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SITE LICENCE No. 56
SHEET 1 of 18

RHYMNEY VALLEY DISTRICT COUNCIL

Ystrad Fawr, Ystrad Mynach, Hengoed, Mid Glam CF82 7SF

ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE



OUTGOING

SITE LICENCE NO. **56**
MODIFICATION No. 2



PERMIT

Notice of Modification of Waste Management Conditions
To

Price and Company
Gelliargwellt Farm
Gelligaer
Hengoed
Mid Glamorgan

Whereas on the 19th March 1991 the Rhymney Valley District Council granted a Disposal Licence relating to a landfill facility at Gelliargwellt Farm, Gelligaer, subject to conditions set out therein, as subsequently modified.

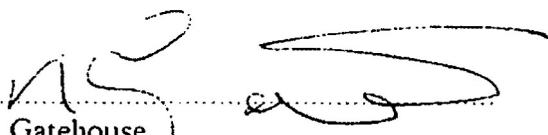
NOTICE IS HEREBY GIVEN that Rhymney Valley District Council modify the said conditions as follows -

Delete all conditions set out in Licence No. 56 and substitute the conditions and drawings set out in Modification No. 2 attached to this Notice

This second Modification to take effect on 25th March 1996 at 12 noon.

Dated the 25th day of March 1996

Signed


N. Gatehouse
Environmental Services Manager

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

ENVIRONMENTAL PROTECTION ACT 1994

WASTE MANAGEMENT LICENCE

THE RHYMNEY VALLEY DISTRICT COUNCIL HEREBY GRANT an amendment to Waste Management Licence No. 56 pursuant to an application dated 26th April 1994, in respect of the following:

Full name and address of local representative of licence holder	PRICE & COMPANY GELLIARGWELT FARM GELLIGAER
Location of site to which licence relates	GELLIARGWELT FARM Grid Ref: ST.1255.9641 Gelligaer, Hengoed.
Form of deposit or disposal to which licence relates	Landfill Site
Type of Waste of which deposit or disposal is authorised and any limitation as to quantity	Soil) Subsoil) 250 Excavation Waste) tonnes/ Natural Stone or Slate) day Demolition Waste) Building Waste)

This licence is subject to the attached conditions:

See original licence.

Dated: 16th June 1994

Signed: J. E. S.

Designation: Principal Asst. EHO.

NOTES

These notes are for general guidance only and they do not constitute an authoritative statement of the law.

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the storage 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 **HEALTH AND SAFETY AT WORK ETC., ACT 1974, THE RADIOACTIVE SUBSTANCES ACT 1993, THE TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS and ALL RELEVANT WATER PROTECTION AND ENVIRONMENTAL HEALTH legislation.**

All discharges to foul sewer have to meet the requirements of the D r Cymru/Welsh Water, whereas discharges to separate surface water sewers or direct to watercourse require the consent of the National Rivers Authority. Any diversion or other changes will also require approval of the National Rivers Authority.

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.

CONTRAVENTION OF LICENCE CONDITION

Environmental Protection Act 1990

Section 33(1) of the above Act provides that a person shall not treat, keep or dispose of controlled waste in a manner to cause pollution of the environment or harm human health. A person who commits an offence under this section is liable on summary conviction to a fine of an amount not exceeding £20,000 or imprisonment for a term not exceeding six months or both, or on conviction on indictment to imprisonment for a term not exceeding two (2) years or a fine or both.

It is an offence to contravene any condition of this licence.

Section 38 of the above Act provides that:

(a) where the licence holder ceases to be a fit and proper person by reason of:-

- i) being convicted of a relevant offence; or
- ii) the management of the authorised activities cease to be in the hands of a technically competent person,

or

(b) continuation of the activities so authorised would cause pollution of the environment or harm to human health or would be seriously detrimental to the amenities of the locality, and the pollution harm or detriment cannot be avoided by modifying the conditions of the licence, the Authority may revoke, suspend in part of the licence so far as it authorises the carrying on of the activities or in the case of (a)(i) and (ii) revoke the licence entirely.

Where a licence is suspended or revoked the Waste Regulation Authority may require the licence holder to take such measures as they deem fit to avert any pollution or harm. A person who without reasonable excuse fails to comply with any requirement imposed by the Waste Regulation Authority shall be liable to a fine not exceeding the statutory maximum on summary conviction and on indictment to imprisonment for a term not exceeding 2 years or a fine or both.

Section 39 of the Act sets out procedures for the surrender of licences. A site licence may only be surrendered to the Waste Regulation Authority which granted it if the Authority accepts the surrender. Before the accepting Surrender the Waste Regulation Authority must be satisfied that the condition of the land is such that it is unlikely to cause pollution or harm. If the Surrender of the licence is accepted a Certificate of Completion will be issued.

Section 40 of the Act makes provision for the transfer of licences. The licence holder and proposed transferee are required to make a joint application to the Waste Regulation Authority, giving the details as laid down in Schedule 2 of the Waste Management Licensing Regulations. The Waste Regulation Authority can only approve of the transfer if it is satisfied that the proposed transferee is a fit and proper person.

Section 42 of the Act places a responsibility on Waste Regulation Authorities to supervise all waste management facilities.

Section 59 of the Act gives the Waste Regulation Authority powers to require the removal of illegally deposited waste or to remove the waste itself, in which case it may recover all costs from the occupier of the land or from the person responsible for the deposit of the waste.

DUTY OF CARE

Section 34 of the above Act and the associated regulations impose **DUTY OF CARE** on any person who imports, produces, carries, keeps, treats or disposes of waste to take all such measures applicable to him in that capacity as are reasonable in the circumstances:-

- a) to prevent any contravention by any other person of Section 33 of the Environmental Protection Act 1990
- b) to prevent escape of the waste from his control or that of any other person; and
- c) on the transfer of waste, to secure -
 - i) that the transfer is only to an authorised person or to a person for authorised transport purposes; and
 - ii) that there is transferred such a written description of the waste as will enable other persons to avoid a contravention of that section and to comply with the duty of care.

All parties to the transfer of waste are required to keep documentation for two years and to produce such documentation to the Waste Regulation Authority within a minimum period of seven days if required to do so.

Contravention of the Duty of Care is punishable by a fine not exceeding £2,000 on summary conviction, or a fine on indictment.

SCHEDULE 'A' DEFINITIONS

- A1. In this licence, **"emergency"** is defined as a case where a person has reasonable cause to believe that circumstances exist which are likely to endanger life or health or cause damage to property or pollution of the environment.
- A2. A **"Competent Manager"** shall for the purpose of this licence mean a person who is 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 level 3 as issued by the Waste Management Industry Training and Advisory Board (WAMITAB)
- or on the 10th 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 10th August 2004 or is deemed competent by virtue of Section 77(2) of the Environmental Protection Act 1990 and has been notified in writing to the Waste Regulation Authority.
- A3. A **"proficient person"** shall be trained to understand the terms and conditions of this licence, to recognise the general descriptions of waste that may arrive at the facility and actions to be taken to deal with such wastes and what action to take in the event of an emergency, and be capable of deputising for the competent person.
- A4. An **"authorised officer"** is an officer authorised by the Regulation Authority for the purpose of the Environmental Protection Act 1990.
- A5. In this licence, **"operation"** is defined as any of the following involved in activities handling or removal of waste from the facility.
- (i) the receipt of waste at the facility
 - (ii) the handling of waste at the facility
 - (iii) the sorting of waste at the facility
 - (iv) the removal of waste from the facility
 - (v) recycling

- A6. In this licence **"Recycling"** is defined as the collection and separation of materials from waste and subsequent processing to produce marketable products.
- A7. **Difficult wastes** are those contained in Appendix (C) of the Department of Environment Waste Management Paper No. 26.
- A8. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Environmental Protection Act 1990, and its associated regulations.

SCHEDULE 'B' PERMITTED WASTES

- B1. Materials deposited within the site shall be restricted to the types and quantities of solid waste as detailed below.

Waste Types	Tonnes
Soil	}
Subsoil	}
Excavation Waste	} 400 per day
Natural Stone and Slate	} 250
Demolition Waste	}
Building Waste	}

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. Any Wastes which contain any poisonous or polluting substance or any putrescible wastes.
- b. Any soil, silt or dredging which has an average level of contamination above the threshold level for any detriment for Parks, Playing Fields and Open Spaces and given in the document "Guidance on Assessment and Redevelopment of Contaminated Land" (ICRL 59/83 Second Edition July 1987) shall be classified as contaminated soil (J26) and excluded from deposit.
- c. Substances within the Control of Radioactive Substances Act 1993 and subsequent amendments.
- d. 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 effective.
- e. Special Waste as defined by the Control of Pollution (Special Waste) Regulations 1980.

SCHEDULE 'C' - GENERAL CONDITIONS

- C1. (i) The statement of intended methods of operation and drawings contained within the documents entitled:

Report No. BEA/MB/04.94.02

-which contains plans Nos. BEA/MB/04.94.02.01.
BEA/MB/04.94.02.02.
BEA/MB/04.94.02.03.
BEA/MB/04.94.02.04.
BEA/MB/04.94.02.05.
BEA/MB/04.94.02.06.
BEA/MB/04.94.02.07.
BEA/MB/04.94.02.08.
BEA/MB/04.94.02.09

Licence Application Dated 20th of November 1990

Written Statement and associated plans with application dated 20.11.90

Shall be herein after be referred to as the Working Plan.

- (ii) The licence holder shall notify the Waste Regulation Authority in writing of any proposed change in the actual conduct of operations from those in the working plan, at least one month before the proposed change is implemented. The proposed change shall not be implemented if within one month from the date of receipt of the notification, the Waste Regulation Authority declines, in writing, to accept the proposed change.
- (iii) Any reference in this licence to the working plan shall include a reference to any modification to the statement or the drawings.
- (iv) Subject to the terms and conditions of the licence, the site shall be operated in accordance with the working plan.
- C2. A copy of any notice or instruction including discharge consents received in respect of the facility from any body corporate or other authority, other than the Regulatory Authority, which in any way relates to the use of the facility, shall be given to the Waste Regulation Authority within three days of the receipt of such notice or instructions.

SCHEDULE 'D' - SITE PREPARATION WORK

- D1. No operations shall take place after the hours of darkness in accordance with the working plan.
- D2. An identification board of durable material and finish shall be maintained and displayed in a prominent position at the facility. This shall give the name, address and telephone number of the Operator and 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. The gates shall be locked outside operating hours and at any time the site is left unattended in order to prevent unauthorised access deposit on, or removal of materials from the facility. The fencing, gates and walls shall be inspected daily by a designated person and any damage observed shall be repaired as soon as is reasonably practicable.
- D4. Site roads shall be designed, constructed and maintained so that they are adequate for the traffic usage of the site.
- D5. Provision shall be made to deal with waste that does not conform to Schedule B delivered to or left at the facility. Such waste shall be removed from the facility as soon as practicable and in any case within such times as agreed with the Waste Regulation Authority, and taken to a suitable alternative site for disposal.
- D6. Provision shall be made within the confines of the facility for the parking, loading and unloading of vehicles transporting wastes and residues to and from the facility in accordance with the working plan.
- D7. Arrangements shall be provided on site for the storage and maintenance of equipment used at the facility in accordance with the working plan.

- D8.** Tanks or drums used for the storage of liquids which may be polluting shall be contained within bunded compounds. The containment capacity of the bund shall be at least 110% of the tank capacity in the case of a single tank. Where multiple tanks or drums are contained within a bund, then the bund capacity shall be either 110% of the capacity of the capacity of the largest tank or drum, or 25% of the total volume of liquid which could be stored in the bund, whichever is the greater. The side walls and base of the bunded areas shall be lined with impervious material.

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

All taps or permanent valves through which liquid can be discharged shall be:

- (i) within the bund;
- (ii) discharged vertically downwards;
- (iii) shut and locked when not in use.

- D9.** Where liquid from a tank is delivered through a flexible pipe permanently attached to the tank, then -

- (a) A tap valve shall be provided at the delivery end which automatically closes when not in use;
- (b) An isolating valve shall be provided at the tank end of the flexible pipe which shall be kept locked when not in use;
- (c) The flexible delivery pipe shall be kept within the bund when not in use.

No part of the bund shall be situated within 10 metres of any inland water into which the liquid could enter if it were to escape.

All containers within the bund shall be of a type and construction suitable for the liquids they contain and shall be labelled to show their contents. Containers shall conform, where necessary, to all relevant safety and construction standards.

- D10.** Measures in accordance with the working plan shall be taken to prevent damage to all pipework, valves, pumps and storage tanks which may result in pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.
- D11.** Wheel cleaning facilities shall be provided, maintained and used, in accordance with the working plan, to ensure that no mud debris or other material is deposited on any roadway by vehicles using the facility.

- D13. Surface water drains shall be installed around the perimeter of the facility to intercept water from entering the landfilling area, the working plan so as to avoid the contamination of the surface water with any leachate.
- D14. New springs and issues identified within the facility shall be intercepted and conveyed to the boundary of the facility so as to avoid any contamination of the spring or issue with any leachate.
- D15. Water courses crossing the landfill facility shall be diverted around the facility in accordance with the working plan, so as to avoid the contamination of the watercourse with any leachate.
- D16. Any standing water within the facility shall be drained or pumped out as deemed necessary by the Regulatory Officer, and the area raised with clean, dry, non-biodegradable material to prevent standing water.
- D17. A site office, equipped with toilet and washing facilities and a telephone shall be provided and maintained at the facility.
- D18. A diary/log book shall be provided and retained in the site office. The diary/log book shall be available for the licence holder, his agent or employees, and for Officers of the Waste Regulation Authority and other Officials to read or record comments pertaining to the activities of the facility.
- D19. Gas and groundwater monitoring boreholes shall be installed at the location and to the engineering specification to be agreed with the Waste Regulation Authority.
- D20. Gas monitoring boreholes shall be installed outside the area to be tipped as agreed with the Waste Regulation Authority as tipping at the facility progresses.
- D21. An emergency plan to deal with gas migration shall be agreed with the Waste Regulation Authority.

SCHEDULE 'E' - OPERATIONS

- E1. During all operational and maintenance periods the facility shall be manned by at least one technically competent person who is capable of ascertaining, in accordance with the terms of the working plan and having regard for information supplied with waste materials, that only waste permitted by the licence is received at the site. As far as practicable the nature of the waste shall be ascertained by site personnel prior to receipt to ensure that it is acceptable at the facility.
- E2. The types of waste and quantities ~~stored~~ ^{disposed of} at the facility shall consist of those specified in Schedule B of this licence.
- E3. Wastes shall be delivered to the facility between the hours of:
- | | |
|------------------|--------------------|
| Monday to Friday | 0730 to 1800 hours |
| Saturdays | 0730 to 1200 hours |
- No waste shall be delivered to or removed from the facility outside these hours or on Sundays or Bank Holidays except in cases of emergency. All circumstances of emergency shall be reported forthwith to the Waste Regulation Authority.
- E6. 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.
- E7. Waste shall be compacted and formed into a layer as soon as possible after deposit and not later than the end of the working day on which it was deposited.
- E8. 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:
- 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,
 - 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 suitable compacting machine.

- E9. The depth of a layer of waste shall not after initial compaction exceed 2 metres.
- E10. Working flanks and faces shall be compacted to form gradients not steeper than 1:3.
- E11. Bund walls as detailed in the working plan shall have a minimum crest width of 2 metres and shall be designed and constructed to provide a stable batter.
- E12. Waste shall be compacted and formed into a layer as soon as possible after deposit and not later than the end of the day which it was deposited.
- E13. Any trees, bushes or other vegetation on areas which are to be tipped shall be grubbed up and removed from the disposal area prior to tipping.
- E14. All long objects such as lamp posts etc., shall be broken up into lengths not exceeding 2 metres before being backfilled.
- E15. The site shall be progressively filled in accordance with the detail of the working plan with waste deposited in cells. Measures shall be taken when forming cell walls and floors to not impede the upward movement of landfill gas or create perched water tables.
- E16. 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.
- E17. No waste 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 Waste Regulation Authority. Fire fighting equipment and emergency water supplies shall be provided, regularly maintained and identified at the facility.
- E18. Litter shall not be allowed to accumulate at the facility. Not less than once per seven days or at a greater frequency as directed by the Waste Regulation Authority 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 the environment, harm to human health or serious detriment to the amenities of the locality.
- E19. All vehicles visiting the facility shall not exceed a speed of 10 mph.

- E.20 Measures shall be taken to remove any mud, debris etc., deposited on the highway by vehicles leaving the facility. These measures shall include the sweeping of the hard surfaced areas, entrance and public highway leading from the facility.
- E21. Measures including proper use, shall be taken 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.
- E22. Subsidiary site roads shall be provided and maintained in accordance with the ~~working~~ king plan, constructed of hardcore or rubble, free from any timber or metal.
- E23 No previously deposited and compacted waste shall be removed from the site or otherwise displaced without the prior written agreement of the Waste Regulation Authority.
- E24 If required by the Waste Regulation Authority, any waste or other material segregated for re-use or re-sale shall be removed forthwith, if, according to the Waste Regulation Authority, it is giving rise to pollution of the environment, harm to human health or serious detriment to the amenities of the locality.
- E25. A record shall be kept available in an agreed form for inspection for a period of not less than two years after the date of deposit detailing the carriers, the types and quantities of waste deposited. This record shall include details of all materials recycled on site.
- E26. A summary of the record required by E25 shall be forwarded to the Waste Regulation Authority for a period of every 3 months to arrive within 14 days of the end of the period to which it refers.
- E27. Precautions shall in accordance with the working plan, be taken to deal effectively with any vermin and insects and odours so as to prevent harm to human health or serious detriment to the amenity of the locality. A written record of the treatment undertaken shall be kept on site for inspection.
- E28. 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, to prevent pollution of the environment, harm to human health or serious detriment to the amenities of the locality.
- E29 Surface water interceptor drains and watercourses shall be inspected as necessary and in any case every seven days. Drains shall be kept free of any blockage and maintained to the specification in the working plan. Records of inspections and any remedial measures shall be recorded in a log book permanently on site.

- E30. The integrity of diverted watercourses constructed in accordance with the requirements of this licence shall be surveyed at six monthly intervals by a competent person and the results forwarded to the Waste Regulation Authority.
- E31. Upon evidence of structural failure or leakage, in any culvery or diverted watercourse, immediate action shall be taken to instigate repairs to the standards and specification in the working plan.
- E32. Surface waters shall be sampled at the location and at a frequency as stipulated by Schedule G of this licence. The samples shall be tested for the specific determinands in Schedule G.
- E33. If any analysis of surface waters indicate sygnificant contamination by leachate, then remedial measures shall be instigated without delay, to remove the cause of the contamination to the satisfaction of the Waste Regulation Authority.
- E34. Groundwaters shall be sampled at locations, frequencies and for the specific determinands in accordance with Schedule G of this licence.
- E35. 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 within three months or as otherwise agreed with the Waste Regulation Authority, submit to the Waste Regulation Authority a programme of works; or a revised scheme to minimise such pollution.
- E36. Gas monitoring boreholes installed in accordance with conditions D19 and D20 of this licence shall be monitored using portable equipment at the frequencies and for the determinands in accordance with Schedule G of this licence. At the time of taking the readings a note shall be made of the Barometric Pressure and Air Temperature.
- E37. A full record of gas readings (together with barometric pressure and air temperature), groundwater and surface waster monitoring shall be kept at the facility, and shall be sent to the Waste Regulation Authotity every three months.
- E39. Any cessation of operations for a period in excess of three months shall be notified to the Waste Regulation Authority. Not less than 14 (fourteen) days notice shall be given to the Waste Regulation Authority of the date on which operations are to recommence in the event of such a cessation.

- E40. Until final restoration, completed areas of landfilling shall be graded and maintained in a tidy condition and where necessary action in accordance with the working plan shall be taken to control weeds.
- E41. Adequate clearance shall be maintained below any overhead transmission lines with particular attention to vehicle movements. Account shall be taken of maximum height reached by the vehicles particularly when they are tipping.
- E42. 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 terms and conditions shall be kept available at the facility and displayed in a prominent position.

SCHEDULE 'G' - SITE RESTORATION

- G1. Once final levels have been achieved the site shall be covered in accordance with the working plan or as agreed with the Waste Regulation Authority.
- G2. The final layer of waste shall be subject to the minimum compaction, and shall be to a depth of not less than 1 metre and kept free of materials likely to interfere with the final restoration or subsequent use.
- G3. Until final restoration, completed areas shall be graded and maintained where necessary to control or destroy weeds.
- G4. Final restoration shall be to the contours in accordance with the working plan.

SCHEDULE 'G' - MONITORING DETERMINANDS AND FREQUENCIES

Surface Water -

as stream enters culvert
at northeast of site and
as stream leaves site to
southwest.

Quarterly: pH, temperature, electrical conductivity (EC), dissolved oxygen (DO), ammoniacal nitrogen (NH₄ - N), chlorides (Cl), chemical oxygen demand (COD).

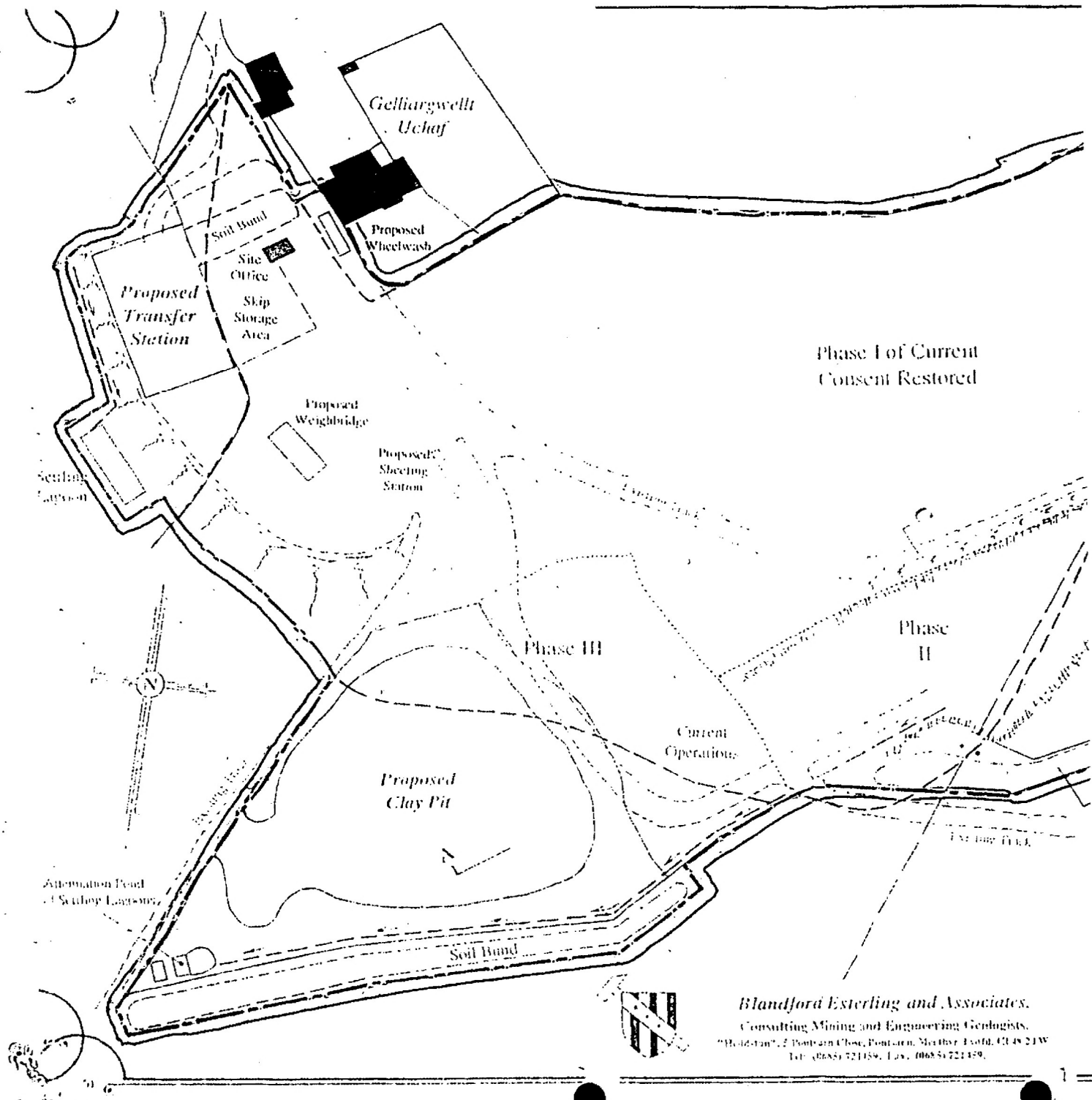
**Groundwater -
in boreholes**

Quarterly: Water level, pH, EC, temp, DO, NH₄-N, Cl.

Six-monthly sulphates (SO₄), total alkalinity as CaCO₃, total oxidised nitrogen (TON), total organic carbon (TOC), Na, K, Mg, Fe, Mn, Cd, Cr, Cu, Ni, Pb, Zn.

**Landfill Gas -
in boreholes**

Bi-monthly CH₄, CO₂, O₂
Atmospheric pressure, temperature, weather conditions.



Blandford Esterling and Associates.
Consulting Mining and Engineering Geologists.

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Tel: 0685 721159. Fax: 0685 722159.

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