

WASTE MANAGEMENT LICENCE NO. 1993(17)MOD(96)
SHEET 1 of 14

ENVIRONMENTAL HEALTH DEPARTMENT
ISLWYN BOROUGH COUNCIL
ENVIRONMENTAL PROTECTION ACT 1990
Licence to operate a Controlled Waste (inert)
Waste Transfer Facility

Whereas on the 25th February, 1992, the Islwyn Borough Council in pursuance of the powers conferred on them by the Control of Pollution Act, 1994 authorised:

Crosskeys Motors Ltd.,
Riverside Garage,
Newtown Industrial Estate,
Crosskeys,
Newport,
Gwent.
NP1 7PZ.

hereinafter called the "licence holder" to operate a Transfer Station on land at:-

Riverside Garage,
Newtown Industrial Estate,
Crosskeys,
Newport,
Gwent.
NP1 7PL.

Grid Reference 9135 2205 which is edged in red on the drawing attached to this licence, being land occupied by the licence holder, subject to the conditions set out therein.

NOTICE IS HEREBY GIVEN that the Islwyn Borough Council in pursuance of the powers conferred on them by Section 37 of the Environmental Protection Act 1990 modifies the said conditions as follows:-

Delete all conditions and drawings set out in Licence No. 1993(17) and substitute the conditions and drawings set out in Waste Management Licence Number 1993(17)MOD(96) attached to this Notice.

Such modification shall take effect on _____ at _____

Date this

9th

day of

Feb

1996

Signed

[Signature]

The licence holder's attention is drawn to the notes overleaf

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ISLWYN BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT 1990

The ISLWYN BOROUGH COUNCIL in pursuance of the powers conferred on them by the Environmental Protection Act, 1990, hereby licence:

Crosskeys Motors Limited
Riverside Garage
Newtown Industrial Estate
Crosskeys
Newport, Gwent
NP1 7PZ

hereinafter called the "licence holder" to operate a transfer station (hereinafter called the "facility") on land at Riverside Garage, Newtown Industrial Estate, Crosskeys 9135/2205 grid reference which is edged in red on the drawings attached to this licence, being land occupied by the licence holder.

This licence is granted subject to the conditions set out in the schedules attached hereto.

Dated this

9th

day of

Feb

1996

Signed

M D Workman

(Authorised Officer).

The licence holders attention is drawn to the notes overleaf

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NOTES

These notes are for general guidance only, and they do not constitute an authoritative statement of the law. In particular, the licence holder's attention is drawn to Paragraph 1, where primary relevant legislation only is described. The licence holder should therefore satisfy himself that he is conversant with all legislation which may affect his operation of the facility. If there are any doubts, expert legal opinion should be sought.

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the deposit of waste and the use of plant or equipment 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 **ENVIRONMENTAL PROTECTION ACT 1990, 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 OTHER RELEVANT WATER PROTECTION AND ENVIRONMENTAL HEALTH legislation.**

All discharges to watercourses have to meet the requirements of the National Rivers Authority. Any diversion or other changes will also require National Rivers Authority approval.

All discharges to sewers have to meet the requirements of the water company. Any diversion or other changes will also require the water company's approval.

2. If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the Waste Regulation Authority who has the right to decline to accept the new licence holder.
3. If the licence holder wishes to cancel this licence, he must return it to the Waste Regulation Authority together with a notice stating that he no longer requires the licence. 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 carriers authorised under the provisions of the Control of Pollution (Amendment) Act 1989 and Section 34 of the Environmental Protection Act 1990.

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

6. **Notices of Appeal**

[Section 6 : The Waste Management Licensing Regulations 1994]

A person who wishes 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.*

The notice shall be accompanied by -

- a) A statement of the grounds of the appeal;
- b) Where the appeal relates to an application for a Waste Management Licence or for the modification, surrender, or transfer of 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 a Waste Management Licence which has been suspended or revoked], a copy of that Waste Management 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 Waste Regulation Authority 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 Waste Regulation Authority.

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7. 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 the period 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 Waste Regulation Authority is deemed by Section 36(9), 37(6), 39(10 or 40(6) of the 1990 Act to have ejected 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 period mentioned in paragraph (1) above.

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CONTRAVENTION OF LICENCE CONDITIONS

Your attention is drawn to the provisions of Section 33, 38, 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 use of plant and equipment, otherwise than in accordance with the terms of the 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 licence conditions may lead to prosecution under this Section.

Section 38

Activities which cause pollution of the environment, harm to human health, or would be seriously detrimental to the amenities of the locality affected, may lead to revocation of this licence.

Section 42

Non-compliance with any licence condition may lead to revocation of this licence.

Section 59

The licensing authority is empowered to require the removal of any controlled waste deposited in circumstances where any of the conditions contained in this licence are not being complied with.

Penalties under Section 33

A person who contravenes Section 33, Subsection [1] shall, subject to Subsection [4] be guilty of an offence, and liable, upon summary conviction, to imprisonment for a term not exceeding six months or a fine of an amount not exceeding £20,000, or both, or on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.

SCHEDULE "A"

DEFINITIONS

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 give rise to pollution of the environment, or harm to human health, or would be seriously detrimental to the amenities of the locality affected.
2. In this licence, liquids which are "flammable", "highly flammable" or "extremely flammable" shall have the same meaning as Schedule 1, Part 1 of the Chemicals [Hazard Information and Packaging] Regulations 1993.
3. The gas venting system shall be deemed to have failed if levels of methane and carbon dioxide exceed 1.0% and 1.5% by volume respectively at any point beyond the boundary of the fill material.
4. A competent person [manager] shall for the purposes of this licence, mean a person who through training and/or qualification is able to identify the nature of wastes arriving at the facility and carry out operations at the facility in accordance with recommended practices. Such a person shall be in possession of:-

A Certificate of Technical Competence [COTC]
or a Provisional Certificate of Technical Competence [pCOTC]
or a Certificate of Qualifying Experience [CQE] awarded by the Waste Management Industry Training and Advisory Board.

or on the 10 August 1994 is 55 years of age or over, and in the 10 years ending on that date he has had at least 5 years experience as the manager of a facility at the equivalent level mentioned above. This competence shall last only until 10 August 2004.

or is deemed competent by virtue of Section 77(2) of the Environmental Protection Act 1990 and has been notified in writing by the Waste Regulation Authority.

5. In this licence, "liquid" and "solid" have their ordinary everyday meanings.
6. In this licence, "sludge" means an intimate mixture of solid and liquid.
7. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Environmental Protection Act 1990 and its associated regulations.

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8. In this licence, an Authorised Officer is an officer authorised by the Waste Regulation Authority for the purposes of the Environmental Protection Act 1990.
9. In this licence, the "water company" means the sewerage undertaker for the area, as defined by the Water Industry Act 1991.
10. In this licence, "operation" is defined as the receipt, handling, removal or deposit of controlled waste.
11. Any reference in the Working Plan to "Waste Disposal Authority" shall also be taken to refer to the Waste Regulation Authority.

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SCHEDULE B - TYPES OF WASTE

Types of waste materials stored at the facility shall consist only of the following solid wastes:

<u>Type of Waste</u>	<u>Maximum Quantity to be Stored at any one time at the facility</u>
General Builders Waste arising from the construction industry comprising only of topsoil, subsoils, brickwork, stonework, slate, concrete sand, wood, glass	80 cu metres

which do not contain any poisonous, noxious or polluting substances or putrescible material.

Maximum Quantity to be
Received during any
working day at the
facility

80 cu metres

EXCLUSIONS

Notwithstanding the generality of the types of waste specified in this Schedule the following wastes shall be specifically excluded from delivery to the facility without the prior written approval of the Waste Disposal Authority.

- (a) Controlled waste being defined as "special waste" in the Control of Pollution (Special Waste) Regulations 1980 and any subsequent amendments, (except those listed in Schedule B).
- (b) Substances within the Control of Radioactive Substances Act 1960 and subsequent amendments.
- (c) Percussives and explosives and other substances with similar characteristics, excepting where such wastes are in such a form or state where the percussive or explosive properties are and will remain ineffective;
- (d) Any waste containing substances listed in the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972.
- (e) Any substance listed by the United Kingdom Government under the provisions of the European Community Directive on Pollution Caused by Certain Dangerous Substances Discharged to the Aquatic Environment (76/464/EC) and listed in Annexe A of the Ministerial Declaration on the Second International Conference on the Protection of the North Sea 1987.

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SCHEDULE C

Working Plan

1. The licence holder shall operate the facility in accordance with the working plan as approved in writing by the Waste Regulation Authority and attached to this licence. The licence holder shall obtain written approval from the Waste Regulation Authority for any proposed change in the actual conduct of the operations from the proposals approved in the current working plan, before the proposed change is implemented.
2. No waste to be received at the facility until completion of all works as shown on the working plan.
3. An identification board of durable material and finish shall be displayed in a prominent position at the facility. This shall give the name, address and telephone number of the competent person and of the Waste Regulation Authority, the hours of operation and the telephone numbers of personnel to contact in the event of an emergency.
4. Gates and fencing shall be provided at the facility in accordance with the working plan. The gates shall be locked outside operating hours and precautions shall be taken in order to prevent unauthorised access. The fencing and gates shall be inspected daily by the site controller and any damage observed shall be repaired the same day.
5. Site drainage facilities shall be constructed and maintained in accordance with the working plan.
6. Lighting in accordance with the working plan shall be provided at the facility to illuminate those operations which are carried out during the hours of darkness as defined by the statutory lighting up times by the Science and Engineering Research Council.
7. If required by the Waste Regulation Authority, any waste shall be removed forthwith, if according to the Waste Regulation Authority, it is likely to give rise to pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.
8. The yard area of the facility shall be surfaced and maintained in accordance with the working plan. The entire yard area to be kept in a clean condition at all times. Appropriate cleaning equipment shall be provided for the purpose.

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9. Suitable facilities shall be provided in accordance with the working plan for maintaining equipment used at the storage facility.
10. The facility shall be managed by a technically competent person at all times when the facility is open.

Operations

11. Unloading of vehicles shall be confined to the tipping area indicated in red on the working plan. The subsequent reloading of the waste so deposited to be confined to the area marked green on the working plan. Skips containing controlled waste to be stored only within the area outlined in blue on the working plan.
12. Operational procedures for the facility shall be kept available at the facility and personnel made familiar with its contents.
13. The types of waste and maximum quantities stored at the facility shall consist of those specified in Schedule B of this licence. No waste shall remain at the facility for longer than 48 hours.
14. Waste shall be delivered to and removed from the facility only on Mondays to Saturdays between the hours of 8.00 a.m. and 5.00 p.m. Except in cases of emergency, no delivery or removal of waste shall take place outside these hours or on Sundays or Bank Holidays, without the prior approval of the Waste Regulation Authority. All circumstances of emergency shall be reported forthwith to the Waste Disposal Authority.
15. The person responsible for the management of the facility shall visually inspect each load of controlled waste on its arrival at the facility to ensure that its contents comply with the description as set out in Schedule B to this licence. Any load of controlled waste visually containing waste not of the description as set out in Schedule B shall not be accepted at the facility.
16. The person responsible for the management of the facility shall visually inspect each load of controlled waste whilst it is being off loaded at the tipping area. Any waste not of a description as set out in Schedule B to this licence shall be immediately removed and placed in a readily identified skip that shall be sited within the facility at all times for the purpose of the reception of all unacceptable waste. Such waste shall be removed from the facility as soon as possible or within such time as may be agreed with the Waste Regulation Authority and taken for disposal at a suitably licensed facility.

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17. No more than 16 cubic metres of solid waste shall be stored at any one time within the tipping area as indicated in red on the working plan.
18. A record shall be kept of the types and quantities of waste delivered to, and removed from, the facility, giving details of the origin of and its final destination, including materials inadvertently delivered to and subsequently removed from the facility. The record shall comprise full details, as required, on forms as agreed with the Waste Regulatory Authority, and copies shall be sent to the Waste Regulatory Authority, at a frequency as may be requested by the Waste Regulatory Authority. These records must be made immediately available to any representative of the Waste Regulation Authority for inspection at the facility at any reasonable time.
19. Waste on being deposited within the tipping area shall be sprayed with water when there is a likelihood that subsequent handling could give rise to the generation of dust.
20. No waste material shall be burnt within the boundaries of the facility. Any fire occurring within the confines of the facility shall be treated as an emergency and immediate action shall be taken to extinguish it. All outbreaks of fire shall be reported immediately to the Waste Regulation Authority. Fire fighting equipment and emergency water supplies shall be provided in accordance with the working plan and regularly maintained.
21. All waste tipped within the tipping area during any one day to be transferred that same day into waiting skips for subsequent onward travel. Tipping area to be cleared at the end of each working day.
22. Measures shall be taken to ensure that mud, debris or any other material is not deposited on the roadway by vehicles leaving the facility. These measures shall include the frequent cleaning of the entire area of the facility, on at least a daily basis and more often if the need arises.
23. Precautions shall be taken to deal effectively with any vermin and insects at the facility.
24. Litter shall not be allowed to accumulate at the facility. Any litter which accumulates at the facility or its immediate environs shall be gathered and disposed of in such a way so as to prevent pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.

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25. Measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility to ensure it is not seriously detrimental to the amenity of the locality.
26. The JCB wheel shovel shall be properly maintained at all times. If it should suffer a mechanical breakdown, it shall be immediately replaced by a like machine in good working order or alternatively, the facility should be closed until repairs to the JCB wheeled shovel have been carried out.
27. Any cessation of operations for a period in excess of three months shall be notified to the Waste Disposal Authority. Not less than 14 days notice shall be given to the Waste Disposal Authority of the date on which operations are to recommence in the event of such a cessation.
28. A copy of any notice of instruction received in respect of the facility from any authority, other than the Waste Regulation Authority, which in any way relates to the use of the facility, shall be given to the Waste Regulation Authority within three working days of the receipt of such notice or instruction.
29. The terms of this licence shall be made known to any person who is given responsibility for the management of control of the facility and a copy of these conditions shall be kept available at the facility.