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AMGYLCHEDD CYMRU
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AGENCY WALES

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OUTGOING



PERMIT

ENVIRONMENTAL PROTECTION ACT 1990 - PART II, SECTION 37

**NOTICE OF MODIFICATION OF
WASTE MANAGEMENT LICENCE**

Licence Number: NOW-526-L

Licence Holder: David Kelly.

WHEREAS on 16th June 1998 a Waste Disposal Licence was granted under Section 5 of the Control of Pollution Act 1974 (number NOW-526-L) by Environment Agency Wales relating David Kelly of Legacy Car Dismantlers, Esclusham Mill, Llwyneinion Road, Legacy, Wrexham, LL14 4ET.

NOTICE is HEREBY GIVEN that the Environment Agency in exercise of its powers under Section 37 (1)(a) of the Environmental Protection Act 1990 modifies Waste Management Licence No: NOW-526-L as follows:

See attached schedule of licence conditions.

Such modification shall take effect from 00:00 Hours, 30th November 2001

Signed *Clare Walters*

Name: CLARE WALTERS

Team Leader Waste Licensing – Northern Area (Welsh Region)

Dated: 29th November 2001

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE END
OF THIS NOTICE OF MODIFICATION**



SCHEDULE

The following condition shall be modified in licence Number NOW-526-L David Kelly

Modify conditions B.5.2, B.6.1, B.6.2 & B.6.3. & add condition B.5.6.

The original conditions read:

- B.5.2 The impermeable pavement area (shaded in green on drawing no 1) shall be constructed of concrete minimum of 30mm and shall be free from potholes, ruts and standing water and shall be kept in good repair such that any crack or pothole is repaired within 5 working days. Further vehicles unless previously drained of all fluids shall not be accepted until the defect has been repaired. A repair shall consist of the crack or pothole being filled with appropriate material to finish flush with the surface. Inspection of the surface shall take place on a daily basis and a written record of all inspections and repairs shall be kept available at the site office for inspection by officers of the Environment Agency.
- B.6.1 The system for the drainage of surface water within the site shall be submitted to the Environment Agency within one month of the issue of this licence.
- B.6.2 An oil/water interceptor shall be installed within three months of the issue of this licence. The specification shall be forwarded to the Environment Agency and agreed in writing before its installation.
- B.6.3 No liquid or other waste material, which could not be expected to be retained by a properly maintained interceptor, shall be allowed to enter the drainage system.

The new conditions shall read:

- B.5.2 The impermeable pavement area (shaded in green on drawing No.1) shall be constructed and inspected in accordance with the specifications detailed in drawing 2 of the agreed working plan and table B.6 below.
- B.5.6 The hardstanding area referred to in condition B.5.3 shall be inspected and maintained in accordance with table B.6 below.
- B.6.1 The engineered site 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 to meet the standards specified in Table B.6 below:

Table B.6 Site containment and drainage standards	
Type of Site Containment and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
Hardstanding	Areas of hardstanding shall be maintained such that the working surface: i) shall remain even ii) shall not be subject to settlement or differential settlement iii) shall not be subject to rutting by vehicles even when wet iv) shall have sufficient durability to allow cleaning e.g. by scraping v) shall remain free of standing water.
Impermeable pavement, bunding and sills	Areas of impermeable pavement, bunding and sills shall be constructed and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints
Drainage systems	A 3 chamber oil interceptor, which shall have a minimum of six minute retention time per chamber at its maximum flow rate shall discharge to either a foul sewer or sealed sump, shall be inspected no less frequently than weekly and after rain, and shall be maintained so as to intercept all liquids which run off the pavement.
Inspection and maintenance of engineered containment	All areas of hardstanding, impermeable pavement, sealed drainage systems: a) shall be inspected no less than weekly, to ensure the continuing integrity and fitness for the purpose of their construction, and the inspection and any necessary maintenance shall be recorded in the site diary; and b) 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 shall cease importing waste into or treating waste in the affected area, shall notify the Agency immediately, and shall not recommence importing waste into or treating waste in the affected area until it has been repaired to a standard at least as good as the original specification.

Construction quality assurance of new site containment and drainage systems

B.6.2

No wastes shall be deposited, stored, treated or otherwise handled in any area or in any fixed tank for which an engineered site containment and drainage system has been newly constructed to meet the requirements of this condition until:

- a) details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;

- b** the Validation Report on the construction of the engineered site containment and drainage system has been submitted in writing to the Agency and has been acknowledged in writing by the Agency.

Construction quality assurance of existing site containment and drainage systems

- B.6.3** Within three months of the issue of this modification the licence holder shall submit:
- a** Details of the construction and maintenance of the existing engineered site containment and drainage system in writing to the Agency and acknowledged in writing by the Agency;
 - b** The existing engineered site containment and drainage system shall be demonstrated to be fit for the purpose in that :
 - i** areas of impermeable pavement are laid to take the weight of relevant vehicles, plant and equipment without cracking or breaking; and
 - ii** areas of impermeable pavement are free from cracks which could reduce impermeability; and
 - iii** areas of impermeable pavement are resistant to mechanical, physical and chemical stresses to which they may be subjected; and
 - iv** areas of impermeable pavement fall towards the drainage system to prevent ponding; and
 - v** no liquid will run off areas of impermeable pavement other than via the drainage system; and
 - vi** the drainage system is sealed so that it does not leak and is capable of collecting and containing liquids draining from the impermeable pavement; and
 - vii** liquid from the drainage system is disposed of to an approved discharge
 - c** The existing engineered site containment and drainage system shall be maintained in accordance with the requirements of table B.6.

RIGHTS OF APPEAL

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

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

- a** an application for a modification of the conditions to a licence is rejected; or
- b** the conditions of a licence are modified;

then the applicant for the modification of the licence or, as the case may be, the holder of the licence may appeal from the decision to the National Assembly for Wales.

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

National Assembly for Wales
Cathays Park
Cardiff
CF10 3NQ

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

Copies of the notice of appeal together with copies of any of the documents that have accompanied your notice of appeal should be served on:

Environment Agency Wales
Chester Road
Buckely
Flintshire
CH7 3AJ