



**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37**

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE REF No: EAWML46173	FACILITY TYPE:
LICENCE HOLDER: Envirotreast Ltd Suite 2/3 LCP House The Pensnett Estate Kingswinford West Midlands DY6 7NA	Mobile Treatment Licence
Company Registration No. 2542016	

WHEREAS on the 19 December 2003 the Environment Agency issued a waste management licence in pursuance of its powers under Part II of the Environmental Protection Act 1990.

NOTICE IS HEREBY GIVEN that the Agency modifies the conditions of the said licence in accordance with Section 37(1)(a) of the Environmental Protection Act 1990 and as set out in the Schedule attached to this notice.

Signed

Name Dirk Comerford
Team Leader Regulatory Support (Waste)

Dated 31 March 2006

This modification shall take effect on 01 April 2006 at 00.01 hours

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED AT
THE END OF THIS MODIFICATION.**



SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION

Modification of conditions under section 37(1)(a) as follows:

Delete all existing conditions.

and

Replace with new conditions entitled Schedule 1, as attached to this notice.

EXPLANATORY NOTES - including rights of appeal.

RIGHTS OF APPEAL

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

Where, except in pursuance of a direction given by the Secretary of State, the conditions of a licence are modified, the licence holder may appeal from the decision to the Secretary of State.

Therefore, if you feel aggrieved by the decision detailed on the attached notice, you may obtain the appropriate form on which to give written notice of an appeal from :-

The Planning Inspectorate
Environment Appeals Team
Room 4/19, Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

For Wales, the address is -
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0117 372 8726
Fax: 0117 372 8139

Tel: 02920 823859
Fax: 02920 825150

This notice of appeal should be accompanied by the following information:

A statement of the grounds of appeal;

A copy of any application to modify the licence

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 the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

SCHEDULE 1

1 Specified Waste Management Activities

1.1 This Mobile Treatment Licence (MTL) authorises the holder to treat contaminated materials, substances and products, for the purpose of remedial action with respect to land or controlled waters using the following technology and associated plant necessary to facilitate the remedial action, including the use of that technology and plant in combination with others listed:

- Solidification
- Stabilisation

and treatment plant for blending, mixing, bulking, screening, shredding, particle size reduction and / or particle separation in order to facilitate remedial action.

The above activities being Recovery and Disposal (the R&D codes) activities as detailed in the Waste Management Regulations 1994.

2 Agreement of the deployment form and supporting information

2.1 Remedial action, involving the treatment of waste, must not begin at any operating site until the Environment Agency has agreed a deployment form in writing for that particular site.

2.2 The remedial action shall be carried out in accordance with the application submitted in support of this MTL (where appropriate), the agreed deployment form and the conditions of this licence.

2.3 The operator shall detail in their deployment form the length of time (either actual time or event) that the deployment form will be used at any one operating site. Following the expiry of that time the deployment form will cease to be operational on that operating site, unless an extended time period is agreed by the Agency.

3 Changes to the deployment form requiring prior consent by the Agency

3.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to the agreed Deployment Form, and to any appendices, drawings and figures which are referenced in the Deployment Form.

3.2 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 Deployment Form would have on the risk posed by the site to human health and the environment.

3.3 The Licence Holder shall provide up to 6 additional copies of the proposed change and supporting risk assessment to the Agency, when required by the Agency in writing.

3.4 The proposed change to the Deployment Form shall not be implemented unless the Agency has given its written consent to it. The Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the change to the Deployment Form shall be deemed to replace the previous version.

4 Permitted quantities of contaminated material, substances or products

4.1 The total quantity of contaminated material, substances or products treated at any operating site must not exceed that stated in the agreed deployment form for that particular site.

4.3 Only those contaminated material, substances or products types listed in the agreed deployment form can be stored and treated under this licence.

Staffing and understanding of requirements of licence conditions

5 Minimum staffing and supervision

5.1 Whenever placing material for treatment, pre-treatment, carrying out remedial action or removing materials from site it must be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the MTL, the deployment form and MTL application regarding:

- contaminated material, substances or products acceptance and control procedures
- operational controls and environmental monitoring
- maintenance
- record-keeping
- emergency action plans
- notifications to the Agency.

With regards to the ongoing treatment of contaminated materials, substances or products alternative arrangements may be agreed in the deployment form, dependent upon the treatment method.

6 Availability of licence and deployment form

6.1 Unless otherwise agreed in writing with the Agency a copy of this MTL, the submitted application form and the agreed deployment form for the operating site must be kept available on the operating site for reference when required by all site staff carrying out work under the requirements of this MTL.

7 Understanding of licence and deployment form

7.1 All staff must be, or must work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and deployment form which are relevant to their duties.

8 Attendance of technically competent persons

8.1 The arrival and departure time of the technically competent person(s) at the operating site must be recorded in the site diary.

9 Changes in technically competent persons

9.1 The name of any incoming person and evidence that such person has the required technical competence, must be submitted to the Agency in writing, within 7 days of the change in management. In this licence, technically competent management and technical competence has the same meaning as under section 74 of the 1990 Act and Regulations 4 and 5 of the 1994 Regulations.

Relevant convictions

10 Notification of relevant convictions

10.1 If the Licence Holder and/or any relevant person is convicted of any relevant offence which is in addition to any already notified to the Environment Agency, then full details must be provided to the Agency within 14 days following sentencing, whether or not the conviction or sentence is subsequently appealed. In this licence relevant person has the same meaning as under section 74(7) of the 1990 Act. Such details must include, in respect of each relevant person, the nature of the offence, the place and date of conviction, and any fine or other penalty imposed.

11 Notifications of appeals against convictions

11.1 If the Licence Holder and/or any relevant person lodge an appeal against any such conviction or sentence, the Licence Holder must notify the Agency of this within 14 days of the lodging. The Licence Holder must notify the Agency of the results of that appeal, within 14 days of the appeal being decided.

12 Notification of change of operator's or holder's details

12.1 The following information must be notified in writing within 7 days to the Agency:

- Any change in the Licence Holder's trading name, registered name or registered office address
- any steps taken with a view to the Licence Holder going into administration, entering into a company voluntary arrangement, being wound up or becoming bankrupt.
- the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder).

13 Notification of preparatory works

13.1 No preparatory works shall be undertaken until at least 7 days prior notice in writing has been given to the Agency of the intention to do so. The notification shall include details of what work is being done and when.

14 Cessation and resumption of treatment processes

14.1 If unplanned treatment ceases for longer than 21 days consecutive then within 7 days following the end of the 21 day period, the Licence Holder must inform the Agency, in writing of the date of cessation and of the planned date of resumption.

14.2 The Licence Holder must give to the Agency not less than 7 days prior notice in writing of the intention to resume treatment of contaminated material, substances or products.

14.3 The Licence Holder must give notice to the Agency that the specified time period for the use of an agreed deployment form has lapsed.

15 Removal of residual contaminated material, substances or products from operating site

15.1. If the treatment operations on an operating site cease and they are not resumed within 1 month of when the treatment stops, all plant on the site must be decontaminated. All waste resulting from the decontamination process must be removed from site within 7 days.

16 Notifications and submissions to Agency

16.1. Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions:

- must be made in writing and submitted to the Agency
- must quote the licence reference number and the name of the Licence Holder
- must clearly reference the operating site to which the notification refers.

Engineering for pollution prevention and control

17 Provision and maintenance of containment and drainage systems

17.1. Potentially polluting materials must only be deposited, stored, treated or otherwise handled in an area of the site where an engineered containment and drainage system has been provided for that area which meets the standards in Table 1.

17.2 The engineered containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in Table 1.

17.3. No liquid must run off areas of impermeable pavement other than via the appropriate drainage system.

17.4. The drainage system associated with impermeable pavements must be sealed so that it does not leak and is capable of collecting and containing liquids draining from the impermeable pavement.

Table 1 Site containment and drainage standards

Type of Site Surface and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
a) Impermeable pavement, bunding and sills	Areas of impermeable pavement, bunding and sills must be constructed and maintained, such that it is fit for purpose, so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints.
b) Sealed drainage systems	i) Drainage from areas of impermeable pavement must be provided with either: • A sealed sump, which must be inspected and emptied when the collected liquids reach 80% of its capacity as measured using a dipstick or other appropriate gauge, and constructed and maintained so as to collect and contain all liquids which run off the pavement; or • A three chamber oil interceptor, which must have a minimum of six minutes retention time per chamber at its maximum flow rate and shall drain to a lawful discharge. The interceptor shall be maintained so as to intercept all liquids which run off the pavement. ii) Inspections and emptying of sealed sumps shall be recorded in the site diary. iii) Uncontaminated drainage from clean areas must be kept separate from contaminated drainage.
c) Roofed or covered processes	i) All roofed or covered processes must be designed, constructed and maintained to prevent ingress of rain and surface water. ii) Uncontaminated drainage must be kept separate from contaminated drainage.
d) Fixed bays and other fixed containers	All fixed bays and other fixed containers used for the treatment of contaminated material, substances or products must be constructed and maintained to a standard which is fit for purpose.
e) Storage areas for skips, drums and other mobile tanks and containers	All skips, drums and other mobile tanks and containers, which are used for the storage and treatment of contaminated material, substances or products, or reagents, must be constructed and maintained so that they do not leak any liquids contained in them.
f) Inspection and maintenance of engineered containment	All areas of impermeable pavement, sealed drainage systems, covered buildings, roofed areas, fixed bays and other containers and storage areas for skips, drums and other mobile tanks and containers: i. must be inspected no less frequently than monthly, to ensure the continuing integrity and fitness for purpose of their construction, and the inspection and any necessary maintenance must be recorded in the site diary; and ii. in the event of any damage occurring which breaches the integrity of the engineered containment so that it no longer meets the specified standards, the Licence Holder must cease accepting or treating contaminated material, substances or products in the affected area and must not recommence those activities until it has been repaired to a standard at least as good as the original specification. In such circumstances the Agency must be notified immediately.

Operating Site Infrastructure

18 Provision of mobile treatment plant identification board

18.1. No contaminated material, substances or products must be treated at the operating site until an identification board has been provided at or near the operating site entrance.

18.2 The identification board must be inspected at least once per month. In the event of damage or defect, the board must be repaired or replaced within 7 days.

18.3 The board must be easily readable from outside the operating site entrance in daylight hours, and must display the following information:

- Operating site name and address
- Operator name (company name, not individual name unless justified as necessary)
- Licence number
- Emergency contact name and telephone number
- Statement that the remedial action is licensed by the Environment Agency
- Agency national numbers, for General Enquiries (08708 506506) and Emergencies (0800 807060), or as subsequently notified in writing by the Agency
- Operational hours for licensed activities.

19 Operating site security

19.1 Operating site security systems must be provided at all times to prevent access by unauthorised persons. These must be installed, operated and maintained, and must be fully documented and recorded, in accordance with the requirements specified in Table 2.

Table 2 Site security system standards

Site security system	Specified standards
Timetable of provision	Operating site security must be provided prior to commencement of the specified operations.
Design standards	Unless otherwise agreed in the deployment form, this must consist of a chainlink security fence at least 1.8 metres high around the perimeter of the site, which must meet the standards specified in British Standard BS1722 or an agreed alternative, and must have a lockable gate to at least the same height and standard at the site access.
Operational standards	The operating site must be kept closed and secure at all times when unattended.
Maintenance standards	Unless agreed in the deployment plan the operating site security must be fully inspected at the commencement of each working day. Any defects or damage must be made secure by temporary repair by the end of the working day, and must be repaired within 7 days of the damage being detected. All inspections, defects, damage and repairs must be recorded in the plant diary.

Mobile Plant Operations

Control of mud and debris

20 Prevention of mud and debris on road

20.1. Measures must be taken in accordance with the deployment form to prevent the deposit or tracking of mud or debris arising from the operating site onto public areas including public highways, outside the operating site.

20.2. All vehicles leaving the operating site, must be cleaned as necessary using the equipment specified in the deployment form, and must be checked to ensure that they are clear of loose contaminated material, substances or products and that their loads are secure.

21 Remediation of mud and debris on the road

21.1. In the event that mud or debris arising from the operating site is deposited onto public areas outside the operating site, the following remedial measures must be implemented immediately:

- a) the affected public areas outside the operating site must be cleaned
- b) traffic must be isolated from sources of mud and debris within the operating site to prevent further tracking of mud and debris, and measures must be taken to clear any such sources as soon as practicable.

Potentially polluting leaks and spillage of contaminated material, substances or products

22 Potentially polluting leaks and spillage from vehicles, plant and equipment

22.1. All vehicles used on the operating site and all plant and equipment used on the operating site in connection with specified contaminated material, substances or products management operations, must be operated and maintained so as to prevent potentially polluting leaks and spillages.

22.2 All plant and equipment, including vehicles, shall be routinely maintained and serviced

23 Potentially polluting leaks and spillage from skips, drums and other mobile containers

23.1 Each skip, drum or other mobile container used to hold contaminated material, substances or products which consist of or contain potentially polluting liquids, sludge or powders, on the operating site must be:

- loaded and unloaded
- filled and emptied
- clearly and unambiguously labelled regarding its contents

- **inspected daily and maintained**
- **repaired or replaced immediately in the event of damage or deterioration to a container such that is or is likely to leak, in accordance with the standards specified in Table 3.**

24 Control and remediation of leaks and spillage

24.1. In the event of any potentially polluting leak or spillage occurring on the operating site, control and remediation procedures must be implemented immediately and recorded, and must meet the standards specified in Table 3 below.

Table 3 Standards for prevention and control of leaks and spillages

Action	Specified standards
a) Loading and unloading skips, drums and other mobile containers	i) Loading and unloading of containers must be supervised at all times by a member of staff. ii) Lids/ caps/ bungs or other closures must be in place during loading/ unloading. iii) Loading/ unloading must be carried out in an area provided with engineered containment of the type required for that contaminated material, substances or products under condition 17.
b) Filling and emptying drums and other mobile containers	i) Filling and emptying of containers must be supervised at all times by a member of staff, unless agreed otherwise in the deployment form. ii) Lids/ caps/ bungs or other closures must be in place at the end of filling iii) Containers must not be filled beyond their operational capacity. iv) Filling and emptying must be carried out in a bunded area. v) Measurement of level/ void space must be by physical dipping prior to loading.
c) Inspection, maintenance and repair of drums and other mobile containers	i) Containers must be inspected for leaks. ii) Containers found to be leaking either must be immediately transferred to a larger over-container or must have their contents immediately transferred to an alternative container, which is appropriate for that substance.
d) Control and remediation of leaks and spillages	i) Minor spillages must be cleaned up immediately, using sand or proprietary absorbent to clean up liquids. ii) Major spillages, which are causing or are likely to cause polluting emissions to the environment: • immediate action must be taken to contain the spillage and prevent liquid from entering surface water drains, water courses and unsurfaced ground; • the spillage must be cleared immediately and placed in alternative sealed containers; • the Agency must be informed immediately. iii) Any spillage shall be recorded in the site diary

25 Prohibition of fires

25.1. No contaminated material, substances or products must be burned on the operating site unless the burning forms part of an authorised treatment process under the conditions of this licence.

26 Actions to be taken in the event of a fire

26.1 In the event of a fire on the operating site, notwithstanding the implementation of actions to suppress and extinguish the fire, the following actions must be implemented immediately and subsequently recorded in the site diary:

- so far as reasonable practicable, contaminated surface water drainage must be prevented from entering any surface water drain or controlled waters or unsurfaced ground
- the Agency must be informed immediately of the fire.

27 Contaminated material, substances or products acceptance and control procedures

27.1 All contaminated material, substances or products must be received, inspected, accepted or rejected, handled, kept, despatched and recorded in accordance with the standards specified in Table 4 below.

Process plant and equipment

28 Commissioning, operating and maintenance

28.1 All process plant and equipment used under this MTL must be commissioned, operated and maintained, and must be fully documented and recorded, in accordance with the deployment form.

28.2 No mobile plant covered by this MTL must be used to treat contaminated material, substances or products, other than those required to carry out the commissioning tests specified in the deployment form, unless and until a Validation Report prepared by a suitably qualified person on the commissioning has been submitted in writing to the Agency.

Table 4 Standards for contaminated material, substances or products acceptance and control procedures

Stage of Contaminated material, substances or products Handling	Specified standards
a) Contaminated material, substances or products inspection	All contaminated material, substances or products to be treated at the operating site, for ex-situ treatment: i) Must be inspected on receipt to confirm their description and composition against the relevant accompanying documentation. ii) Must be kept separate from and must not be covered by or mixed with other contaminated material, substances or products until they have been confirmed and recorded for acceptance at the operating site.
b) Quarantine storage and rejection of contaminated material, substances or products	i) Any items of non-permitted contaminated material, substances or products which are detected after acceptance at the operating site must be placed immediately in a designated quarantine storage area, bay or container, and, where these are or appear to be hazardous waste, the Agency must be informed immediately ii) All waste in the quarantine area must be kept segregated from other contaminated material, substances or products which are or are likely to be incompatible. iii) Quarantined wastes must be removed from site within 7 days, unless an alternative date is agreed with the Agency. iv) The maximum capacity of the quarantine storage facility must not exceed that detailed in the agreed deployment form. v) A record must be kept in the site diary of all rejected wastes.
c) Identification of contaminated material, substances or products	i) Treatment areas and bays must be clearly defined and labelled to identify the contaminated material, substances or products undergoing treatment within them.
d) Inspection of contaminated material, substances or products and remediated materials for despatch	i) All contaminated material, substances or products and remediated materials despatched from the site must be inspected prior to despatch to confirm their description and composition.
e) Incompatible contaminated material, substances or products	i) Incompatible contaminated material, substances or products which are likely, in combination with each other or with other material at the facility, to give rise to pollution of the environment or harm to human health outside the site, must be clearly identified and kept physically separate in designated areas.

Quantity measurement systems

29 Means of measurement

29.1 All contaminated material, substances or products and remediated materials accepted at and despatched from the operating site must be measured in accordance with the following requirements, either:

The weight of all contaminated material, substances or products to be treated and remediated materials, accepted at and despatched from the site, must be determined by means of either:

a public weighbridge designated in the deployment form, or a weighbridge or scales located within the site and detailed in the deployment form site layout plan; and

the weighbridge or scales used must record quantities of contaminated material, substances or products in tonnes to an accuracy of 0.01 tonnes;

or:

the conversion of volume to weight in tonnes, using volume / weight conversion factors which are specified in the deployment form.

30 Treatment of contaminated material, substances or products with specified hazardous properties or forms

30.1 Notwithstanding the specification of permitted contaminated material, substances or products contained in the agreed deployment form, contaminated material, substances or products displaying any of the hazardous properties or forms specified in Table 5 shall only be treated at the site if they are handled so as to meet the limitations specified in Table 5 unless alternative measures are set out in the agreed deployment form.

Table 5:	Limitations on contaminated material, substances or products with specified hazardous characteristics
a) which when handled are likely to generate significant quantities of dusts, fibres, particulates and bioaerosols.	These contaminated material, substances or products are only permitted if they are either: • treated in sealed containers and in areas provided with impermeable pavement and sealed drainage; or • treated in covered buildings or under covers providing containment of aerial emissions of dusts, fibres or particulate; or • treated in areas provided with a permanent water supply and water spraying or misting equipment, and impermeable pavement and a sealed drainage system.
b) which are likely to produce odour or VOCs emissions during treatment.	These contaminated material, substances or products are only permitted if: • treated in sealed containers and in areas provided with impermeable pavement and sealed drainage; or • treated under covers or in covered buildings providing containment of aerial emissions.; or • treated in bays provided with an impermeable pavement and sealed drainage and cover.; or • treated in areas provided with impermeable pavement and sealed drainage and the means of controlling odour and VOC emissions is in place as detailed in the deployment form.
c) with combustible constituents	These contaminated material, substances or products are only permitted if treated in areas or bays provided with an impermeable pavement and sealed drainage, and with access to fire fighting equipment.

Pollution Control, Monitoring and Reporting

31 Pollution abatement provisions

31.1 All vapours, gases and aerosols from the treatment process must be contained, collected and treated to minimise pollution of the environment and harm to human health in accordance with the agreed deployment form.

32 Emissions Monitoring :Groundwater, Surface Water, Soil Gas and Emissions to Air

32.1 The following must be specified in the agreed deployment form for each operating site in relation to groundwater, surface water, soil gases and emissions to air:

- Baseline monitoring results
- Trigger levels for indicator parameters
- The construction of the monitoring points
- The location of the monitoring points
- Monitoring protocols
- Frequency of monitoring
- Experience and qualifications of personnel carrying out the monitoring and the personnel responsible for interpreting and acting upon the results of monitoring.

32.1 All monitoring facilities must be designed, constructed, operated and maintained to ensure that a representative sample is obtained.

33 Emissions action plan

33.1 If any emissions exceed the specified trigger level specified in the deployment form for the operating site:

- the results must be notified to the Agency immediately and confirmed in writing immediately
- the emissions action plan specified in the deployment form must be implemented immediately.

34 Keeping and maintenance of records:

34.1 A record of the emissions monitoring and sampling results must be kept and maintained by the licence holder

35 Submission of records:

35.1 A copy of the records of each monitoring and sampling result, with an interpretation of the results against baseline and trigger levels, must be submitted to the Agency on a monthly basis, within 1 month of the monitoring being carried out.

Amenity management and reporting

36 Monitoring and control of aerial emissions of dusts, fibres, particulates, bioaerosols, VOCs and odours

36.1 Measures to monitor, control and minimise the aerial emission of dusts, fibres, particulates, bioaerosols, VOCs and odours from the operating site shall meet the standards specified in Table 6 below or as otherwise agreed in the deployment form.

Table 6 Standards for monitoring and control of aerial emissions of dusts, fibres, particulates, bioaerosols VOCs and odours

a) Monitoring of aerial emissions	• Visual and olfactory monitoring of aerial emissions must be carried out by site staff supervising contaminated material, substances or products handling operations. The site manager or supervisor must, at least twice per day, visually and olfactory monitor at the site boundary downwind of the operating site, and must record such monitoring in the site diary.
b) Aerial emissions action plan	i) On detection, or notification, of aerial emissions that are, or are likely to be, transported beyond the site boundary, immediate action must be taken to stop operations giving rise to the emissions and to suppress the aerial emissions from that operation or area. ii) The incident and the remedial action must be recorded in the site diary.

37 Monitoring and control of pest infestations, scavengers and litter

37.1 Measures to control and minimise pests, scavengers and litter on the operating site must be carried out in accordance with the agreed deployment form.

38 Control of noise

38.1 Throughout the operation of the MTL at the operating site, measures must be implemented and maintained, in accordance with the deployment form, to control and minimise the levels of noise from operations on the site beyond the site boundary.

Operating Site records

Security and availability of records

39 Security of records

39.1 All records which are required to be made under the conditions of this licence and the deployment form must be maintained and kept secure from loss, damage or deterioration in accordance with the requirements specified in Table 7 below.

40 Availability of records

40.1 All records which are required to be made under the conditions of this licence and the deployment form must be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency.

Table 7 Standards for keeping of operating site records

Site records	Specified standards
Contaminated material, substances or products treated at the operating site. Contaminated material, substances or products rejected and/or despatched from the operating site. Remediated materials. Site diaries.	1. All records must be stored either: a) on paper in a secure cabinet or cupboard; and / or b) on computer disc with a back up copy. 2. Records must be kept for a minimum of two years.

41 Recording of contaminated material, substances or products accepted, treated or removed

41.1 A record must be kept of each load of contaminated material, substances or products accepted and each load of contaminated material, substances or products and remediated material removed from site. This record must include the following details:

- Contaminated material, substances or products to be treated: - Nature (solid, sludge, liquid or gas), as specified under condition 4.2 and 4.3 and the deployment form, quantity (tonnes), date received, date accepted.
- Contaminated material, substances or products removed from the operating site: - Nature, (solid, sludge, liquid or gas), as specified under condition 4.2 and 4.3 and the deployment form, quantity of contaminated material, substances or products removed (tonnes), date removed.
- Treated materials: - quantity of materials treated (tonnes).

42 Summary records of contaminated material, substances or products accepted and removed and materials remediated

42.1 A summary record of the contaminated material, substances or products accepted, treated or removed from the operating site must be made for each quarter and must be submitted to the Agency within 1 month following the end of the quarter. The summary record must be in the format specified in Appendix A and must include the specified information.

43 Site diary

43.1 A site diary must be kept secure and must be available for inspection at the operating site when required by an authorised officer of the Agency. This must include a record of the following events and information required in accordance with the other conditions of this licence:

- construction work
- maintenance
- breakdowns
- emergencies
- problems with contaminated material, substances or products treated, received and action taken
- operating site inspections and consequent actions carried out by the operator
- technically competent management attendance on the operating site: the date and the time onto the operating site and the time left operating site
- severe weather conditions
- complaints about authorised operations and actions taken
- environmental problems and remedial actions.

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

Interpretation

In these conditions and their interpretation, unless the context otherwise requires, the following terms have the specified meanings:

"Accepted"

For contaminated material, substances or products being delivered to the operating site, means accepted as contaminated material, substances or products input to the operating site for storage and/or processing and/or disposal under the specified waste management operations;

"authorised officer of the Agency"

means any person(s) authorised in writing by the Agency pursuant to section 108(1) of the 1995 Act to exercise any of the powers specified in subsection (4) of that section;

"consequences"

for risk assessments carried out within these conditions, means the adverse effects of harm as a result of realising a hazard which cause the quality of human health (other than health and safety of site staff or visitors to the operating site covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term.

"deployment form"

means the deployment form for an operating site agreed in writing by the Agency. Site Specific working plans previously approved by the Environment Agency in respect of a site shall continue to have effect, as if they were deployment forms, until the activities it relates to ceases at the relevant site.

"D8"

Biological treatment of waste as defined under Part III of Schedule 4 to the 1994 Regulations

"D9"

Physico-chemical treatment of waste as defined under Part III of Schedule 4 to the 1994 Regulations

"engineer"

for engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional;

"engineered"

for works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions;

"engineered containment and drainage system"

means all elements relating to engineered containment of activities on the operating site, other than final disposal to land, and incorporating surfacing, bunding and drainage systems, buildings and fixed tanks;

"engineering"

for engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions;

"environmental targets or receptors"

for **risk assessments** carried out within these conditions, means identified human and environmental populations or components, as specified in these conditions or otherwise agreed by the Agency within these conditions;

"groundwater"

means any water contained in underground strata;

"hazard"

means a property or situation that in particular circumstances could lead to harm;

"immediately"

for carrying out of actions under the conditions, means 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);

"inert contaminated material, substances or products "

means contaminated material, substances or products which when disposed of in or on land does not undergo any significant physical, chemical or biological transformation;

"maintenance"

for engineering maintenance specified in these conditions, means the process of inspection, testing, or repair of the relevant engineering works specified in these conditions;

"mobile plant"

plant for the treatment of contaminated material, substances or products, as defined in the Waste Management Licensing Regulations (as amended) 1994 and as specified in this licence.

"operating site:"

The areas in the agreed deployment form, including operational storage areas, engineered containment, operational controls and monitoring.

"operational storage"

Storage which is an inherent and integral part of the mobile treatment plant process, or which is within the boundary of the specified operating site, so as to provide a reasonable working capacity for inputs to and or outputs from the mobile treatment plant process.

"probability"

means the quantified expression of chance, denoted either as:

- the ratio or percentage of the occurrence of a particular event as one among a number of possible events;
- or as the frequency of occurrence of a particular event in a given period of time;

"R4"

Recycling or reclamation of other inorganic materials as defined in Part III of Schedule 4 to the 1994 Regulations.

"received"

for contaminated material, substances or products being delivered to the operating site, means delivered to the operating site and undergoing waste acceptance procedures specified in the deployment form, including storage of those contaminated material, substances or products during those procedures prior to acceptance of the contaminated material, substances or products;

"release pathways"

for **risk assessments** carried out within these conditions, means the routes by which defined **hazards** may potentially realise their **consequences**, defined in terms of releases or emissions from the operating site that go beyond the operating site containment or boundary via one or more of the following routes, either directly or indirectly: **Land; Groundwater; Surface water; Atmosphere;**

"relevant offences"

are offences within the meaning of regulation 3 of the 1994 Regulations or any statutory provisions or regulations amending or replacing them;

"risk"

means a combination of the **probability** and **consequences** of occurrence of a defined **hazard**;

"risk assessment"

means the systematic identification, analysis, estimation and evaluation within a defined **scope** of the defined **risks** of a particular activity, operation, process or design, carried out and reported by suitably qualified or competent persons, using recognised quantified or semi-quantified methods and techniques.

Unless otherwise agreed by the Agency within these conditions, a risk assessment shall include and record the following:

- definition of the **hazards** associated with an activity, operation, process or design;
- assessment of the **probability** of those **hazards** occurring;
- determination of the potential **consequences** of those **hazards** for defined **environmental targets or receptors**, taking into account defined **release pathways** and defined protective measures;
- evaluation of the potential **magnitude** of those **consequences** and the **probability** of their occurrence;

"scope of risk assessment"

means the boundaries of the **risk assessment** and the **risks** to be assessed within those boundaries, as defined in the conditions or otherwise agreed by the Agency within the conditions;

"sealed container"

means a container which does not permit either the ingress or egress of liquids, or the escape of dusts or contaminated material, substances or products contained within it;

"specified waste management operations"

means the waste management operations authorised by condition 1.1 of this licence;

"surface water"

means any lake, pond, river or watercourse whether natural or artificial;

"the 1994 Regulations"

means the Waste Management Licensing Regulations 1994 and any statutory provisions or regulations amending or replacing them.

"the Agency"

means the Environment Agency, and where not specified shall be taken to refer to the Agency 'Local Office;

"the Licence Holder"

means the Licence Holder specified in this licence or other person to whom the licence has been transferred in accordance with section 40 of the Environmental Protection Act 1990;

"the operator"

A person who is in charge of the licensed mobile treatment plant and has responsibility for carrying out day to day activities with the plant;

"time periods, e.g. annually, quarterly, monthly, per year, etc. "

Where periods are referred to in conditions, they must 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;

"VOCs"

means volatile organic compounds

"waste"

means waste as defined in section 75(4) of the 1990 Act and the Controlled Waste Regulations 1992 or any statutory provisions or regulations amending or replacing them;

Appendices to conditions

Appendix A: Format for summary records of contaminated material, substances or products accepted, treated and removed (Condition 42.1)

Summary record to be submitted on the electronic form as supplied by the Environment Agency.