



OUTGOING



PERMIT

34173

ENVIRONMENTAL PROTECTION ACT 1990

WASTE MANAGEMENT LICENCE

No. 48

Environment Agency Wales
Rivers House
St Mellons Business Park
St Mellons
Cardiff
CF3 0LT
Tel: 01222 770088



ASiantaeth Yr
AMGylchedd Cymru
ENVIRONMENT
AGENCY WALES

ENVIRONMENTAL PROTECTION ACT 1990. NOTICE OF TRANSFER AND MODIFICATION OF WASTE MANAGEMENT LICENCE.

LICENCE REF No: - 48

FACILITY TYPE: - CIVIC AMENITY SITE

Whereas on 22 December 1992, *Dyfed Disposal Ltd* were granted a disposal licence, now a waste management licence, by the Vale of Glamorgan Borough Council, authorising the *Keeping* and *Treating* of controlled waste on land specified in Schedule 1 of this Notice, and whereas on 19 March 1997 an application was made to the Environment Agency to Transfer the above mentioned waste management licence, the Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grants the transfer of the licence to;

Ecovert Ltd, 22-30 Stuart Road, Frimley Green, Camberley, Surrey, GU16 6HZ (Company Registered Number 2308838)

hereinafter referred to as the licence holder and modifies the licence conditions as follows:-

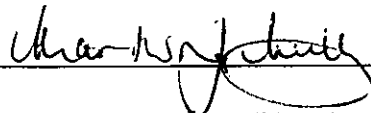
Delete all conditions set out in Licence number 48 and replace with the conditions specified in the Schedules attached to this Notice.

The transfer and modification shall take effect from the date of this Notice.

In this Licence the words and expressions contained in the Schedules shall have the meaning assigned to them therein.

SCHEDULE 1 - SPECIFIED LAND.

This licence relates to the land at **Unit 55, Gluepot Road, Llandow Trading Estate, Llandow, Vale of Glamorgan** (hereinafter called "the site") at national grid reference **SS 954 715** shown edged red on Drawing Reference Number CA3 dated 19 January 1992 and attached to this Notice.

Signed 

Martin Mills, Environment Planning Manager, South East Area, Environment Agency Wales

Dated 1/3/99

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE
END OF THIS NOTICE.**

Environment Agency, Abacus House, St Mellons Business Park, St Mellons, Cardiff, CF3 0LT. TEL: 01222 770088



SCHEDULE 2

SECTION A - INTERPRETATION

SECTION B - PERMITTED WASTE

SECTION C - GENERAL CONDITIONS

SECTION D - SITE INFRASTRUCTURE

SECTION E - OPERATION OF SITE

SITE DRAWING

NOTES

Section A - INTERPRETATION

1. In this Licence, an "emergency" is defined as a case where a person has reasonable cause to believe that circumstances exist which are likely to endanger life or health or cause damage to property or pollution of water.
2. A "technically competent manager" shall for the purposes of this Licence mean a person who:
 - * is the holder of a relevant certificate of technical competence awarded by the Waste Management Industry Training and Advisory Board as required by Regulation 4 of the Waste Management Licensing Regulations 1994, or
 - * is deemed to be technically competent by virtue of the transitional provisions contained in Regulation 5 of the Waste Management Licensing Regulations 1994 and any subsequent amendments.
3. A "manager" shall mean any person (or persons) who is (are) in control of the day to day activities of the site.
4. In this Licence "site operative" shall mean any employee of the licence holder or site operator.
5. An "authorised officer" is an officer authorised by the Environment Agency for the purposes of the Environmental Protection Act 1990 and Environment Act 1995.
6. In this Licence, "Operation" is defined as the receipt, handling or removal of waste from the site.
7. In this Licence, "Household, Commercial and Industrial Wastes" shall have the same meanings as ascribed to them under the Controlled Waste Regulations 1992.
8. In this Licence, "Special Waste" shall have the same meaning as ascribed to it under the Special Waste Regulations 1996 and any subsequent amendments.
9. In this Licence "secure container" shall mean a container or place where all reasonable precautions have been taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste.
10. In this Licence the "site diary/log book" shall mean a record which may be kept in a written or computerised form.

11. In this Licence "Putrescible Wastes" shall mean wastes which readily decompose or rot.
12. In this Licence any member of the technically competent management shall not be deemed available if they are on sick leave or taking holiday entitlement.
13. In this Licence "unauthorised access" shall mean person(s) or vehicle(s) entering the site who do not have the consent of the licence holder or site operator.
14. Notwithstanding the above, words and phrases in this Licence have the meanings ascribed to them by the Environmental Protection Act 1990 and Environment Act 1995 and their associated regulations.

Section B- PERMITTED WASTE

B1. The types of waste materials accepted at the site and the maximum quantities kept shall consist only of the following wastes;

WASTE TYPE	MAXIMUM QUANTITY
Household Waste	51 Tonnes
Building and Demolition Waste	26 Tonnes
Bonded Asbestos	3 Tonnes

B2. The maximum amount of waste received at the site shall not exceed 24,999 tonnes per annum.

EXCLUSIONS

B3. Notwithstanding the generality of the types of waste specified in this Section the following wastes shall be specifically excluded from delivery to the site;

- a) Any Commercial or Industrial Wastes unless specifically authorised in Condition B1.
- b) Any 'Special Wastes' unless specifically authorised in Condition B1.

Section C- GENERAL CONDITIONS

C1. (a) The following documents shall be referred to as the working plan:

- 'Working Plan for the recycling and civic amenity site at Unit 55, Gluepot Road, Llandow Trading Estate, Llandow, NR Llantwit Major.
- Drawing No. GPR/L/001, dated 10th July 1997, entitled Site Layout

(b) The licence holder shall notify the Environment Agency in writing of any proposed change to the actual conduct of operations, from those in the Working Plan not less than 28 days before the proposed date of implementation, or as otherwise agreed with the Environment Agency. The proposed change shall not be implemented if within 21 days of the date of receipt of the notification the Environment Agency advises the licence holder that the change will require a modification of a licence condition or does not agree with the proposed change.

(c) Any reference in this Licence to the working plan shall include a reference to any modification to the statement or the drawings that have been approved in writing by the Environment Agency.

(d) Subject to the terms and conditions of this Licence, the site shall be operated in accordance with the working plan.

C2. A copy of waste management licence No.48 and a copy of the working plan shall be kept at the site at all times.

C3. Within *1 month* of the date of the issue of this Notice, the licence holder shall forward to the Environment Agency a list detailing the technically competent manager(s) for the site. The details provided shall include:

- i) full name
- ii) position within the management structure
- iii) responsibilities and qualifications
- iv) relevant certificates of technical competence or proof that not required.
- v) details of where persons are based
- vi) details of any other sites for which persons are a technically competent manager
- vii) contingency arrangements (eg for periods of leave or absence).

C4. Should at any time there be a change to the technically competent management for the site then the Environment Agency shall be notified in writing within 14 days. For additional technically competent managers the details required by Condition C3 of this Licence shall also be submitted.

C5. All circumstances of emergency shall be reported to the Environment Agency within 24 hours of their occurrence.

C6. The licence holder shall maintain their financial provision agreement, in relation to the licence, to ensure that funds are available to the Environment Agency in respect of expenditure incurred in relation to the post closure management of the facility. Proof of maintenance shall be forwarded to the Environment Agency annually and in the case of a bond, not less than 14 days before its anniversary.

C7. Within four months from the issue of this Notice a revised working plan shall be submitted and agreed in writing with the Environment Agency. This shall include a written statement detailing the operation of the site and scaled drawings detailing the site layout and drainage system.

C8. Site operatives who are responsible for supervising the activities at the site shall have knowledge of the conditions of this Licence and the operational procedures outlined in the working plan.

C9. Any cessation of operations for a period in excess of 7 *days* shall be notified to the Environment Agency. Not less than 24 *hours* notice shall be given to the Environment Agency of the date on which operations are to recommence in the event of such a cessation.

Section D - SITE INFRASTRUCTURE WORKS

D1. Gates and fencing shall be provided at the site to prevent unauthorised access to the site and shall be maintained to the specification detailed in the working plan. The gates and fencing shall be inspected daily by a site operative and any damage which would permit unauthorised access shall be repaired within a timescale agreed with the Environment Agency. The site gates shall be locked outside operating hours and at any time the site is left unattended.

D2. Lighting shall be provided at the site for those operations which are to be carried out during the hours of darkness as defined by the statutory lighting up times stipulated in the Road Vehicles Lighting Regulations.

D3. An identification board of durable material and finish shall be displayed at the entrance to the site. This shall clearly give the name of the site, the name, address and telephone number of the operator and of the Environment Agency, the hours of operation, the licence number and the telephone numbers of the personnel to contact in the event of an emergency.

D4. All operational areas within the site shall be surfaced and maintained in accordance with the working plan. Hard surfaces shall be cleaned and disinfected when requested by the Environment Agency.

D5. A site drainage system shall be constructed and maintained so that surface water does not accumulate at the site.

D6. A quarantine area shall be provided to accommodate any waste delivered to or left at the site that does not conform to Section B of this Licence. All wastes stored in the quarantine area shall be stored in a secure container. Containers used to quarantine wastes shall be emptied a minimum of every *two months* or as requested by the Environment Agency. Quarantined wastes, which are 'special wastes', shall be removed within *5 days*.

D7. Tanks or drums used for the storage of liquids, including any fuels or oils, shall be contained in a bunded compound whose volume is at least 25% of the total volume or 110% of the volume of the largest storage vessel whichever is the greater. Storage vessels shall be constructed of material suitable for the liquids they contain and labelled to show their contents. They shall conform, where necessary to all relevant safety construction standards and shall be regularly inspected to ensure their integrity and every part of the storage tank shall be within the bund.

D8. All taps or permanent valves through which liquid can be discharged shall be:

- i) within the bund;
- ii) discharged vertically downwards;
- iii) shut and locked when not in use.

- D9.** Any flexible delivery pipe permanently attached to any tank shall be fitted with:
- i) a tap or valve fitted at the delivery end which closes automatically when not in use;
 - ii) an isolating valve at the tank end of the pipe which shall be kept locked when not in use:

The flexible delivery pipe shall be locked in such a way that ensures that it is kept within the bund when not in use.

D10. Within 4 months from the issue of this Notice all of the infrastructure works required under Section D of this Licence shall be implemented at the site.

Section E -OPERATION OF SITE

E1. The types of waste and maximum quantities stored at the site shall only consist of those specified in Section B of this Licence.

E2. The hours of operation for the site shall be as follows;

Weekdays 8:00 a.m to 6:00 p.m

Weekends 8:00 a.m to 6:00 p.m

Except in cases of emergency, no delivery, or removal of waste or related operations shall take place outside these hours or on Christmas Day, Boxing Day and New years Day without the written approval of the Environment Agency.

E3. Waste operations shall only be undertaken at the site when there is a site operative in attendance to supervise the deposit of waste at the site. If the operative observes any waste not permitted under Section B of this Licence then the waste shall be rejected or removed to the quarantine container.

E4. All wastes shall be unloaded, loaded, sorted and stored in the designated areas in accordance with the working plan.

E5. The Environment Agency shall be notified within 24 hours of any waste that is rejected for deposit at the site. This notification shall include, as far as possible, details of :

- the nature and quantity of the waste involved;
- the date and time of its rejection;
- the name and address of the producer of the waste;
- the registration number of the vehicle delivering the waste;
- the reason for rejection.

E6. A record (manual or computerised) shall be kept detailing the types and quantities of waste, referenced to the categories detailed in Section B of this Licence, delivered to and removed from the site. These records shall be made available to any authorised officer of the Environment Agency at any reasonable time.

E7. A summary of the record required by condition E6, shall be forwarded to the Environment Agency at monthly intervals, to arrive within 14 days of the end of the period to which it refers.

E8. All relevant information shall be recorded in the site log book/diary within 24 hours of its occurrence. The log book shall be made available for authorised officers to read or record comments pertaining to the activities at the site.

E9. Putrescible wastes shall not be stored at the site for longer than 48 hours after their initial deposit.

E10. No materials shall be burnt within the boundaries of the site. Any fire occurring within the confines of the site shall be treated as an emergency and all outbreaks of fire shall be reported immediately to the Environment Agency and a note of the incident made in the site diary.

E11. Control measures shall be implemented to deal with any vermin or insects infestation detected at the site. A written record of inspections and treatment undertaken to control vermin and insects shall be made in the site diary. These measures shall continue until the infestation has been controlled.

E12. In the event that the Environment Agency deems there to be a significant odour problem at the site, which has resulted from the storage of wastes, control measures shall be implemented. These measures shall continue until the Environment Agency is satisfied that the odour problem has been controlled.

E13. Bunded areas shall be regularly inspected and maintained when necessary to ensure they remain impermeable. Any liquid that has collected in the bunded area shall be collected and removed so as to ensure that the volume (at least 25% of the total volume or 110% of the volume of the largest storage vessel whichever is the greater) is maintained.

E14. Any litter which has accumulated within the site shall be collected at the end of the working day or as directed by the Environment Agency and placed within the designated household waste skips.

E15. Measures shall be implemented to control dust emissions from the site. These measures shall continue until the Environment Agency is satisfied that dust emissions have been controlled.

E16. Measures, including maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the site.

E17. A member of the technically competent management shall be available during all operational hours.

E18. A supply of absorbent materials shall be kept permanently on site to control any liquid spillage's.

E19. Liquefied petroleum gas cylinders shall only be stored in the designated storage cage.

E20. Bonded asbestos shall only be stored in the designated skip. The skip shall be locked at all times and shall only be opened for the deposit of bonded asbestos.

NOTES

These notes are for general guidance only and do not constitute an authoritative statement of the law.

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the deposit, keeping, treating and disposal subject to the conditions set out in the Schedules and does not constitute a consent required by other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the WATER RESOURCES ACT 1991, HEALTH AND SAFETY AT WORK ETC., ACT 1974, the RADIOACTIVE SUBSTANCES ACT 1993, the TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS, and ALL RELEVANT WATER PROTECTION AND PUBLIC HEALTH legislation including all other provisions of the ENVIRONMENTAL PROTECTION ACT 1990 not directly relating to the deposit of waste.

2. If the licence holder ceases to occupy the land specified above, then the licence may be transferred to the new occupier after giving notice to the Environment Agency who has the right to decline to accept the new licence holder.

3. If the licence holder wishes to cancel this licence, it must be returned to the Environment Agency together with a notice stating that the licence is no longer required. Cancellation of the licence will not affect any outstanding liability of the licence holder under the conditions of the licence.

4. The carriage of controlled waste to and from licensed facilities should only be undertaken by persons authorised under the provisions of the Control of Pollution (Amendment Act) 1989 and in compliance with section 34 of the Environmental Protection Act 1990.

5. Compliance with the Conditions of this licence is obligatory to ensure that operations do not cause pollution of the environment, or harm to human health, or would not be seriously detrimental to the amenities of the locality affected.

6. All discharges to sewer and watercourse have to meet the requirements of the Environment Agency and the Water Company. Any diversion or other changes will also require Environment Agency or Water Company approval.

7. Notices of Appeal

[Regulation 6 - The waste Management Licensing Regulations 1994]

A person has the right to Appeal to the Secretary of State for Wales against any decision of this Authority concerning this licence.

Section 43

With respect to the conditions of this licence or their modification; or the suspension or revocation of the licence itself the Appeal shall be made within six months of the decision of the Authority or at any time the Secretary of State may allow.

Section 66(5)

With respect to an appeal concerning what this Authority considers not to be commercially confidential information and therefore liable to be put on the public register, an appeal must be made within 21 days of the decision being notified to the licence holder.

Licence holders should refer for further information to sections 43 and 66(5) of the Environmental Protection Act 1990, Section 6 the Waste Management Licensing Regulations 1994 and Annex 10 of Welsh Office Circular 26/94.

CONTRAVENTION OF LICENCE CONDITIONS

Attention is drawn to the provisions of Sections 33, 38, 39, 40, 42 and 59 of the Environmental Protection Act 1990. A brief resume is included below.

Section 33.

Prohibits under penalty the deposit of waste, or the treating keeping or disposal of waste, otherwise than in accordance with the terms of a licence. This Section applies to all the conditions contained herein, including any which may be the subject of appeal to the Secretary of State under Section 43 of the Act.

Any deposit which takes place without compliance with all the licence conditions may lead to prosecution under this Section.

A person who commits an offence under this section shall be liable:

- (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding £20,000 or both; and
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.

Section 38

Should the licence holder cease to be a 'fit and proper' person by reason of him being convicted of a relevant offence, or the management of the activities has ceased to be in the hands of a technically competent person or the continuation of activities may cause pollution of the environment or harm to human health or would be seriously detrimental to the amenities of the locality this may lead to revocation of this licence.

The Environment Agency also has powers to suspend the licence if the management of the has ceased to be in the hands of technically competent management, or serious pollution of the environment or serious harm to human health is likely or has already occurred as a result of activities at the site.

Section 39

A licence holder may only surrender a licence with the written agreement of the Environment Agency. An application, enclosing the appropriate fee, to surrender must contain such information as the WRA may require in order to demonstrate that the site is unlikely to cause pollution of the environment or harm to human health.

Section 40

Should the licence holder wish to transfer the licence to another person, i.e. the transferee, a joint application shall be made enclosing the appropriate fee to the WRA. A licence may only be transferred to a 'fit and proper' person as defined by Section 74 of the 1990 Act, and therefore the WRA will be required to assess the status of the transferee by information contained within the application.

Section 42

Non compliance with any licence conditions may lead to the revocation or suspension of this licence.

Section 59

The licensing authority is empowered to require the removal of any controlled waste deposited in contravention of the conditions contained in this licence.

A person wishing to appeal to the Secretary of State under Section 43 of the Environmental Protection Act 1990 shall do so by notice in writing to:

The Secretary of State for Wales
The Welsh Office
Cathays Park
CARDIFF

An appeal must be lodged with the secretary of State within six months of the date of issue of this licence, any modification, suspension or revocation, or at any time that the Secretary of State may allow.

The Notice of Appeal must be accompanied by:-

- a) a statement of the grounds of appeal;
- b) where the appeal relates to an application for a Waste Management Licence, a copy of the appellant's application and any supporting documents;
- c) where the appeal relates to an existing Waste Management Licence [including one which has been suspended or revoked], a copy of that licence;
- d) a copy of any correspondence relevant to the appeal;
- e) a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development; and
- f) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

The appellant shall serve a copy of his notice of appeal on the Environment Agency together with copies of the documents mentioned in Sections a) to f) above.

If the appellant wishes to withdraw an appeal, he shall do so by notifying the Secretary of State in writing and shall send a copy of that notification to the Environment Agency.

Where the decision under appeal is one falling within subsection (6) if, on the application the holder of the licence, the Secretary of State or other person determining the appeal determines that the authority acted unreasonably in excluding the application of subsection (4), then -

- a) if the appeal is still pending at the end of the day on which the determination is made, subsection (4) above shall apply to the decision from the end of that day; and
- b) the holder or former holder of the licence shall be entitled to recover compensation from the authority in respect of any loss suffered by him in consequence of the exclusion of the application of that subsection;

and any dispute as to a person's entitlement to such compensation or as to the amount of it shall be determined by arbitration in default of agreement between the parties concerned, by the Secretary of State on the application of any of the parties.

Time limit for making an appeal;

[Section 7 - The Waste management Licensing Regulations 1994]

1) Subject to paragraph 2) below, notice of appeal shall be given in the case of an appeal under Section 43 of the 1990 Act before the expiry of 6 months beginning with -

i) the date of the decision which is the subject of the appeal; or

ii) the date on which the Environment Agency is deemed by Section 36(9), 37(6), 39(10) or 40(6) of the 1990 Act to have rejected the application.

2) The Secretary of State may in relation to an appeal under Section 43 of the 1990 Act at any time allow notice of appeal to be given after the expiry of the end of the period mentioned in paragraph 1) above.