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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 endanger life or health or cause damage to property or pollution of water.
2. In this licence a "flammable liquid" shall have the same meaning as ascribed to it by the Classification Packaging and Labelling of Dangerous Substance Regulations 1984 which includes a liquid mixture of liquids or liquid containing solids in solution or suspension which when listed in accordance with Part IV of Schedule 1 of the Classification Packaging and Labelling of Dangerous Substance Regulations 1984, gives off a flammable vapour at a temperature not exceeding 55 degrees Centigrade.
3. A "technically competent person" 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 judged 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, or
 - * is deemed competent by virtue of section 77(2) of the Environmental Protection Act 1990 and has been notified in writing to the Environment Agency.
4. A "manager" shall mean that person (or persons) who is (are) in control of the day to day activities of the site.
5. In this licence "site operative" shall mean any employee of

the licence holder.

6. In this licence "fly tipping" is defined as the unregulated and hence illegal dumping of waste material.
7. In this Licence, "Environmental Hazard" is defined as the presence of waste on land which has been deposited in such a manner or in such a quantity (whether that quantity by itself or cumulatively with other deposits of the same or different substances) as to subject persons or animals to a material risk of death, injury or impairment of health or as to threaten the pollution (whether on the surface or underground) of any water supply.
8. An "authorised officer" is an officer authorised by the Environment Agency for the purposes of the Environmental Protection Act 1990.
9. In this Licence, "Operation" is defined as the receipt, handling or removal of waste from the facility.
10. In this licence, "Household Waste", "Commercial Waste" and "Industrial Waste" shall have the same meanings as ascribed to them under the Controlled Waste Regulations 1992 (SI 1992 No. 588).
11. In this Licence "Recycling" is defined as the collection and separation of materials from waste and subsequent processing to produce marketable products.
12. In this licence, "Reclamation" is defined as the collection and separation of materials from the waste stream.
13. In this licence, "Special Waste" shall have the same meaning as ascribed to it under the Control of Pollution (Special Waste) Regulations 1980 or any subsequent amendments.

14. In this licence "difficult waste" shall mean any of those wastes listed in Appendix c of Waste Management Paper 26 - Landfilling Wastes which because of their hazardous nature or physical properties may require special handling procedures.
14. In this licence "secure container" shall mean a container 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.
15. In this licence, "drum container" shall mean any container of a capacity greater than 10 litres in which waste materials are stored.
16. In this licence the "site diary/log book" shall mean a record which may be kept in a written or computerised form.
17. Notwithstanding the above, words and phrases in this licence have the meanings ascribed to them by the Environmental Protection Act 1990 and it's associated regulations.

Schedule B- PERMITTED WASTES

B1. The types of waste materials accepted at the facility and the maximum quantities accepted per day shall consist only of the following solid wastes:

WASTE TYPE	QUANTITY
Inert Waste	10 tonnes
Construction, Demolition and Building wastes	20 tonnes
Household Waste	20 tonnes
Commercial Waste	100 tonnes
Industrial Waste	100 tonnes
Recyclables	75 tonnes
TOTAL	325 tonnes
DIFFICULT WASTES	100 tonnes (Included in the above total)

Only the following categories of difficult waste shall be accepted at the facility:

<u>Waste Category</u>	<u>Code</u>
Empty Used Containers	Q30
Industrial Effluent Treatment Sludges	Q40
Soap	S51
Detergent	S52
Food Processing Waste	T20
Road Sweeping Sludges	R20

B2. No more than 2,500 cubic metres of waste shall be stored at the facility at any one time. The maximum amount of waste received at the facility shall not exceed 74,999 tonnes per annum.

EXCLUSIONS

B3. Notwithstanding the generality of the types of waste specified in this Schedule the following wastes shall not be accepted at the facility:

a/ Substances within the control of the Radioactive Substances Act 1993 and subsequent amendments.

b/ Percussives and explosives and other substances with similar characteristics, excepting where such waste are in such a form or state where the percussive or explosive properties are and will remain ineffective;

c/ Any waste containing substances listed in the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972.

d/ Liquid wastes, including drum containers of liquid wastes.

SCHEDULE C- GENERAL CONDITIONS

The Working Plan

C1. (a) The statement of intended methods of operations contained within the document :-

UK WASTE MANAGEMENT LTD - APPLICATION FOR THE ISSUE OF A WASTE MANAGEMENT LICENCE - WASTE TRANSFER AND RECYCLING CENTRE, VIKING PLACE, ROATH DOCKS, CARDIFF - OPERATIONAL PLAN - Report No ENMCH001/081.646, dated 1 May 1996

submitted as part of the application for this licence, shall be referred to as the working plan:

(b) The licence holder shall notify the Environment Agency in writing of any proposed change in the actual conduct of operations, from those in the Working Plan not less than 21 days before the proposed date of implementation, or as otherwise agreed with the Environment Agency. The proposed change shall not be implemented if within 14 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.

(c) Any reference in this licence to the working plan shall include a reference to any modification to the statement or the drawings which have been approved in writing by the Waste Regulation Authority as appropriate.

(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 this licence together with a copy of the working plan shall be kept at the site at all times.

Technical Competence

C3. Within 14 days of the date of the issue of this licence, the licence holder shall forward to the Environment Agency a list detailing the technically competent person or persons who are to act as the manager(s) of the site. The details provided shall include:

- i) full name
- ii) position within the management structure

- iii) responsibilities
- iv) qualifications
- v) relevant certificates of technical competence or proof that not required.
- vi) details of where persons are based
- vii) details of any other sites for which persons are the technically competent person
- viii) contingency arrangements (eg for periods of leave or absence).

C4. Should at any time there be a change to the site manager(s) who is the technically competent person(s) for the site then the Environment Agency shall be notified in writing within 14 days.

C5. No operations shall take place unless the Environment Agency has given written confirmation to the licence holder that it is satisfied that the manager(s) of the site is a technically competent person(s).

General

C6. A copy of any notice of instruction including discharge consents received in respect of the facility from any authority, other than the Environment Agency, which in any way related to the use of the facility, shall be given to the Environment Agency within three working days of the receipt of such notice of instructions.

C7. The operator shall notify the Environment Agency before he commences either the activities authorised under this licence or begins any preparatory works required under Schedule D of the licence, whichever is the sooner.

C8. All circumstances of emergency shall be reported to the Environment Agency within 24 hours of its occurrence.

Schedule D - SITE INFRASTRUCTURE WORKS**Site Accomodation**

D1. In accordance with the detail of the working plan a site office, equipped with a telephone, shall be provided and maintained at the facility.

Site Security

D2. Gates, walls and fencing shall be provided at the facility to prevent unauthorised access to the site. The gates and fencing shall be maintained to the specification detailed in the working plan.

Lighting

D3. Lighting in accordance with the working plan shall be provided at the facility for those operations which are to be carried out during the hours of darkness as defined by the statutory lighting up times published by the Science and Engineering Research Council.

Notice Board

D4. An identification board of durable material and finish shall be displayed at the entrance to the facility. This shall clearly give the name of the facility, the name, address and telephone number of the operator and of the Environment Agency, the hours of operation and the telephone numbers of the personnel to contact in the event of an emergency.

Drainage

D5. A site drainage system shall be constructed and maintained in accordance with the working plan so that water does not accumulate at the facility. This system shall be purpose designed to intercept all contaminated surface waters and spillages so as to prevent contamination of the 'clean water' drainage system or any watercourse or ground water.

Transfer Building

D6. A 'waste recycling and transfer building' shall be provided and maintained for the unloading, sorting, storage, baling and loading of wastes, in accordance with the working plan.

Secure Storage for Unauthorised Wastes

D7. A quarantine area shall be provided to accommodate any waste delivered to or left at the facility that does not conform to Schedule B, in accordance with the working plan. All wastes stored in the quarantine area shall be kept in a secure container.

Plant and Machinery

D8. Plant and equipment for the handling, receipt and treatment of waste will be provided and maintained on site in accordance with the working plan.

Hardstanding and Parking

D9. Provision shall be made within the confines of the site for the parking, loading and unloading of vehicles transporting waste to and from the facility in accordance with the working plan.

D10. All operational areas within the facility shall be surfaced and maintained in accordance with the working plan.

Weighbridge

D11. Weighbridges will be provided and maintained in the locations shown and in accordance with the working plan.

Fuel Tanks and Bunding

D12. Tanks or drums used for the storage of liquids which may be polluting, including any fuels or oils, shall be contained in a bunded compound whose volume is at least 10% 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.

D13. Every part of the storage tank shall be within the bund.

D14. 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.

D15. 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 which ensures that it is kept within the bund when not in use.

D16. Measures in accordance with the working plan shall be taken to prevent damage to all pipework, valves, pumps, and storage tanks.

Log Book

D17. A diary/log book shall be kept at the site.

Schedule E -OPERATION OF SITE

Waste Reception

E1. No waste shall be deposited at the facility until all the works required under Schedule D of this licence have been completed.

E2. The types of waste and maximum quantities stored at the facility shall consist of only those specified in Schedule B of this licence.

E3. Wastes shall be only delivered to and removed from the facility in accordance with the hours detailed in the working plan. Except in cases of emergency, no delivery, or removal of waste or related operations shall take place outside these hours without the written approval of the Environment Agency.

E4. No waste shall be deposited at the site unless there are at least 3 site operatives in attendance.

Inspection of wastes

E5. The nature of the waste to be deposited at the site shall be ascertained by way of an examination of documentation and/or by visual inspection of the waste load, by a site operative, prior to deposit to ensure that it is acceptable within the terms of this licence. If the waste is not permitted under the terms of the licence, then the vehicle shall not proceed to the reception area and the load shall be rejected or quarantined in accordance with the procedures detailed in the working plan.

E6. Vehicles shall only be directed to the reception area when there is a site operative in attendance to supervise the unloading of waste. If the operative observes any waste not permitted under Schedule B then the waste shall be rejected or removed to the quarantine area in accordance with the working plan.

E7. All waste which it is intended to deposit at the site, other than paper suitable for direct baling, shall be unloaded upon arrival.

E8. All waste delivered to the site shall be unloaded, loaded, sorted and stored in the designated areas in accordance with the working plan.

E9. All transformers and capacitors shall be assumed to contain polychlorinated biphenyl unless there is written evidence to the contrary. Such evidence shall be made available to the Environment Agency upon request.

Procedures for Rejected Loads

E10. The Environment Agency shall be notified within 24 hours of any waste that is rejected as being unsuitable for disposal at the site by virtue of Conditions E6 and E7. 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 name, address and the carrier's Registration number of the person delivering the waste;
- the reason for rejection.

E11. If in the opinion of the Environment Agency any waste segregated for resale or reuse is likely to cause pollution of the environment, harm to human health or is likely to be seriously detrimental to the amenities of the locality, then the waste shall be removed forthwith.

Weighing

E12. All loads of wastes delivered to the site and intended for deposit and all loads of waste removed from the site subsequent to their deposit shall be weighed on the site weighbridge in accordance with the working plan.

Record Keeping

E13. A record (manual or computerised) shall be kept detailing the names of the waste carriers and the types and quantities of waste, referenced to the categories detailed in Schedule B of this licence, delivered to and removed from the facility. This record shall include details of all materials recycled or reclaimed on site. These records shall be made available to any authorised officer of the Environment Agency at any reasonable time.

E14. Copies of the daily records, required by condition E11, and a summary of the record 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.

E13.17
E13.2 } replace
E13.3 }
modified
30/3/99

deleted
in modification
30/3/99

Wastes Storage

E15. No waste, other than pre-sorted wastes for recycling, shall be stored in the external storage bays in accordance with the working plan. These wastes shall not extend to a height above the top of the bay nor beyond the confines of the bays.

Site Cleansing

E16. Hard surfaces shall be cleaned in accordance with the working plan and when requested by the Environment Agency.

E17. All spillages shall be dealt with in accordance with the procedures outlined in the working plan. 4.10.5, 4.10.6

E18. All of the storage bays shall be completely cleared and cleaned in accordance with the working plan, or when required by the Environment Agency, so as to prevent nuisance from the degradation of waste materials.

E19. No biodegradable waste shall be stored at the site for longer than 48 hours.

E20. There shall be no processing or treatment of waste at the facility except in association with the sorting and storage of materials suitable for recycling as stipulated in the working plan.

Litter — WP states daily

E21. Litter shall not be allowed to accumulate within the facility and shall be picked from the site not less frequently than once per seven days or at a greater frequency as directed by the Environment Agency. Litter shall be taken to include any waste debris which is collecting in, on and around the sort line. All litter collected shall be deposited in the general waste reception area in accordance with the working plan.

Fires

E22. 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 Environment Agency and a note of the incident made in the site diary. Fire fighting equipment and emergency water supplies shall be provided, regularly maintained and identified at the facility in accordance with the working plan.

Vermin

E23. Precautions in accordance with the working plan shall be taken to deal effectively with vermin and insects. A written record of inspections and treatment undertaken to control vermin and insects shall be made in the site diary.

Dust

E24. Precautions in accordance with the working plan shall be taken to control dust emissions. The effectiveness of these precautions will be measured by monitoring the dust emissions in accordance with the working plan.

Odour

E25. In the event that the Environment Agency deems there to be a significant odour problem at the site, odour suppressant sprays shall be utilised in accordance with the working plan.

Maintenance

E26. 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.

E27. The containment sump shall be periodically emptied so as not to impare the effective operation of the drainage system. Records shall be kept detailing the dates when the tank is emptied and the quantities of contaminated water removed. These records shall be made available to authorised officers of the Environment Agency .

E28. The gates and fencing shall be inspected daily by a site operative and any damage which would permit unauthorised access shall be repaired within 24 hours of it being identified. The site gates shall be locked outside operating hours and at any time the site is left unattended.

E29. Measures, including proper maintenance and use, shall be taken to control the noise of machinery and vehicles operating at the facility.

Log Book

E30. The information to be recorded in the site log book/diary shall be in accordance with the working plan. All relevant information shall be entered 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 facility.

Cessation of Operations

E31. Any cessation of operations for a period in excess of 3 months shall be notified to the Environment Agency. Not less than 14 days notice shall be given to the Environment Agency of the date on which operations are to recommence in the event of such a cessation.

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.

8. 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.