. The data were collected 1 year ago prior to the construction of the bund. The possible presence of contamination has been identified in the areas identified with contaminants A, B, and C on the figure. Only desk-based and site reconnaissance information is available and no intrusive work to confirm the presence of any contamination has been carried out to date (except for that available for Zone 1). Contaminants A and C are the same (or similar) to the materials currently used or produced at the site. Contaminant B is not similar to any materials / chemicals used on the site.

ANNEX C – Site Report Guidance (continued)

The decision summary sheet will need to be completed for each of the zones in turn and the following issues will need to be considered when deciding the answers to the questions:

ALL ZONES:

- (i) The activities which may have taken place on the site in (or in the vicinity of) the zone;
- (ii) The current activities which are taking place on the site in (or in the vicinity of) the zone;
- (iii) The potential for any activities to have caused contamination;
- (iv) The potential for any current or future activities to generate future contamination;
- (v) The types of contamination which may have been / could be found and how these may behave at the site (e.g. Will they migrate? What direction will they migrate? Will they degrade / change into other contaminants?);
- (vi) The potential for contamination from outside of the zone to migrate into the zone i.e. consider the types of contamination which may be in the surrounding area / zones.

ZONE 1:

In addition to the issues to be considered for all zones. The following issues also need to be considered:

- (i) The type and quantity of contamination which may have been caused before the bunding was installed;
- (ii) The analytical information which was collected prior to the construction of the bund;
- (iii) The type of contamination which may migrate under this part of the site and may be attributed to the storage of chemicals in this area;
- (iv) The potential for future contamination to be caused;
- (v) The fact that in the majority of cases the EHS would not require samples to be taken which compromise the integrity of the bund but that samples around the bunded area may be useful and possible.

ZONE 2:

In addition to the issues to be considered for all zones, the following issues also need to be considered:

- (i) The types and quantities of materials / chemicals to be used / produced in the manufacturing / processing plant;
- (ii) The potential for these to generate contamination e.g. What areas within the zone have the greatest potential to be contaminated either from past, current or future practices?;
- (iii) The construction of the building including the basement / floor slab;
- (iv) The activities which may be undertaken outside the building which have the potential to cause contamination;
- (v) The location and construction of services bearing in mind that the EHS will not be expecting samples to be taken in the vicinity of services due to risks associated with this;
- (vi) The potential for contaminant C to be present under this area already and the need to quantify the levels of contamination prior to operation under the PPC permit to ensure that any contamination already present is not confused with that generated during the operation of the installation under PPC.

ZONE 3:

In addition to the issues to be considered for all zones, the following issues also need to be considered:

- (i) The types and quantities of products to be stored in the warehouse;
- (ii) The potential of these products to cause contamination;
- (iii) The potential for migration of contamination either from under the building to other parts of the site and also from adjacent areas under the building e.g. the migration of contaminant A from under the staff car park. In this case it may be prudent to consider quantifying the level of contaminant A already beneath this zone to ensure that any future contamination can be identified:

ANNEX C – Site Report Guidance (continued)

ZONE 3: (continued)

- (iv) The construction of the building including the basement/ floor slab;
- (v) The activities which may be undertaken outside the building which have the potential to cause contamination;
- (vi) The location and construction of services bearing in mind that the EHS will not be expecting samples to be taken in the vicinity of services due to the risks associated with this;
- (vii) The fact that contaminant B is not used (and will not be attributed to the operation of the installation under the PPC permit i.e. this contaminant will not need to be quantified for the purposes of the site report in the PPC permit application.

Staff car park:

Although this area is not considered to be part of the site of the installation in this example, consideration needs to be given to the potential for contaminant A to migrate under the rest of the site and be confused with future contamination from the installation. It may therefore be prudent to consider carrying out further investigation in this area to quantify the levels of contamination present and their location to ensure that this contamination is not confused with future contamination at a later stage.

Completion of the DSS for each zone

Example DSS have been completed for each Zone and a summary note has been added at the end of each stating whether further investigation is required in that Zone.

ANNEX C – Site Report Guidance (continued)

ZONE 1

Decision Summary Sheet – Phase 1a and 1b

Note to DSS

Decision Summary Sheet DSS should not be completed unless a reasonable minimum amount of information has been collected and the assessor considers that the information is complete, relevant, reliable and clear. Assessors should take into account the criteria set in Decision Criteria Sheets 1.1 and 1.2 to judge whether to answer “yes” or “no” to the questions listed. In the course of considering the questions, the assessor may decide to collect more information in order to improve confidence in the answers. The questions should then be answered on the basis of all the available information. If the site has been split into zones or areas for the purpose of the production of the site report, a DSS will need to be completed for each zone/area to aid the consideration of whether more information is required on a zone-by-zone basis. In addition, where there are any known or planned changes to the site, surrounding environment or operation of the site (e.g. a change of chemicals used at the site) the assessor would be wise to complete the DSS with these changes in mind.

Project site Name: Zone 1 Assessor:

Date: Signature:

1. POTENTIAL CONTAMINATION AT THE SITE (Decision Criteria Sheet 1.1)

YES NO

- Does the available evidence indicate that contamination is likely to exist at the site which is similar in nature to any substances which are used or may be produced / generated by the operation or presence of the installation?

remember to consider:

- that contamination may have arisen from current or past uses of the site;
- that a relevant authorisation for the site may indicate that there is the presence of pre-existing contamination at the site. “Relevant” in this case means an authorisation which indicates that a process has been used at the site in which materials similar to those currently or proposed to be used at the installation have been handled in the past.

This decision was made on the basis of the following information:

- The current use of this area is for the storage of chemicals and substances used in the process. There is therefore the possibility that there may be some of these chemicals / substances present in the land underneath this area.
- These chemicals / substances will continue to be used in the process;
- No other contamination is anticipated to migrate under this area which may be confused with chemicals / substances which are stored there.

- Are there any relevant analytical data available for the areas of the site which are suspected of being contaminated?

The decision was made on the basis of the following information:

- Analytical data are available from when the bund was constructed 1 year ago

- Are these analytical data sufficient for the purposes of the site report?

ANNEX C – Site Report Guidance (continued)

This decision was made on the basis of the following information:

- *The samples have been collected using current good practice and a laboratory with appropriate accreditation for the analysis has been used to carry it out;*
- *Sufficient data were collected.*

2. DATA QUALITY (Decision Criteria Sheet 12)

YES

NO

- Does the information provide sufficient levels of confidence and/or comply with in-house requirements etc?

This decision was made on the basis of the following information:

- *The data were collected using current good practice and appropriate analytical accreditation and methods were used;*
- *The data available provide a sufficient level of confidence (this is based on an assessment of the criteria in Decision Criteria Sheet 1.2).*

3. LEVEL OF INFORMATION

Min

>Min

- Indicate the level of information on which the answers have been based (See Box 1 for Phase 1a)

This decision was made on the basis of the following information:

- *The level of information collected was in line with the minimum data requirements listed in Box 1 of this guidance.*

Further investigation of Zone 1 is therefore unlikely to be required as sufficient analytical data are already available to quantify the levels of contamination already present in this Zone. Contaminant C is not stored in this area so even if it migrates it is not going to be confused with contamination from this Zone.

ANNEX C – Site Report Guidance (continued)

ZONE 2

Decision Summary Sheet – Phase 1a and 1b

Note to DSS

Decision Summary Sheet DSS should not be completed unless a reasonable minimum amount of information has been collected and the assessor considers that the information is complete, relevant, reliable and clear. Assessors should take into account the criteria set in Decision Criteria Sheets 1.1 and 1.2 to judge whether to answer “yes” or “no” to the questions listed. In the course of considering the questions, the assessor may decide to collect more information in order to improve confidence in the answers. The questions should then be answered on the basis of all the available information. If the site has been split into zones or areas for the purpose of the production of the site report, a DSS will need to be completed for each zone/area to aid the consideration of whether more information is required on a zone-by-zone basis. In addition, where there are any known or planned changes to the site, surrounding environment or operation of the site (e.g. a change of chemicals used at the site) the assessor would be wise to complete the DSS with these changes in mind.

Project site Name: Zone 2..... Assessor:

Date: Signature:

	YES	NO
1. POTENTIAL CONTAMINATION AT THE SITE (Decision Criteria Sheet 1.1)		
<ul style="list-style-type: none"> • Does the available evidence indicate that contamination is likely to exist at the site which is similar in nature to any substances which are used or may be produced / generated by the operation or presence of the installation? remember to consider: <ul style="list-style-type: none"> - that contamination may have arisen from current or past uses of the site; - that a relevant authorisation for the site may indicate that there is the presence of pre-existing contamination at the site. “ Relevant” in this case means an authorisation which indicates that a process has been used at the site in which materials similar to those currently or proposed to be used at the installation have been handled in the past. <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> - There is the possibility of contamination below the manufacturing / processing plant by chemicals / substances that are likely to be similar in nature to those that will be used under PPC. - There is the potential for the manufacturing / processing plant to add to the contamination which may already be present. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Are there any relevant analytical data available for areas of the site which are suspected of being contaminated? <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> - There are no analytical data currently available for this area: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Are these analytical data sufficient for the purposes of the site report? <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> - There are no analytical data currently available for this area: 	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ANNEX C – Site Report Guidance (Continued)

2.	DATA QUALITY (Decision Criteria Sheet 12)	YES	NO
	<ul style="list-style-type: none"> Does the information provide sufficient levels of confidence and/or comply with in-house requirements etc? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>All relevant information has been collected and reviewed and is sufficient for its purpose (this has been assessed using the criteria in Decision Criteria Sheet 1.2).</i> <i>The data available provide a sufficient level of confidence (this is based on an assessment of the criteria in Decision Criteria Sheet 1.2).</i> 		
3.	LEVEL OF INFORMATION	Min	>Min
	<ul style="list-style-type: none"> Indicate the level of information on which the answers have been based (See Box 1 for Phase 1a) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>The level of information collected was in line with the minimum data requirements listed in Box 1 of this guidance.</i> 		

Further investigation of Zone 2 is therefore unlikely to be required as there are no analytical data to quantify the levels of contaminant C already present below the warehouse. This is required so that any future contamination of this nature can be quantified therefore allowing remediation of the site to the condition prior to issue of the permit.

ANNEX C – Site Report Guidance (Continued)

ZONE 3

Decision Summary Sheet – Phase 1a and 1b

Note to DSS

Decision Summary Sheet DSS should not be completed unless a reasonable minimum amount of information has been collected and the assessor considers that the information is complete, relevant, reliable and clear. Assessors should take into account the criteria set in Decision Criteria Sheets 1.1 and 1.2 to judge whether to answer “yes” or “no” to the questions listed. In the course of considering the questions, the assessor may decide to collect more information in order to improve confidence in the answers. The questions should then be answered on the basis of all the available information. If the site has been split into zones or areas for the purpose of the production of the site report, a DSS will need to be completed for each zone/area to aid the consideration of whether more information is required on a zone-by-zone basis. In addition, where there are any known or planned changes to the site, surrounding environment or operation of the site (e.g. a change of chemicals used at the site) the assessor would be wise to complete the DSS with these changes in mind.

Project site Name: Zone 3 Assessor:

Date: Signature:

1. POTENTIAL CONTAMINATION AT THE SITE (Decision Criteria Sheet 1.1)

YES

NO

- Does the available evidence indicate that contamination is likely to exist at the site which is similar in nature to any substances which are used or may be produced / generated by the operation or presence of the installation?

remember to consider:

- that contamination may have arisen from current or past uses of the site;
- that a relevant authorisation for the site may indicate that there is the presence of pre-existing contamination at the site. “Relevant” in this case means an authorisation which indicates that a process has been used at the site in which materials similar to those currently or proposed to be used at the installation have been handled in the past.

This decision was made on the basis of the following information:

- The product stored in the warehouse is not in a form which would cause contamination;
- The contaminants which have been identified as potentially present are no longer used at the site and will not be used in the future;
- There is no potential for the migration of contamination from other parts of the site;
- There is the potential for migration of contaminants from beneath the car park but this likelihood is considered to be low due to the past uses of this area, and the types of contamination which may arise from the current use will not be confused with those chemicals / substances which are used at the site.

- Are there any relevant analytical data available for the areas of the site which are suspected of being contaminated?

This decision was made on the basis of the following information:

- There are no analytical data currently available for the area.

ANNEX C – Site Report Guidance (Continued)

<ul style="list-style-type: none"> Are these analytical data sufficient for the purposes of the site report? <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>There are no analytical data currently available for this area.</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2. DATA QUALITY (Decision Criteria Sheet 1.2.)</p> <ul style="list-style-type: none"> Does the information provide sufficient levels of confidence and/or comply with in-house requirements etc? <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>All relevant information has been collected and reviewed and is sufficient for its purpose (this has been assessed using the criteria in Decision Criteria Sheet 1.2).</i> 	YES	NO
<ul style="list-style-type: none"> Does the information provide sufficient levels of confidence and/or comply with in-house requirements etc? <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>All relevant information has been collected and reviewed and is sufficient for its purpose (this has been assessed using the criteria in Decision Criteria Sheet 1.2).</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>3. LEVEL OF INFORMATION</p> <ul style="list-style-type: none"> Indicate the level of information on which the answers have been based (See Box 1 for Phase 1a) <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>The level of information collected was in line with the minimum data requirements listed in Box 1 of this guidance.</i> 	Min	>Min
<ul style="list-style-type: none"> Indicate the level of information on which the answers have been based (See Box 1 for Phase 1a) <p><i>This decision was made on the basis of the following information:</i></p> <ul style="list-style-type: none"> <i>The level of information collected was in line with the minimum data requirements listed in Box 1 of this guidance.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Further investigation of Zone 3 is therefore unlikely to be required as there is no suspected contamination in this area which is similar in nature to that which is used or produced by the current or past activities at the site. Any contamination of this nature discovered in this zone in the future will be attributed to the operation of the installation, unless it is demonstrably from another source.

Section 11 – Key messages

All necessary measures should be taken to prevent unintentional emissions to land and associated groundwaters.

Applicants should establish the condition of the site of an installation upon application for a permit to operate, and upon application to surrender a permit, through submission of a site report.

In preparing a site report, it is important to focus on the substances associated with an installation during operation under PPC, particularly those with a potential to cause pollution if emitted, and to only consider the historical situation where the same substances have been used in the past.

It is important to determine what to establish the condition of through consideration of the media which are likely to be impacted by any substances emitted. Media may include sub-surface strata and associated groundwaters as well as surface soils.

A site report must include a factual statement on site condition, with different conditions being described for different areas of the site as appropriate. The site condition statement must provide an accurate, representative description of the condition of the site in order to provide clarity for surrender.

Where sampling is carried out to establish the condition, it must be carefully planned and informed by the desk study and conceptual model.

ANNEX C – Site Report Guidance (Continued)

It is in an operator's interest to conduct as comprehensive an investigation as possible in order to make an informed site condition statement, as any change in condition will be attributed to operation under PPC unless proven otherwise.

PPC does not consider whether the condition of the site prior to operation under PPC is acceptable: it seeks to establish a reference against which any deterioration in condition can be assessed.

If the installation has non-permitted adverse environmental impact on land and any associated groundwaters, then this must be addressed irrespective of whether the land is currently suitable for use.