

Statutory guidance: SR2015 No 39: use of waste in a deposit for recovery operations

Updated: Added to 'details' section: You can apply online for most standard rules environmental permits.

These standard rules allow you to store and use waste in a deposit for recovery activities involving construction, reclamation, restoration or improvement of land other than by mobile plant.

These standard rules are for the recovery of waste only and do not apply to any activities involving disposal.

See [waste recovery plans and permits](#) for guidance on how to produce a waste recovery plan to support your application for this standard rules permit.

You can apply online for most standard rules environmental permits.

[Apply for a standard rules environmental permit.](#)

Detailed guide: Waste: environmental permits

Updated: You can now apply online for most standard rules environmental permits.

You may need to apply to the Environment Agency for an environmental permit if your business uses, recycles, treats, stores or disposes of waste or mining waste. This permit can be for activities at one site or for mobile plant that can be used at many sites.

You are breaking the law if you operate without a permit when you should have one.

There is separate guidance on how to [register as a waste carrier](#) if you are a waste transporter, buyer, seller, broker or dealer.

Ways you can meet the requirement

If you are carrying out a waste activity, you can meet the permit requirement using one of the following:

- a 'regulatory position statement' – the Environment Agency does not currently require a permit for that activity
- an 'exemption' – you do not need a permit for the activity, but you must still register your exemption with the Environment Agency
- a 'standard rules permit' – a set of fixed rules for common activities
- a 'bespoke permit' – tailored to your business activities

Check if your activity is covered by a regulatory position statement

A [regulatory position statement \(RPS\)](#) means that the Environment Agency will not normally take enforcement action against you if you have not applied for a permit provided:

- your activity meets the description set out in the RPS
- you comply with the conditions of the RPS
- your activity does not (or is not likely) to cause [environmental pollution](#) or harm human health

Each RPS has an expiry date. You should check with the Environment Agency before this expiry date to make sure they have not withdrawn the RPS. If they have, you may need to register an exemption or apply for a permit for your activity.

Check for an RPS if you are:

- [using waste](#)
- [treating waste](#)
- [disposing of waste](#)
- [storing waste](#)

Check if there is an exemption for your activity

Check for an exemption if you are:

- [using waste](#)
- [treating waste](#)
- [disposing of waste](#)
- [storing waste](#)

If your activity is covered by an exemption you will need to [register it as exempt](#).

Each exemption has specific limits and conditions you need to follow. If you do not, the Environment Agency can cancel or 'deregister' your exemption.

Check if you can get a standard rules permit

You can apply for a standard rules permit if your operation meets the relevant description and rules, but:

- you cannot change (vary) the rules and you have no right of appeal against them
- if you want to change your operations and so will not meet the criteria of the standard permit anymore, you will have to apply to make it a bespoke permit instead
- if there is a change in your local environment after your permit has been issued (for example a change in the definition of a [groundwater source protection zone](#)) you may need to apply to change your permit

Read the standard rules if your activity involves:

- [keeping or transferring waste](#)
- [biological treatment of waste](#)
- [metal recovery or scrap metal](#)
- [materials recovery and recycling](#)
- [recovery or use of waste on land](#)
- [treatment to produce aggregate or construction materials](#)
- [onshore oil and gas exploration and mining waste operations](#)

Applying for a standard rules permit is quicker and costs less than a bespoke permit, but if you do not meet the conditions for the standard rules permits you must [apply for a bespoke permit](#).

How to apply for a standard rules environmental permit

You can apply online for most standard rules environmental permits.

Apply for a standard rules environmental permit.

How to apply for a bespoke permit

You must apply for a bespoke permit if your operation does not fit the conditions of a standard rules permit.

Before you apply you must do all the following:

- check you meet the [legal operator and competency requirements](#) (including technical competency)
- develop a [management system](#) (a written set of procedures that identifies and minimises the risks of pollution)
- complete a [risk assessment](#)
- design your facility to [avoid and control emissions](#)
- check the [technical guidance](#)

If you are applying for a waste recovery permit to permanently deposit waste on land, you must also read the guidance on [waste recovery plans and permits](#).

Bespoke permits: application forms

Download and fill in forms:

- [part A: about you](#)
- [part B2: new bespoke permit](#)
- [part B4: new bespoke waste operation](#) or [part B5: new bespoke mining waste operation](#)
- [part F1: opra, charges and declarations](#)

When you send your application you will need to include:

- forms part A, part B2, part B4 or part B5, and part F1
- the summary of your management system
- your risk assessment
- any other supporting documents mentioned in the form guidance, for example site maps and plans
- [your fee](#)

Email your completed forms to PSC@environment-agency.gov.uk or post them to:

Permitting and Support Centre

Environmental Permitting Team

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Get help with your application

The Environment Agency offers basic pre-application advice to help you complete your application. This basic advice is free because the cost of providing it is included in the application charge.

For standard rules, mobile plant and bespoke permits the basic service covers the following advice (where applicable):

- which standard rules set is relevant for your activities
- helping you check that your activity meets the criteria for a standard rules permit

- carrying out nature and heritage conservation screening
- which application forms and guidance to use
- information about any administrative tasks the Environment Agency will need to do

For bespoke permits, the basic service also includes advice about risk assessments you may need to do to accompany your application.

If you need more in depth advice about your application the Environment Agency offers an enhanced pre-application advice service. The enhanced service costs £100 an hour plus VAT. The enhanced service can include face to face meetings and advice on:

- complex modelling
- preparing risk assessments
- parallel tracking complex permits with planning applications
- specific substances assessments
- monitoring requirements (including baseline)

The Environment Agency will give you a written estimate before they start work. This will include:

- a breakdown of the work they will carry out with costs
- when these costs will be charged

Getting pre-application advice will help you submit a good quality application that can be processed (determined) smoothly and quickly. [Complete the pre-application advice form](#) if you want to request either basic (free), or enhanced (chargeable) pre-application advice.

If you cannot access the form please [contact the Environment Agency](#) and they can send you a paper copy to complete and return.

Keeping sensitive information confidential

When the Environment Agency [consults on your permit application](#) they will let people see the information in your application.

You can ask the Environment Agency not to make public any information that is commercially sensitive for your business (such as financial information). You can do this by including a letter with your application that gives your reasons why you do not want this information made public.

The Environment Agency will email or write to you within 20 days if they agree to your request. They will let you know if they need more time to decide.

If they do not agree to your request they will tell you:

- how to appeal against its decision
- how to withdraw your application

Fees and charges

You must pay a fee to apply for a permit.

You must send your fee with your application. If your application is successful, the Environment Agency will charge you an annual 'subsistence' fee while you have a permit. This fee depends on your activity and the type of permit you have.

Find out more about [fees and charges](#). You can [contact the Environment Agency](#) for help to work out your fee.

After you apply

The Environment Agency may reject your application if, for example:

- you have not used the right forms
- you have forgotten to include the fee or sent the wrong fee
- you have not provided important information

Once the Environment Agency has the information they need to start assessing your application, they will contact you and tell you that your application is 'duly made'. This means they are starting the assessment process. They may still request more information if they need it to complete their assessment.

Consultations on bespoke permit applications

The Environment Agency will [publish online](#) a notice of your application and instructions for how other people can see and comment on it.

Members of the public and anyone interested in the application have 20 working days to comment.

The Environment Agency may also consult other public bodies, for example local authorities, Public Health England, water companies, and Natural England.

If the Environment Agency considers your application to be of high public interest, they may:

- take longer to give you a decision
- carry out an extra consultation on the draft decision
- advertise the application more widely

The Environment Agency's [public participation statement](#) explains how and why they will consult on permit applications.

Decisions about your permit

You should get a decision on your application within 13 weeks. The Environment Agency will tell you if your application will take longer.

You can appeal if the Environment Agency refuses your application.

You can also appeal if you've applied for a bespoke permit and you're not happy with the conditions.

The decision letter will explain how you can appeal.

The Environment Agency will publish the decision on its [public register](#).

When you get your permit

Find out [how the Environment Agency will regulate you](#) when you start operating.

If you have been issued a mobile plant permit the Environment Agency must agree to the deployment of the plant before you operate. Deployment forms for standard rules permits are available on the same page as the standard rules themselves.

Apply to deploy mobile plant for bespoke activities using [form MPD1](#).

Change, transfer or cancel your permit

When you have got your permit, you can:

- change (vary) the details on it
- transfer it to someone else
- cancel (surrender) it

Find out how to [change, transfer or cancel your permit](#).

Contact the Environment Agency

Contact the Environment Agency if:

- you need help with your application
- you're not sure if you need a permit

General enquiries

National Customer Contact Centre
PO Box 544
Rotherham
S60 1BY

Email
enquiries@environment-agency.gov.uk

Telephone
03708 506 506

Telephone from outside the UK (Monday to Friday, 8am to 6pm GMT)
+44 (0) 114 282 5312

Minicom (for the hard of hearing)
03702 422 549

Monday to Friday, 8am to 6pm

[Detailed guide: Discharges to surface water and groundwater: environmental permits](#)

Updated: The 'Decisions about your permit' section has been updated to: 'You will normally get a decision on your application within 4 months.' This is because 4 months is the statutory determination period in the Environmental Permitting Regulations 2016.

You may need an environmental permit if you discharge liquid effluent or waste water (poisonous, noxious or polluting matter, waste matter, or trade or sewage effluent):

- into surface waters, for example, rivers, streams, estuaries, lakes, canals or coastal waters (known as water discharge activities)
- onto or into the ground, for example, land spreading waste sheep dip, or discharging treated sewage effluent to ground via an infiltration system (known as groundwater activities)

You need to apply to the Environment Agency for a permit for any standalone water discharge or groundwater activity – standalone means the activity is not part of a waste operation, installation or mining waste operation.

If your water discharge is part of one of these operations, you can make the discharge part of your [installation permit](#) or [waste or mining waste permit](#).

You're breaking the law if you operate without a permit if you should have one.

When you do not need a permit

You do not need a permit:

- to discharge uncontaminated water, for example, clean rainwater from roofs or small areas of hardstanding to surface water

- to discharge uncontaminated water collected from public roads and small parking areas (that's been through a maintained oil separator or sustainable urban drainage system) to surface water
- for certain low-risk groundwater activities, known as [groundwater activity exclusions](#)

For more information about the Environment Agency's position on protecting groundwater, see [Groundwater protection position statements](#). Position statement G12 on page 29 explains when you do not need a permit for discharge of clean roof water to ground.

Discharges in sewered areas

You should discharge your waste water to the public foul sewer whenever it's reasonable to do so. You do not need an environmental permit to do this.

You must consult your sewerage undertaker before you:

- make a new connection to the public sewer
- discharge anything other than [domestic sewage](#)

Permits in sewered areas

The Environment Agency will not give you a permit for a private sewage treatment system if it's reasonable for you to connect to the public sewer.

If the distance from the boundary of your site to the nearest public sewer is less than the number of houses multiplied by 30 metres, you must show the Environment Agency why it's not reasonable to connect to the public sewer. In some cases, we may ask you to consider connecting to the public sewer if it's more than the number of houses multiplied by 30 metres away. [Contact the Environment Agency](#) to discuss your proposal before you apply for a permit.

You will need to:

- tell us how much it will cost to connect to the nearest public sewer
- give us a formal response from your sewerage undertaker
- tell us the cost of the private sewage treatment system you want to use

When we assess whether it's reasonable for you to connect to the public sewer we take into account:

- the comparative costs of connecting to public sewer and installing a private sewage treatment system
- any physical barriers that would prevent you connecting to the public sewer
- any environmental benefits that would arise from installing a private sewage treatment system such as the reuse of treated effluent

If you're planning a new development, plan your foul sewerage at an early stage and consult with the local authority and sewerage undertaker.

We will not normally give you a permit if you want to use a private sewage

treatment system because there's not enough capacity in the nearest public sewer. If necessary, you must agree improvements to the existing sewerage network, in order to allow connection, with the sewerage undertaker. These improvements must be put in place before the development is occupied. This aligns with [planning practice guidance](#) and the [building regulations](#).

Disputes over connection to the public sewer

Your sewerage undertaker may have a [duty to provide a first time sewerage scheme](#) if:

- your existing sewerage system is causing or is likely to cause an adverse effect on the environment or amenity which cannot be solved by repair or maintenance
- the new system will serve more than one property
- providing a public sewer is the most appropriate solution

Check the guidance for your activity

Your water discharge or groundwater activity may meet the conditions for an exemption from environmental permitting or a standard rules permit. For more information read the relevant guidance for:

- [septic tanks, cesspools or small sewage treatment plants](#) unless you have a package treatment plant and [meet the requirements of the standard rules permit](#)
- [open-loop heat pump systems](#)
- [dewatering building sites and other excavations](#)
- [discharging substances as part of a groundwater tracer test or remediation scheme](#)
- [cutting vegetation in or near inland freshwaters](#)

You'll need to apply for a [bespoke permit](#) if none of the above apply to you.

[Contact the Environment Agency](#) if you're not sure if you need a permit.

Type of waste water: domestic sewage or trade effluent

As part of your permit application, or to know whether your activity qualifies for an exemption, you will need to classify your waste water. Read more about [when your waste water is classed as domestic sewage](#).

Standard rules permits for package treatment plants

You may be able to apply for a [standard rules permit](#) if you operate a package treatment plant for secondary treatment of domestic sewage.

Your package treatment plant must discharge between 5 and 20 cubic metres of domestic treated sewage to surface water daily (for example, your plant treats sewage from a small hotel or bed and breakfast, not a single

household). If your sewage discharge to surface water is less than 5 cubic metres per day and you meet [the general binding rules](#), you do not need a permit.

Your operation must meet the description and rules, but:

- you cannot change (vary) the rules and you have no right of appeal against them
- if you want to change your operations and so will not meet the criteria of the standard permit anymore, you'll have to apply to make it a bespoke permit instead
- if there's a change in your local environment after your permit has been issued (for example, a change in the definition of a [groundwater source protection zone](#)), you may need to apply to change your permit

Applying for a standard rules permit is usually quicker than a bespoke permit. If you do not meet the conditions for the standard rules permits you must [apply for a bespoke permit](#).

Apply for a standard rules permit

Before you apply for a standard rules permit you need to:

- read the [permit conditions](#) to make sure you can comply with them
- read the instructions in the application form and form guidance
- complete and submit the [nature and heritage conservation screening form](#) before you submit your application – so the Environment Agency can check if any conservation sites, protected species or habitats could be affected by your activity
- read the [generic risk assessment](#) so you can understand the potential risks and make sure you manage them effectively
- check you meet the [legal operator requirements](#)
- develop a [management system](#) – a written set of procedures that identifies and minimises the risks of pollution

Standard rules permits: application forms

Download and fill in these forms:

- [part A: about you](#)
- [part B1: standard facilities permit](#)
- [part F1: charges and declarations](#)

Send your completed forms and [application fee](#) to PSC-WaterQuality@environment-agency.gov.uk or post them to:

Environment Agency Permitting and Support Centre

Environmental Permitting Team

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Find out about:

- [getting help with your application](#)
- [keeping sensitive information in your application confidential](#)
- [what happens after you apply](#)

Before you apply for a bespoke permit

You need to:

- develop a [management system](#) (a written set of procedures that identify and minimise the risks of pollution)
- check whether you need to complete a [risk assessment](#)
- plan how you'll [control and monitor emissions](#)

If you're a water company or NAV (new appointments and variations) you must follow the guidance relevant to your activity:

- [waste water treatment works: treatment, monitoring and compliance limits](#)
- [water companies: water treatment works discharge limits for environmental permits](#)
- [water companies: chemical dosing at waste water treatment works](#)
- [water companies: operator self monitoring \(OSM\) environmental permits](#)
- [water companies: environmental permits for storm overflows and emergency overflows](#)

Specific substances assessment

When you apply for a permit you'll need to tell the Environment Agency if your discharge will contain specific substances.

If your discharge contains specific substances your risk assessment will need to include a specific substances assessment.

Find the [list of surface water specific substances in the surface water pollution risk assessment guide](#).

For discharges to groundwater, a specific substances assessment is needed for hazardous substances and non-hazardous pollutants. This does not include discharges that only contain or are only likely to contain ammoniacal nitrogen, ammonium and suspended solids. Find the [list of hazardous substances and non-hazardous pollutants for groundwater](#) on the Water Framework Directive UK TAG website.

Apply for a bespoke permit

Standalone water discharge and groundwater activity permit (not open-loop heat pump systems)

Download and fill in forms:

- [part A: about you](#)
- [part B2: general new bespoke permit](#)
- [part B6: new bespoke water discharge and groundwater activity](#)
- [part F1: charges and declarations](#)

Open-loop heat pump systems

Download and fill in forms:

- [part A: about you](#)
- [part B8: apply for an environmental permit and full abstraction licence](#)
- [part F1: charges and declarations](#)

Standalone groundwater discharges with spreading activities permit

Download and fill in forms:

- [part A: about you](#)
- [part B2: general new bespoke permit](#)
- [part B7: waste sheep dip, waste pesticide washings or other waste](#)
- [part F1: charges and declarations](#)

Send your application

When you send your application you'll need to include:

- the relevant forms
- the summary of your management system
- your risk assessment if you've been required to do one
- any other supporting documents mentioned in the form guidance, for example, site maps and plans
- your [fee](#)

Email your completed forms to PSC-WaterQuality@environment-agency.gov.uk or you can post them to:

Environment Agency Permitting and Support Centre

Environmental Permitting Team

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Get help with your application

The Environment Agency offers basic pre-application advice to help you complete your application. This basic advice is free as the cost of providing it is included in the application charge.

For standard rules and bespoke permits the basic service covers the following advice (where applicable):

- which standard rules set is relevant for your activities
- helping you check that your activity meets the criteria for a standard rules permit
- carrying out nature and heritage conservation screening
- which applications forms and guidance to use
- information about any administrative tasks the Environment Agency will need to do

For bespoke permits, the basic service also includes advice about risk assessments you may need to do to accompany your application.

If you need more in depth advice about your application the Environment Agency offers an enhanced pre-application advice service. The enhanced service costs £100 an hour plus VAT. It can include face to face meetings and advice on:

- complex modelling
- preparing risk assessments
- parallel tracking complex permits with planning applications
- specific substances assessments
- monitoring requirements (including baseline)

The Environment Agency will give you a written estimate before it starts work. This will include:

- a breakdown of the work it will carry out with costs
- when these costs will be charged

Getting pre-application advice will help you submit a good quality application that can be processed (determined) smoothly and quickly. Complete the [pre-application advice form](#) if you want to request either basic (free), or enhanced (chargeable), pre-application advice.

If you cannot access the form please [contact the Environment Agency](#). It will send you a paper copy to complete and return.

Check that you meet the ‘legal operator’ requirements

You must be the ‘legal operator’ of the water discharge or groundwater activity that you want a permit for.

This means you must have sufficient control of the activity, for example you:

- have day to day control of the activity, including the manner and rate of operation
- make sure that permit conditions are complied with
- decide who holds important staff positions and have incompetent staff removed if required
- make investment and financial decisions that affect the performance or how the activity is carried out
- make sure that regulated activities are controlled in an emergency

You can have contractors carry out activities at your site and remain the operator if you continue to have sufficient control of the activity. But sometimes a contractor may be the legal operator or become the legal operator, based on the tests set out above. A remote holding company is unlikely to have sufficient control.

If you’re no longer the operator you must formally transfer the permit to the person who is the operator. If you continue to operate an activity when you’re no longer the legal operator the Environment Agency may take enforcement action against you or revoke the permit.

You must apply as a ‘legal entity’ that can be legally responsible for the permit and can accept liability, for example:

- an individual
- public limited company
- private limited company
- government body (for example, local authorities, NHS Trusts, Food Standards Agency)
- limited liability partnership

As the operator you’re legally responsible for the activity whether or not it’s in operation.

Your application can be refused if the Environment Agency does not consider you to be the operator or a legal entity.

Joint operators of one activity

If your activity has more than one operator acting together, you need to make one joint application for all the operators. For example if several people jointly operate a treatment plant then they would all be named on the permit.

Keep sensitive information confidential

When the Environment Agency [consults on your permit application](#) it will let people see the information in your application.

You can ask the Environment Agency not to make public any information that is commercially sensitive for your business (for example, financial information). You can do this by including a letter with your application that gives your reasons why you do not want this information made public.

The Environment Agency will email or write to you within 20 days if it agrees to your request. It will let you know if it needs more time to decide.

If it does not agree to your request it will tell you how to:

- appeal against its decision
- withdraw your application

Fees and charges

You must pay a fee to apply for a permit.

You must send your fee with your application. If your application's successful, the Environment Agency normally charge you an annual 'subsistence' fee while you have a permit. This fee depends on your activity and the type of permit you have.

Find out more about [fees and charges](#). You can [contact the Environment Agency](#) for help to work out your fee.

After you apply

The Environment Agency may reject your application if, for example:

- you have not used the right forms
- you've forgotten to include the fee or sent the wrong fee
- you have not provided important information

Once the Environment Agency has the information it needs to start assessing your application, it will contact you and tell you that your application is 'duly made'. This means it's starting the assessment process. It may still request more information if it needs it to complete its assessment.

Consultations on your permit application

The Environment Agency will [publish online](#) a notice of your application and instructions for how other people can see and comment on it.

Members of the public and anyone interested in the application have 20 working days to comment.

The Environment Agency may also consult other public bodies, for example,

local authorities, Public Health England, water companies and Natural England.

If the Environment Agency considers your application to be of high public interest, it may:

- take longer to give you a decision
- carry out an extra consultation on the draft decision
- advertise the application more widely

The Environment Agency's [public participation statement](#) explains how and why it will consult on permit applications.

Decisions about your permit

The Environment Agency will write to you to tell you its decision about whether or not it can allow what you've asked for.

You will normally get a decision on your application within 4 months. The Environment Agency will tell you if your application will take longer.

You can appeal if it refuses your application or if you're not happy with the conditions it has put into your permit. Its decision letter will explain how you can appeal.

The Environment Agency will publish the decision on its [public register](#).

The Environment Agency will not normally change your permit within 4 years of it being issued. However, it may change your permit if:

- you do not meet your permit conditions or environmental standards
- there are changes to legislation

Comply with your permit

After you've been granted your permit you'll need to comply with its conditions.

Find out [how the Environment Agency will regulate you](#) when you start operating.

Change, transfer or cancel your permit

After you have your permit, you can:

- change (vary) the details on it
- transfer it to someone else
- cancel (surrender) it

Find out how to [change, transfer or cancel your permit](#).

Contact the Environment Agency

Contact the Environment Agency if:

- you need help with your application
- you're not sure if you need a permit

General enquiries

National Customer Contact Centre
PO Box 544
Rotherham
S60 1BY

Email

enquiries@environment-agency.gov.uk

Telephone

03708 506 506

Telephone from outside the UK (Monday to Friday, 8am to 6pm GMT)
+44 (0) 114 282 5312

Monday to Friday, 8am to 6pm

[Form: Capital grant application form: Countryside Stewardship](#)

Updated: Updated application form, annex 2 woodland creation and how to complete form guide. Removed annex 1 as hedgerows and boundaries grant is closed for applications.

Use the capital grant application form with:

- annex 2 for a [woodland creation grant](#)
- annex 3 for a [woodland management plan grant](#)
- annex 4 for a [woodland tree health grant](#)

(Annex 1 removed as hedgerows and boundaries grant is closed for applications.)

If you do not have management control over all or part of the land included

in the application for the full length of the potential agreement, you also need to complete a [land ownership and control form](#).

For woodland creation grant applications on common land or land with shared grazing, you also need to complete a [common land and shared grazing supplementary application form](#).

Online applications

You can use the [Rural Payments service](#) to apply for a woodland management plan grant. You do not need to complete the application form and annex if you use the online service.

[Press release: PM announces further boost for UK oil and gas industry](#)

Visiting Aberdeen today, the Prime Minister has reaffirmed the UK Government's ongoing commitment to the UK's oil and gas industry.