

ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37(1)(a)



**ASiantaeth Yr
Amgylchedd Cymru
Environment
Agency Wales**

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

2

To: Gethin Davies & Son
Croescarneinion Farm,
Rhiwderin,
Gwent.



OUTGOING



PERMIT

WHEREAS on 15 March 1989 the Newport Borough Council granted to you a Waste Disposal Licence, now to be treated as a Waste Management Licence, Reference Number 053/89 relating to a landfill site at Croescarneinion Farm, Rhiwderin, Gwent,

and **WHEREAS** the Newport Borough Council modified that licence, deleting and replacing all existing conditions to take effect on 1 January 1993, subject to the conditions set out therein and in any subsequent Modifications,

NOTICE is HEREBY GIVEN that the Environment Agency ("the Agency") modifies the said conditions as follows:-

The following Conditions attached to Waste Management Licence Reference Number 053/89 shall be deleted,

Condition Number(s): 17, Schedule C

and the attached Conditions, Waste Management Licence Reference Number 053/89 shall be substituted.

New Condition No: 17, Schedule C

17.1 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 each vehicle load of waste/material.

for waste received

- (a) origin of waste
- (b) date received
- (c) quantities in tonnes received and waste type as specified in Condition No: 13, Schedule C
- (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)

17.2 A summary of the information, including nil returns shall be submitted to the Agency, in a format required by the Agency. 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.

Such modification shall take effect on 31 March 1999 at 24.00 hours

DATED 26 MAR 1999 1999

(Signed)

Team Leader Waste Licensing

Environment Agency Wales, South East
Rivers House
St Mellons Business Park
St Mellons
Cardiff CF3 0LT

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

APPEALS

The Environmental Protection Act 1990 provides an appeal mechanism against the service of this notice. If a licence holder is aggrieved by the decision of Environment Agency Wales in modifying conditions specified in a waste management licence he or she may appeal to the Secretary of State in accordance with Section 43 of the Environmental Protection Act 1990. Appeals must be notified, in the manner prescribed by Regulation 6 of the Waste Management Licensing Regulations 1994 (see Appendix), within six months of the date of this notice. A copy of the form on which notice of an Appeal may be given is available from:

The Secretary of State for Wales
Welsh Office
Environment Division
Cathays Park
Cardiff CF1 3NQ
Tel: 01222 823665
Fax: 01222 825008

The Secretary of State has the power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of an appeal.



Gethin Davies & Son
Croescarneinon Farm,
Rhiwderin,
Gwent.

Dear Sir/Madam,

MODIFICATION OF WASTE MANAGEMENT LICENCE NO:053/89

I refer to earlier correspondence detailing Environment Agency Wales' proposals to modify your waste management licence with regard to site waste input/output returns. I hereby enclose a notice to modify your licence conditions in accordance with Section 37 of the Environmental Protection Act 1990. The modification takes effect from the date on the notice. You are advised to read this letter and enclosures carefully as it contains information important to your business.

The modification

The enclosed licence modification requires you to keep a record for each load of waste or material accepted or removed from the site. The records shall give details of quantities, types and origins/destinations of waste accepted, disposed of and /or recovered at, and taken away from, the site. I enclose a daily record sheet which you may use if you wish. A summary report must be made for each quarter of the financial year and must be submitted to the Agency on the enclosed return form within one month following the end of the quarter. The first return in the new format covering the three month period from 1st April 1999 – 30th June 1999 should be made by 31st July 1999. Metal Recycling Sites are required to make at least an annual return with the first return in the new format covering the period 1st April 1999 – 31st March 2000 to be made by 30th April 2000.

The Agency requires quantities of wastes to be identified in tonnes. Where you are not able to determine weights then the Agency will require you to measure volumes and convert them into tonnes using conversion factors which are enclosed with this letter.

The Agency recognises that the requirement to identify the origin of wastes by local authority area (Unitary Authority in Wales and District Council in England) for each vehicle load may present difficulties where a vehicle load consists of small amounts of waste collected across several local authority areas. Where this is the case the Agency will not require a record to be kept of district of origin for each part of the load. However, the summary record sent in to the Agency should identify district of origin for wastes types and quantities; this should be worked out from Duty of Care transfer notes or from invoicing details.

Cont/d..

Important note

Please note that this exercise will not alter in any way the permitted waste types and quantities which can be accepted at your site as defined in your licence. You are also strongly advised to ensure that you comply with the Special Waste Regulations 1996 when assessing whether a waste is special. The enclosed list of categories of waste for the returns should not be used to determine whether a waste is special or not.

Right of appeal

If you do not agree with the conditions in this modification you may appeal to the Secretary of State. Details of the appeals procedure is given in the Waste Management Licensing Regulations 1994. Before lodging such an appeal you may first wish to discuss the matter with Environment Agency Wales and should refer to the guidance notes appended to the Notice.

Public Registers

Environment Agency Wales is required to maintain comprehensive registers of information and correspondence relating to the licensing process and the supervision of licensed activities. These registers are open for scrutiny by the public and contain, for example, copies of licences and modifications, monitoring data, summary site returns, legal notices and copies of inspection reports. You may apply to the Agency to have certain information excluded from the register if you believe it to be commercially confidential and it is then up to the Agency to decide whether or not this is the case.

Provision of help

The Agency has commissioned consultants Babbie to help with this work; one of their staff will be contacting your company during the next fourteen days to see whether you require any assistance. A helpline will be available until the end of April to answer further questions on telephone number 0118 988 1508.

Summary of documents enclosed

This package contains the following:

- 1) The Notice of Modification and appeal procedure.
- 2) A standard licence return form for quarterly (annual for metal recycling sites) returns to the Agency that must be used from 1st April 1999 until further notice in accordance with your new licence condition.
- 3) Instructions for completing the site return form.
- 4) A second copy of the list of 25 waste categories which the Agency requires you to use in your site return.
- 5) A set of standard conversion factors to be used at sites without weighing equipment.
- 6) A list of Unitary Authorities in Wales and adjacent English District Councils to identify the source or destination of wastes/materials.
- 7) A daily record sheet which you could use to record details of vehicles using the site and types, quantities and origin of the wastes

The Agency seeks your full cooperation in this matter which is an important component of the Agency's drive to ensure consistency in Wales and to promote sustainable waste management.

Yours faithfully,



DARON HERBERT
Team Leader Waste Licensing
Enc.