



INCOMING

Environmental Protection Act 1990
Section 37(1)(a)(b)
Licence No.LF/01/94



ASIANTA
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES



PERMIT

NOTICE OF MODIFICATION TO WASTE MANAGEMENT LICENCE

To: Rhondda Cynon Taff County Borough Council
The Pavilions
Cambrian Park
Clydach Vale
CF40 2XX

WHEREAS on 27 June 1994, Taff Ely Borough Council granted to Mid Glamorgan County Council a Waste Disposal Licence (now to be treated as a Waste Management Licence), reference number LF/01/94 relating to land at Former Coedely Colliery and Cokeworks, Coedely, Tonyrefail, subject to the conditions set out therein and in any subsequent modifications,

NOTICE is HEREBY GIVEN that the Agency modifies the said licence as follows: -

The following Schedules and Conditions shall be deleted from Waste Management Licence reference number LF/01/94,

All Schedules and Conditions

The following Schedules and associated Conditions shall be substituted into Waste Management Licence reference number LF/01/94

Schedule A Definitions
Schedule B Permitted wastes
Schedule C General conditions
Schedule D Site preparation works
Schedule E Operation of site
Schedule F Site capping
Schedule G Monitoring

Such modification shall take effect on 14 July 2001 at 00.01 hours.

Dated 13th July 2001

Signed Nadia De Longhi
NADIA DE LONGHI
Team Leader - Waste Licensing

NB- The person served with this notice may appeal against the Agency's decision to the National Assembly for Wales within six months or such longer period as the National Assembly for Wales may allow. (See notes overleaf)

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the National Assembly for Wales

- (a) an application for a licence or a modification of the conditions to the licence is rejected;
- (b) a licence is granted subject to conditions;
- (c) the conditions of a licence are modified;

the applicant may appeal about the decision to the National Assembly for Wales

Therefore if you feel aggrieved by the decision or any of the conditions to the licence as granted you may obtain the appropriate form on which to give written notice of an appeal from:-

The Planning Inspectorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

TEL 029 20 823859
FAX 029 20 825150

This notice of appeal should be accompanied by the following information: a copy of the licence; a copy of any correspondence relevant to the appeal; 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 a statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations. You are also required to serve a copy of your notice of appeal, together with copies of any of the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address below.) You should appeal within 6 months of the date that this notice takes effect but the National Assembly for Wales may allow notice of appeal to be given after the expiry of this time period.

Environment Agency Wales
Abacus House
St Mellons Business Park
St Mellons
Cardiff
CF3 0EY

SCHEDULE 'A' – DEFINITIONS

In this licence except where the context otherwise requires, the following expression or words shall have the meanings ascribed to them.

- A1 “Emergency” means 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 the environment.
- A2 “Flammable liquid” shall have the same meaning as ascribed to it by the Classification Packaging and Labelling of Dangerous Substances Regulations 1994 which includes a liquid, mixture of liquids or liquid containing solids in solution or suspension which when tested in accordance with Part IV of Schedule 1 of the Classification Packaging and Labelling of Dangerous Substances Regulations 1984, gives off a flammable vapour with a flashpoint below 55°C.
- A3 “Landfill gas” is defined as the gas that is generated by the waste deposited within the waste disposal site, either directly from the waste, from chemical interaction of wastes or by biological or chemical degradation of wastes.
- A4 “Authorised officer” is any person authorised in writing by the Environment Agency pursuant to section 108(1) of the 1995 Environment Act to exercise any of the powers specified in subsection (4) of that section.
- A5 “Operation” is defined as the receipt, handling, or removal of waste from the facility.
- A6 “Working Plan” means the working plan identified in writing by the Agency at the time of issue of this licence and any subsequent amendments made to it in accordance with the conditions of this licence.
- A7 “Time periods, e.g. annually, quarterly, monthly, per year, etc.”
Where periods are referred to in conditions, they shall be calculated in the following way:
- annually or per year: 1 April to 31 March;
 - quarterly: 1 April to 30 June, 1 July to 30 September, 1 October to 31 December, 1 January to 31 March;
 - monthly: calendar month;
 - weekly: Monday to Sunday.
- Where the issue of the licence does not coincide with the start of any of these periods, then any relevant limits for the first period shall apply pro rata.
- A8 “Immediately” means for carrying out of actions under the conditions, shall mean without delay and within a reasonable time, taking into account any more immediate direct action necessary to prevent or minimise risk to human health and the environment. For carrying out notifications to the Agency, shall also mean by the fastest effective means available (for example, telephone) and confirmed in writing within 1 working day (or such other time as may be agreed by the Agency within the conditions);

SCHEDULE 'B' – PERMITTED WASTES

- B1 No wastes other than those which are both categorised below and specified in detail in section 1.2 of the working plan shall be accepted at the site.

Permitted types and quantities of waste	
Permitted waste categories	Maximum permitted quantities
Wastes arising only from the Coed Ely Colliery and Cokeworks reclamation scheme.	210,000 cubic metres that is in addition to the 60,000 cubic metres previously encapsulated.

B2 **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.

- a Substance within the control of Radioactive Substances Act 1960 and subsequent amendments.
- b 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;
- c Any waste containing “flammable liquids”.
- d Liquid wastes.

SCHEDULE 'C' – GENERAL CONDITIONS

- C1 **a** Subject to the terms and conditions of this licence, the site shall be operated in accordance with the working plan.
- b** The licence holder shall give the Agency prior notice in writing of any proposed change to any sections of the working plan and to any appendices, drawings and figures which are referenced in those sections.
- c** The notice shall be accompanied by a copy of the proposed changes, and by a written assessment of the effect that implementing the proposed change to the working plan would have on the risk posed by the site to human health and the environment.
- d** The proposed change to the working plan shall not be implemented unless the Agency has given its written consent to it and from the date of consent, the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.
- C2 A copy of any notice or instruction including discharge consents received in respect of the facility from any authority, other than the Environment Agency, which is relevant to waste disposal activities at the facility, shall be given to the Environment Agency within three working days of the receipt of such notice or instructions.
- C3 The financial provision for meeting the obligations under this licence shall be agreed within 3 months of issue of this modification and shall be maintained by the Licence Holder throughout the subsistence of this licence. The Licence Holder shall produce evidence of such provision whenever required by the Agency.

SCHEDULE 'D' – SITE PREPARATION WORKS

- NI D1 From the date of this modification, waste shall only be deposited in phases which have an engineered landfill containment system which is constructed, completed, documented and recorded in accordance with section 2.1 and Appendix B of the working plan.
- D2 Waste shall only be deposited in the lined area of the site. The area of the site that is to accept waste shall be so designed, constructed and maintained as to minimise the ingress of ground water, the egress of leachate and the off site migration of landfill gas generated on site. The basal and side walls shall be lined in accordance with the lining system specified in the working plan using materials suitable for the types and quantities of waste accepted, the method and specification for emplacement and climatic/site conditions likely to be experienced over the lifetime of the site. The liner shall be installed in accordance with the specification and procedures contained in the working plan.
- D3 The emplacement of the liner system shall be carried out in such a way that it does not entail any protracted exposure which may result in weathering or vandalism of the liner.
- D4 The engineered site containment and drainage system shall be designed, constructed, validated and maintained and shall be fully documented and recorded to be fit for purpose and to meet the standards specified in Appendices A and B of the working plan.
- D5 On completion of each component of the lining system and, where possible, prior to emplacement of the next component of the liner system and/or any waste being brought to the site, an independent chartered specialist shall furnish a "compliance document" to the Environment Agency, in accordance with Appendix A of the working plan.
- This document shall contain details of the tests carried out and the results obtained together with a statement confirming that the liner component meets the specifications in Appendix B of the working plan. Location plans of all tests carried out and plans detailing the construction of the liner shall be included with the "compliance document".
- D6 Prior to, during and subsequent to the installation of the liner, the location of all significant water ingress points shall be recorded on a site plan to an appropriate scale of not less than 1: 1250 and held at the site office. Copies of this plan shall be forwarded to the Environment Agency when the "compliance document" for any component of the lining system is submitted to the Environment Agency.
- D7 A drainage system shall be designed, constructed and maintained to prevent surface water from surrounding land from entering the operational area, so as to avoid the contamination of any surface water in accordance with section 2.5 of the working plan.
- D8 In accordance with section 2.3 and Appendix B of the working plan, a system for the collection and removal of leachate shall be designed, constructed and maintained over the base of the site. The construction and emplacement of the leachate collection system shall not be so as to affect the integrity and performance of the liner.
- D9 The site shall be developed with a fall to facilitate the monitoring and removal of leachate. A leachate collection chamber shall be installed with the construction and methods of

emplacement of the chamber in accordance with section 2.3 and Appendix B of the working plan.

- D10 The landfill gas management system for the cell shall be designed, constructed, operated, maintained and monitored to meet the design and operational standards specified in section 2.4 of the working plan.
- D11 Any part of the gas control system that fails to meet the design standards of the working plan shall be repaired or replaced, after consultation and the agreement of Environment Agency, immediately.
- D12 Site access roads shall be designed, constructed and maintained in accordance with section 3.1 of the working plan so that they are adequate for the traffic usage of the site.
- D13 Gates and fencing shall be provided at the facility and maintained at all times in accordance with section 3.2 of the working plan.
- D14 An identification board of durable material and finish shall be displayed at the entrance to the facility. The identification board shall be inspected at least once per week. In the event of damage or defect, the board shall be repaired or replaced within 3 working days. The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:

Site name and address;

Licence Holder name;

Operator name;

Licence number;

Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);

Statement that the site is licensed by the Environment Agency;

Agency national numbers, for General Enquiries (0645 933 3111) and Emergencies (0800 807060), or as subsequently notified in writing by the Agency;

Days and hours site is open to receive waste.

- D15 Tanks or drums used for the storage of liquids which may be polluting 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 labelling to show their contents. They shall conform, where necessary, to all relevant safety construction standards and shall be installed at a location and to specification in accordance with the working plan. All tanks, drums and containment bunds shall be inspected at monthly intervals to ensure their integrity.
- D16 Any flexible delivery pipe permanently attached to any tank shall be fitted with a tap or valve which closes automatically when not in use and shall be locked in such a way which ensures that it is kept within the bund when not in use.

SCHEDULE 'E' – OPERATION OF SITE

- E1 The types and quantities of waste accepted shall consist of those specified in Schedule B of this licence. Wastes originating outside the Coedely Reclamation Site shall not unless otherwise agreed with the Environment Agency be accepted in any area of the site.
- The waste management operations authorised by this licence shall only be carried out within the times specified in section 1.3 of the working plan.
- Except in cases of emergency, no delivery or removal of wastes or related operations shall take place outside these hours without the prior written approval of the Environment Agency. All circumstances of emergency shall be reported immediately to the Environment Agency.
- E2 No materials shall be deposited at the site which are likely to directly or by interaction to reduce the performance of the liner system.
- E3 The first 2 metres of waste deposited on to the protective layer shall be deposited in a manner and consist only of material which shall not penetrate the protective layer and affect the integrity and performance of the liner. Subsequent layers of waste shall be deposited in a manner and consist of materials that shall not affect the integrity and performance of the liner laid on side walls. All wastes shall be discharged and emplaced in accordance with section 4.6 of the working plan.
- E4 No deposit or other operation shall take place during the hours of darkness unless suitable lighting has been provided in accordance with section 4.6.2 of the working plan. The hours of darkness are those covered by statutory lighting up times published by the Science and Engineering Research Council.
- E5 Whenever the site is open to receive or despatch waste, it shall be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan regarding:
- waste acceptance and control procedures;
 - operational controls and environmental monitoring;
 - maintenance;
 - record-keeping;
 - notifications to the Agency.
- E6 A copy of this licence and the working plan shall be kept available on site for reference when required by all site staff carrying out work under the requirements of the licence.
- E7 Any changes in the technically competent management of the site and the name of any incoming person (together with evidence that such person has the required technical competence) shall be submitted to the Agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as defined under section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the Waste Management Licensing Regulations 1994.

- E8 All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with section 4.4 of the working plan.
- E9 All wastes accepted at and despatched from the site shall be measured in accordance with section 4.5 of the working plan.
- E10 The phasing and direction of land filling shall be carried out as detailed in plan no. LRC/003/9109 or subsequent revisions.
- E11 Measures shall be taken to prevent the creation of perched water tables within the deposited wastes and in such a manner as to minimise leachate production.
- E12 If the level of liquid in the leachate collection or leakage detection layers exceeds 1.0 metre then the liquid shall be pumped out and dealt with as leachate in accordance with section 2.3 of the working plan. The amount of leachate pumped from the collection points shall be recorded on site and made available for inspection by the Environment Agency.
- E13 Litter shall not be allowed to accumulate at the facility. Not less frequently than once per seven days or at a greater frequency as directed by the Environment Agency any litter which may be lying at the facility or its immediate environs shall be gathered and disposed of in such a way as to prevent pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.
- E14 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. Fire fighting equipment shall be provided, regularly maintained and identified at the facility in accordance with section 4.3 of the working plan.
- E15 A site diary shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events:
- Start and finish of site preparatory works
 - Start and finish of daily waste management activities on site
 - Plant maintenance and breakdown
 - Emergencies and actions taken
 - Problems with wastes received and actions taken
 - Site inspections including environmental monitoring by the operator, their findings and remedial responses
 - Despatch of records to the Agency
 - Severe weather conditions.
 - Technically competent management attendance on site; time onto site and time left site
 - Environmental problems and remedial actions

Each record shall be completed within 24 hours of the relevant event.

- E16 A record shall be kept of all wastes received and of all materials (wastes and recovered materials) removed from the site. The records shall include the following:

for waste received:

- a** origin of waste
- b** date received
- c** quantities in tonnes received and waste type
- d** nature of the waste (solid, liquid or sludge)

for waste/material removed:

- e** date removed
- f** quantities in tonnes removed and waste and/or material type
- g** destination of waste and/or materials removed
- h** nature of the waste and/or materials (solid, liquid or sludge)

A summary of the information, including nil returns, shall be submitted to the Agency, in the format specified by the Agency in Annex 1 which forms part of this condition. Summaries shall be for each quarter of the financial year and shall be submitted to the Agency within one month of the end of each quarter.

- E17 Measures shall be taken in accordance with section 4.1 of the working plan to prevent the deposit of mud, debris or any other material on any roadway by site traffic.

In the event that mud or debris arising from the site is deposited on public areas outside the site, then remedial measures, including the use of a road-sweeper, shall be implemented immediately.

- E18 Both site and site access roads shall as necessary in dry weather, be sprayed with sufficient uncontaminated water to prevent dust occurring, but without creating excessive surface run off, in accordance with section 6.1 of the working plan.
- E19 No previously deposited and compacted waste shall be removed from the site, moved within the site or otherwise displaced without prior written agreement of the Environment Agency.
- E20 The final 2 metres of waste shall be deposited in a manner and consist only of materials which shall not penetrate the protective layer and affect the integrity and performance of the site cap.
- E21 Should, through the system of monitoring, pollution of groundwater be detected and attributed to the landfilling of wastes covered by this licence, the licence holder shall submit to the Environment Agency a revised scheme to mitigate against such pollution. The programme if acceptable to the Environment Agency shall be commenced within 3 months.
- E22 Any cessation of operations for a period in excess of two weeks 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.

SCHEDULE 'F' – SITE CAPPING

- F1 When final level has been reached, the site shall be capped and maintained, in accordance with section 2.2 and Appendix B of the working plan, to prevent
- a the uncontrolled migration of landfill gas into surface soils of the site;
 - b the penetration of surface water into waste bearing layers of the site;
 - c the egress of leachate from the surface of the site.
- F2 The final surface of the site shall be adequately contoured to allow for settlement and to encourage surface water run off.
- F3 All engineering works prior to the commencement of restoration, including permeability tests and specifications for emplacing the impermeable capping shall be in accordance with a programme of Construction Quality Assurance detailed in Appendix A of the working plan. The capping of the site shall be supervised by an independent chartered specialist.

Within 1 calendar month of completion of the cap, the independent chartered specialist shall furnish a "compliance document" to the Environment Agency. This report shall contain details of the testing carried out and the results obtained, together with a statement that the cap meets the specification in Appendix B of the working plan.

Location plans of all tests carried out and plans detailing the construction of the cap shall be included with the "compliance document".

SCHEDULE 'G' – MONITORING

- G1 From the date of this modification, monitoring and sampling of landfill gas within the cell shall be carried out and recorded in accordance with this condition and section 5.2 of the working plan:
- G2 From the date of this modification, engineered landfill gas monitoring systems shall be provided to enable monitoring of the gases in the ground outside the cell in accordance with this condition and section 5.2 of the working plan.

The engineered external landfill gas monitoring system provided shall be:

- a designed, constructed, completed, and shall be fully documented and recorded; and
 - b inspected and maintained, and fully documented and recorded;
- in accordance with section 5.2 of the working plan.

- G3 A record of the quality assured landfill gas monitoring and sampling results (internal and external to the waste) shall be made and submitted to the Agency in accordance with section 5.2 of the working plan.
- G4 From the date of this modification, monitoring and sampling of leachate arising in the cell shall be carried out and recorded for each of the leachate monitoring points in accordance with this condition and section 5.3 of the working plan:
- G5 From the date of this modification, monitoring and sampling of leachate arising in the engineered cell shall be carried out and recorded for each of the leachate points specified in accordance with section 5.3 of the working plan. Leachate levels and depths shall be related to Above Ordnance Datum (m AOD).
- G6 A record of the quality assured leachate monitoring and sampling results shall be made and submitted to the Agency in accordance with section 5.3 of the working plan.
- G7 From the date of this modification, engineered groundwater monitoring systems shall be provided to enable monitoring of the groundwater outside the cell in accordance with section 5.4 of the working plan.

The engineered external groundwater monitoring system provided shall be:

- a designed, constructed, completed, and shall be fully documented and recorded; and
 - b inspected and maintained, and fully documented and recorded;
- in accordance with section 5.4 of the working plan.

- G8 Monitoring and sampling of groundwater external to the cell shall be carried out and recorded in accordance with section 5.4 of the working plan. Groundwater levels shall be related to Above Ordnance Datum (m AOD).

- G9 A record of the quality assured groundwater monitoring and sampling results shall be made and submitted to the Agency in accordance with section 5.4 of the working plan
- G10 From the date of this modification, monitoring of surface water quality shall take place at locations that are physically marked and that are described in section 5.5 of the working plan to ensure that periodic measurements of quality are taken at the same position.
- G11 Monitoring and sampling of surface water shall be carried out and recorded in accordance with section 5.5 of the working plan.
- G12 Any groundwater, leachate or gas monitoring boreholes that for whatever reason become unsuitable shall be restored or replaced following agreement with the Environment Agency, within two weeks of becoming unserviceable. A record shall be kept available for inspection of all such servicing.
- G13 The Licence Holder shall provide the Agency on the anniversary of this modification, or such other time as is agreed in writing with the Agency, a report on the environmental performance of the site, which shall include the following information:
- a an analysis and review of the results of environmental monitoring required under these conditions, with an interpretation of the trend of the results against background and trigger levels;
 - b a review of the risk assessment for the site, taking account of the findings under 'a' above;
 - c where changes to the risk assessment are identified under 'b' above, a review of the risk management systems provided at the site.