



PERMIT

MERTHYR TYDFIL BOROUGH COUNCIL

WASTE MANAGEMENT LICENCE - INERT WASTE LANDFILL SITE

ENVIRONMENTAL PROTECTION ACT 1990

The Merthyr Tydfil Borough Council in pursuance of the powers conferred on them by the Environmental Protection Act 1990, hereby licence:

Mr Richard L Kinsey
Coli Isaf Farm
Bedlinog
Mid Glamorgan



herein after called the "licence holder" to operate a Landfill Facility herein after called the "facility" on land at **The North Quarry, Coli Isaf Farm, Bedlinog, Mid Glamorgan**, grid reference number 09430214 which is edged in red on the drawings attached to this licence, being land occupied by the licence holder.

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

Dated this ninth day of October 1991.

Signed 

ENVIRONMENTAL SERVICES MANAGER

* The licence holders attention is drawn to the notes overleaf*

NOTES

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

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the deposit of waste and the use of plant or equipment subject to the conditions set out in the Schedules and does not constitute a consent required by other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the ENVIRONMENTAL PROTECTION ACT 1990, WATER RESOURCES ACT 1991, HEALTH AND SAFETY AT WORK ETC., ACT 1974, THE RADIOACTIVE SUBSTANCES ACT 1993, THE TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS, AND ALL OTHER RELEVANT WATER PROTECTION AND PUBLIC HEALTH legislation.

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

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

2. If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the Waste Regulation Authority who has the right to decline to accept the new licence holder.
3. If the licence holder wishes to cancel this licence, he must return it to the Waste Regulation Authority together with a notice that he no longer requires the licence. Cancellation of the licence will not affect any outstanding liability of the licence holder under the conditions of the licence.
4. The carriage of controlled waste to and from licensed facilities should only be undertaken by carriers authorised under the provisions of the Control of Pollution (Amendment) Act 1989 and in compliance with Section 34 of the Environmental Protection Act 1990.
5. Compliance with the Conditions of this licence are obligatory to ensure that operations do not cause pollution of the environment, or harm to human health, or would be seriously detrimental to the amenities of the locality affected.
6. Notices of Appeal

[Regulation 6: The Waste Management Licensing Regulations 1994]

A person who wishes to appeal to the Secretary of State under Section 43 of the Environmental Protection Act 1990 shall do so by notice in writing to:

*The Secretary of State for Wales
The Welsh Office
Cathays Park
Cardiff*

An appeal must be lodged with the Secretary of State within six months of the date of the issue of this licence, any modifications, suspension or revocation, or at any time that the Secretary of State may allow.

The Notice of Appeal shall be accompanied by:-

- a) a statement of the grounds of appeal;
- b) where the appeal relates to an application for a Waste Management Licence or for the modifications, surrender or transfer of a Waste Management Licence, a copy of the appellant's application and any supporting documents;
- c) where the appeal relates to an existing Waste Management Licence [including a Waste Management Licence which has been suspended or revoked], a copy of that Waste Management Licence;
- d) a copy of any correspondence relevant to the appeal;
- e) a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development; and
- f) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

The appellant shall serve a copy of his notice of appeal on the Waste Regulation Authority together with copies of the documents mentioned in Sections a) to f) above.

If the appellant wishes to withdraw an appeal, he shall do so by notifying the Secretary of State in writing and shall send a copy of that notification to the Waste Regulation Authority.

In accordance with Section 43[4], where conditions have been varied by a Notice of Modification the effect of this shall be suspended pending any appeal to the Secretary of State. If the approval is dismissed or withdrawn, this notice will have immediate effect.

7. Time limit for making an appeal

[Section 7 : The Waste Management Licensing Regulations 1994]

- (1) Subject to paragraph (2) below, notice of appeal shall be given in the case of an appeal under Section 43 of the 1990 Act, before the expiry of the period of 6 months beginning with-
 - (i) the date of the decision which is the subject of the appeal; or
 - (ii) the date on which the Waste Regulation Authority is deemed by Section 36(9), 37(6), 39(10) or 40(6) of the 1990 Act to have 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 period mentioned in paragraph (1) above.

CONTRAVENTION OF LICENCE CONDITIONS

Your attention is drawn to the provisions of section 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 use of plant and equipment, otherwise than in accordance with the terms of the licence. This section applies to all the conditions contained herein, including any which may be the subject of appeal to the Secretary of State under Section 43 of the Act.

Any deposit which takes place without compliance with all licence conditions may lead to prosecution under this section.

Section 38

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 activities has ceased to be in the hands of technically competent management, or the continuation of activities may cause pollution of the environment, harm to human health or serious detriment to the amenities of the locality, this may lead to revocation of the licence.

The WRA also has powers to suspend the licence if the management of the site 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 WRA. 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 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 Environmental Protection 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 condition may lead to revocation of this licence.

Section 59

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

Penalties under Section 33

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

SCHEDULE "A"
DEFINITIONS

1. "Technically competent management" shall for the purpose of this licence, mean a person or persons who through training and/or qualification is/are liable to identify the nature of wastes arising at the facility and carry out operations at the facility in accordance with recommended practices. Such a person or persons shall be in possession of:-
 - a Certificate of Technical Competence [COTC]
 - or a Provisional Certificate of Technical Competence, [pCOTC]
 - or a Certificate of Qualifying Experience [CQE]
 for managing operations :.....waste [Level....] in accordance with Regulation 4 of the Waste Management Licensing Regulations 1994 as issued by the Waste Management Industry Training and Advisory Board.

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

or is deemed competent by virtue of section 77(2) of the Environmental Protection Act 1990 and has been notified in writing by the Waste Regulation Authority.
2. In this licence, "liquid" and "solid" have their ordinary everyday meanings.
3. In this licence, "sludge" means an intimate mixture of solid and liquid.
4. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by Environmental Protection Act 1990 and its associated regulations.
5. In this licence, an Authorised Officer is an officer authorised by the Waste Regulation Authority for the purpose of the Environmental Protection Act 1990.
6. In this licence, the "water company" means the sewerage undertaker for the area, as defined by the Water Industry Act 1991.
7. In this licence, "operation" is defined as the receipt, handling, removal or deposit of controlled waste.
8. Any reference in the Working Plan to waste disposal authority shall also be taken to refer to the Waste Regulation Authority.

NAME OF FACILITY : NORTH QUARRY, COLI ISAF FARM,
BEDLINOG

SCHEDULE B: TYPES OF WASTE

Types of waste materials accepted at the facility and the maximum quantities shall consist only of the following solid wastes

Soil	}	
Subsoil	}	
Excavation Waste	}	Maximum Input
Natural Stone and slate	}	30,000 tonnes/annum at
Brick	}	no more than 100 tonnes/ day.

THIS WASTE MUST NOT CONTAIN ANY POISONOUS, NOXIOUS OR POLLUTING SUBSTANCE OR ANY BIO-DEGRADABLE WASTES.

EXCLUSIONS

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

- (a) Any substance listed by the United Kingdom Government under the provisions of the European Community Groundwater Directive (80/68/EEC).
- (b) Pumpable sludges which contain less than 20% dry solids.
- (c) Waste contained in sealed drums.

SCHEDULE C: GENERAL CONDITIONS

- C1 (a) The statement of intended methods of operation and drawings contained within the document entitled "Working Plan" submitted as part of the application for this licence shall be referred to hereinafter as the Working Plan.
- (b) Prior to any operations taking place under the terms of this licence, the Working Plan shall have been agreed in writing by the Regulation Authority. The licence holder shall obtain written agreement from the Regulation Authority for any proposed change in the actual conduct of the operations from the proposals agreed in the Working Plan, as altered by any previous change agreed by the Regulation Authority, before such change is implemented.
- (c) Any reference in this licence to the Working Plan shall include a reference to any modification to the statement or the drawings which has been agreed in writing by the 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 The terms and conditions of this licence shall be made known to any person who is given responsibility for the management or control of the facility and a copy of these conditions shall be displayed at a prominent point within the facility.
- C3 A copy of any notice or instruction received in respect of the facility from any authority, other than the Regulation Authority, which in any way relates to the use of the facility, shall be given to the Regulation Authority within three days of the receipt of such notice or instruction.

SCHEDULE D: SITE PREPARATION WORKS

- D1 A site office, equipped with toilet, wash hand facilities and a telephone shall be provided and maintained at the farmhouse nearby.
- D2 An identification board of durable material and finish shall be displayed at the entrance to the facility. This shall give the name of the facility, the name, address and telephone number of the operator and of the Regulation Authority, the hours of operation and the telephone numbers of personnel to contact in the event of an emergency.
- D3 Gates, walls and fencing shall be provided at the facility and maintained at all times in accordance with the Working Plan. The gates shall be locked outside operating hours and at any time the site is left unattended, in order to prevent unauthorised access. The fencing, gates and walls shall be inspected daily by the site supervisor and any damage observed shall be rectified within 24 hours of the damage being identified.
- D4 Appropriate warning signs shall be provided along the perimeter of the site, to warn of the dangers present and to prevent unauthorised entry.
- D5 Primary site roads to the standard of construction stipulated in the Working Plan, shall be provided and maintained in accordance with the Working Plan, so that they are adequate for the traffic usage of the site.
- D6 Provisions shall be made to deal with unacceptable waste delivered to or left at the facility in accordance with the Working Plan. Such waste shall be removed from the facility as soon as practicable and in any case within such times as agreed with the Regulation Authority and taken to a suitable alternative site for disposal.
- D7 Provision shall be made within the confines of the facility for the parking and unloading of vehicles transporting wastes and residues to the facility in accordance with the Working Plan.
- D8 If fuel is to be stored on site then such tanks or drums used for the storage of fuels 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 and construction standards and shall be installed at a location and to the specifications agreed with the Regulation Authority.
- D9 Measures shall be taken to prevent damage to all pipework, valves, pumps and storage tanks.
- D10 A diary/log book shall be provided and retained on site. The diary/log book shall be available for the licence holder, his accredited agent or employees, and for authorised officers of the Regulation Authority and other officials to read or record comments pertaining to the activities at the facility.

SCHEDULE E: OPERATION OF SITE

- E1 The types and maximum quantities of waste accepted at the facility shall consist of those specified in Schedule B of this licence.
- E2 Operations shall take place at the facility only on Mondays to Fridays between the hours of 08.00 and 17.30 and on Saturdays between the hours of 08.00 and 12.00. Except in cases of emergency, no operations shall take place outside these hours or on Sundays or Bank Holidays, without the prior written approval of the Regulation Authority. All circumstances of emergency shall be reported forthwith in writing to the Regulation Authority.
- E3 No deposit or other operation shall take place during the hours of darkness unless suitable lighting has been provided. Details of the lighting shall be included in the Working Plan. The hours of darkness are those covered by statutory lighting up times published by the Science and Engineering Research Council.
- E4 The facility shall be manned and supervised by technically competent management during operating hours and during all maintenance operations.
- E5 The phasing and direction of landfilling shall be carried out as detailed in the Working Plan and each phase shall be completed before landfilling is commenced in each subsequent phase.
- E6 A record shall be kept of the types and quantities of waste delivered to the facility, giving details of the origin, including materials inadvertently delivered to and subsequently removed from the facility. The records shall comprise full details, as required, on forms as agreed with the Regulation Authority and copies shall be sent to the Regulation Authority quarterly and within 20 working days following the end of each quarter. These records must be made available to an authorised officer of the Regulation Authority for inspection at the facility at any reasonable time.
- E7 No waste or other material shall be segregated for re-use or re-sale.
- E8 No deposit of waste shall take place within 7 metres of the top of the bank of any open water courses on the site unless such water courses have been diverted, culverted or otherwise protected.
- E9 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 Regulation Authority. Fire fighting equipment and emergency water supplies shall be provided and regularly maintained.

- E10 Measures shall be taken in accordance with the Working Plan to prevent the deposit of mud, debris or any other material on the public highway by vehicles using the facility. These measures shall include the sweeping of the hard surfaced areas, entrance and the public highway leading from the facility.
- E11 Precautions shall be taken to deal effectively with any vermin and insects at the facility.
- E12 Subsidiary site roads shall be provided and maintained, constructed of hardcore or rubble or other suitable material, free of any timber or metal, to a height of 0.3m above the level of the adjacent ground.
- E13 All subsidiary site roads shall be laid to a fall to encourage surface water run off, and be maintained free from potholes. Any potholes shall be filled with hardcore or rubble within five working days.
- E14 Both primary and subsidiary site roads shall, as necessary in dry weather, be sprayed with sufficient clean water to prevent dust occurring, but without creating excessive surface run off.
- E15 Surface water intercept drains shall be inspected as necessary and in any case, at least once per seven days. The drains shall be kept free of any blockage and maintained.
- E16 Measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility, to ensure it is not seriously detrimental to the amenities of the locality.
- E17 Waste shall be compacted and formed into a layer as soon as possible after deposit and not later than the end of the week in which it was received.
- E18 The layers of waste shall be formed by using suitable compaction equipment with a blade or some other appropriate levelling device. The waste shall either:
- (a) be deposited on the surface of the site behind the face and partially compacted by a tractor or other compacting machine before being pushed over the face, or it shall:
 - (b) be deposited on the ground forming the base of the site or on a previous layer in front of the face and shall be formed into a compacted layer by being pushed upwards and driven over by a tractor or other compacting machine.
- E19 The depth of any layer of waste shall not after initial compaction exceed 2 metres.
- E20 Working flanks and faces shall be compacted to form gradients not steeper than 1:3.
- E21 Each layer of waste and covering material shall be laid to a fall to encourage water run off from the working face.

- E22 Any trees or bushes on areas where waste is to be deposited shall be grubbed up and removed from site prior to the waste being deposited.
- E23 No processing, sorting or re-excavation of any waste material shall take place on the site without the prior written agreement of the Regulation Authority.
- E24 All vehicles visiting the facility shall not exceed a speed of 10 mph.
- E25 The final layer of waste deposited shall be subject to the minimum compaction, and shall to a depth of not less than 1m be kept free of materials likely to interfere with the final restoration or subsequent use.
- E26 Any cessation of operations for a period in excess of 3 months shall be notified to the Regulation Authority. Not less than 14 days notice shall be given to the Regulation Authority of the date on which operations are to recommence in the event of such a cessation.
- E27 No waste shall be deposited after 30 months from the date of this variation in line with the undertaking submitted to the Local Planning Authority in July 1995.

E28 Continuing measures shall be taken to prevent migration of landfill gas either from the site or to inappropriate places within the site, so as to prevent a danger to public health or serious detriment to the local amenities. Investigations shall be carried out within 28 days of the date of this licence to ascertain the levels of landfill gas on the existing landfill areas. Gas readings shall be undertaken over a representative area of the proposed landfill, prior to waste being deposited so as to obtain background levels of methane and carbon dioxide. All results are to be forwarded to the Regulation Authority within 14 days of receipt.

Investigations shall include an assessment of the potential migration within or from the site and the measures required, if any, to prevent serious detriment to the local amenities or a danger to public health.

- E29 Subject to the findings of the investigations a comprehensive gas management plan shall be submitted to the Regulation Authority within one month of the investigation being undertaken. It shall include
- a) Full details of all main services on and within 250 metres of the site boundaries, all developments within 250 metres of the site boundaries.
 - b) Full details of all measures to be provided to vent gas and/or control migration.
 - c) Full details of all monitoring including number, position, specification and drilling logs of boreholes to be undertaken and the frequency of such monitoring. The Management of landfill gas at this site should accord with recommendations of Her Majesty's Inspectorate of Pollution Waste Management Paper No. 27 "The Control of Landfill Gas" (1991) and any subsequent amendments.
- E30 All landfill gas monitoring points shall be monitored every 3 months in accordance with the Working Plan or at such a frequency as to be agreed with the Regulation Authority.
- E31 Monitoring points as in accordance with the Working Plan shall be provided to allow the quality and level of ground water and leachate to be determined.

SCHEDULE E: (Cont'd)

- E32 Monitoring points shall be provided to allow the quality of surface water to be determined before and after entering the landfill area.
- E33 Surface water and groundwater shall be monitored at intervals to be agreed with the Regulation Authority and analysis results shall be forward to the Regulation Authority within 14 days of the results being obtained and copies must be kept available on site and open to inspection.
- E35 The analysis of samples of groundwater, surface water and leachate shall be carried out at a NAMAS accredited laboratory or other suitable laboratory as agreed with the Regulation Authority.
- E36 Regular inspection and maintenance of the control measures shall be carried out and any necessary repairs rectified immediately.
- E37 Any groundwater, leachate or gas monitoring point that for whatever reason becomes unsuitable shall be restored or replaced following agreement with the Regulation Authority within two months of becoming unserviceable. A record shall be kept available for inspection of all such servicing.
- E38 All monitoring of groundwater, surface water, leachate and landfill gas shall be undertaken by person or persons holding an appropriate qualification and as agreed with the Regulation Authority.

SCHEDULE F: SITE RESTORATION

- F1 On completion of tipping of operations, the finished surface of the site shall be covered with a minimum of 150mm top soil, stone picked, seeded and grassed. Final restoration shall be to the agreed contours in accordance with the Working Plan. Until final restoration, completed areas shall be graded and maintained to control or destroy weeds. The final surface of the site shall be adequately contoured to allow for settlement and to encourage surface water run off.