



**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37**

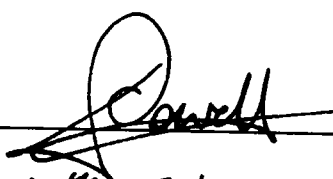
**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE REF No: EAWML/37154 (NOW-526-L)	FACILITY TYPE: Vehicle Depollution & Dismantling (Authorised Treatment) Facility
LICENCE HOLDER: David Ithel Kelly Legacy Car Dismantlers Esclusham Mill Llwyneinion Rd Legacy Wrexham LL14 4ET	LICENSED FACILITY: Legacy Car Dismantlers Esclusham Mill Llwyneinion Rd Legacy Wrexham LL14 4ET SJ 28888 47704

WHEREAS on the 15 June 1998 the Environment Agency Welsh Region (North Wales Area) issued a waste disposal licence (now to be treated as a waste management licence) in pursuance of its powers under Part 1 of the Control of Pollution Act 1974 for the above named facility to you.

AND WHEREAS on the 31 March 99, 30 November 2001 and 14 March 2005 the Environment Agency modified the conditions of the said licence pursuant to Section 37(1)(a) 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 Dave Powell
Team Leader Environment Management

Dated 11th July 2007.

This modification shall take effect on **13 July 2007** at 00.01 hours

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

Environment Agency Wales, Chester Road, Buckley, Flintshire, CH7 3AJ



SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION

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

Delete existing condition(s)

A1 Application Area

A1.2 Waste shall be deposited, sorted and stored within the areas outlined in BLUE on the drawing No.1 of schedule 1, attached to this licence.

A2 Waste types and quantities

A2.1 The types and maximum quantities of wastes permitted to be taken into the site shall only be those as shown in Appendix I of this licence.

B3 Site Security

B3.1 Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised either by the Licence Holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the requirements specified in Table 3.1

Table 3.1 Site security system standards

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

E2 Mud on roads

- E2.1 Measures shall be taken to ensure that the surface outside the area marked in red on the Drawing No.1 shall be kept free of mud, stones, waste or other debris from site operations. These measures shall include the sweeping of the yard entrance and the highway leading from the facility as often as required.
- E2.2 The deposit of mud, stones, waste or any debris from the site onto the public highway adjoining the site shall be treated as an emergency. Immediate effective action shall be taken to remove such deposits including the use of a mechanical or vacuum type road sweeper as necessary. This material shall not be swept or washed into surface water drainage at the roadside.

APPENDIX I – TYPES AND QUANTITIES OF WASTE PERMITTED FOR DEPOSIT

PERMITTED WASTE INPUT

		<u>Maximum Quantity Stored (tonnes) Units</u>	
(1)	Scrap Vehicles (based on 1 vehicle weighing approx 1 tonne)	1000	1000
(2)	Tyres (kept on vehicles)	6.25	1000
	Tyres (removed from vehicles) (based on 160 tyres per tonne)	1.00	160
(3)	Batteries (and acid contained within) (based on 50 batteries per tonne)	2.00	100
(4)	Engines (based on 12 engines per tonne)	50	600
(5)	Transmission units (based on 12 units per tonne)	50	600
(6)	Oils/Brake Fluid/Antifreeze	2500 litres	

PERMITTED WEEKLY INPUT

No more than 40 tonnes of waste shall be received at the site per week (40 vehicles)

PERMITTED ANNUAL INPUT

No more than 1000 tonnes of waste shall be received at the site per year (1000 vehicles)

*Liquid waste shall only be accepted at the facility if it forms an integral part of the vehicle. Similar waste arising from elsewhere shall not be excepted.

EXCLUDED WASTE

(1) Controlled waste being defined as 'Special Waste' under the Regulations in force under Section 62 of the Environmental Protection Act 1990 or any subsequent legislation, (except oil, battery acid, antifreeze, petrol which has been brought onto site as an integral part of the vehicle).

Add new condition(s)

A1 Specified waste management operations

A1.2 No waste management operations shall be authorised by this licence unless:

- a specified in and undertaken in accordance with the limitations in the following table 1.2 or
- b otherwise required by the conditions of this licence as being an integral part of those operations

Table 1.2 Specified end-of-life vehicle storage and treatment operations

Specified Operation	Permitted Waste Types (and European Waste Catalogue number) which may be subject to the Specified Operation	Limits on Specified Operations
<u>STORAGE</u>		
R13: Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced).	(i) 16 01 04 End of life vehicles **	- Maximum storage capacity 100 vehicles stored on an Impermeable Pavement with a sealed drainage system - And only within the area marked in BLUE on drawing DK1b
D15: Storage of wastes pending any of the operations numbered D1 to D14 (excluding temporary storage, pending collection, on the site where it is produced)	(ii) 16 01 06 End of life vehicles (containing neither liquids nor other hazardous components)	- Maximum storage capacity 1000 vehicles - And only within the area marked in BLUE on drawing DK1b
	(iii) Residual wastes produced as a result of depollution or further treatment	- Maximum storage capacity 50 tonnes, not exceeding 10 tonnes of hazardous waste. - Maximum storage time of 1 year prior to disposal or 3 years prior to recovery - And only within the area marked in BLUE on drawing DK1b
The overall maximum storage capacity shall not exceed 1000 vehicles and 50 tonnes of residual waste, not exceeding 10 tonnes of hazardous waste removed from depolluted vehicles		
<u>TREATMENT</u>		
R3: Recycling / reclamation of metals and metal compounds:	(i) 16 01 04 End of life vehicles **	40 vehicles per week - And only within the area marked in BLUE on drawing DK1b
R4: Recycling / reclamation of other inorganic materials	(ii) 16 01 06 End of life vehicles containing neither liquids nor other hazardous components)	40 vehicles per week - And only within the area marked in BLUE on drawing DK1b
The overall annual throughput of the site shall not exceed 1000 vehicles.		

EWC entries marked with a ** may be hazardous depending on threshold concentrations. Please refer to Agency Technical Guidance WM2 or subsequent guidance for further advice

Specified waste management operations and exempt waste management operations

- A1.3 Where wastes are being brought onto the site for waste management operations which are exempt from licensing under the 1994 Regulations, then the wastes which are subject to the specified waste management operations shall be kept clearly segregated and identified from those wastes which are being kept on the site for the exempt waste management operations.

A2 Permitted wastes

Permitted categories and types of wastes

- A2.1 No wastes other than those, which are specified in detail in Appendix A to these conditions, shall be accepted at the site.

B3 Site Security

- B3.1 Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised either by the Licence Holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the requirements specified in Table 3.1

Table 3.1 Site security system standards

Site security system	Specified standards
Timetable of provision	Site security provisions outlined in this modification shall be provided within a specified time period as agreed in writing with the Environment Agency.
Design standards	Unless otherwise agreed in writing by the Agency, the area shown edged in BLUE on drawing ref. DK1b shall be secured, this shall consist of a chainlink security fence at least 1.8 metres high around the perimeter, which shall meet the standards specified in British Standard BS1722 or an agreed alternative, and shall have a lockable gate to at least the same height and standard at the site access.
Operational standards	The site shall be kept closed and secure at all times when unattended.
Maintenance standards	The site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of the working day, and shall be repaired within 7 working days of the damage being detected. All inspections, defects, damage and repairs shall be recorded in the site diary.

E2 Control of mud and debris and loose waste

Prevention of mud and debris on road

- E2.1** Whenever the site is receiving or despatching wastes, measures shall be provided, operated and maintained with the objective of preventing the deposit or tracking of mud or debris arising from the site onto public areas outside the site, which shall include public highways and areas of public access.
- E2.2** All vehicles leaving areas of the site which are operational or upon which engineering works are being carried out shall, before leaving the site, be cleaned as necessary and shall be checked to ensure that they are clear of loose waste and that any waste is secure.

Remediation of mud and debris on road

- E2.3** In the event that mud, debris or waste arising from the site is deposited onto public areas outside the site, the following remedial measures shall be implemented immediately:
- a) the affected public areas outside the site shall be cleaned
 - b) traffic shall be isolated from sources of mud and debris within the site to prevent further tracking of mud and debris, and measures shall be taken to clear any such sources as soon as practicable.

Appendix A – residual waste types

Residual wastes as a result of depollution or subsequent treatment	
Waste type	Waste Categories and European Waste Catalogue No.
Vehicle batteries	16 06 01 lead batteries *
	16 06 05 other batteries and accumulators *
Oil filters	16 01 07 oil filters *
PCB/PCT containing condensers	16 01 09 components containing PCBs **
	16 01 21 hazardous components (other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14) **
Components identified as containing mercury	16 01 08 components containing mercury **
Brake pads	16 01 11 brake pads containing asbestos **
	16 01 12 brake pads other than those mentioned in 16 01 11
Tyres	16 01 03 end-of-life tyres
Air bags	16 01 10 explosive components (for example air bags) *
Liquefied gas tanks	16 01 16 tanks for liquefied gas
End of life vehicle fluids:	
Hydraulic Oils	13 01 09 Mineral based chlorinated hydraulic oils *
	13 01 10 Mineral based non-chlorinated hydraulic oils *
	13 01 11 Synthetic hydraulic oils *
	13 01 12 Readily biodegradable hydraulic oils *
	13 01 13 Other hydraulic oils *
Engine, gear and lubricating oils	13 02 04 Mineral based chlorinated engine, gear and lubricating oils *
	13 02 05 Mineral based non-chlorinated hydraulic oils *
	13 02 06 synthetic engine, gear and lubricating oils *
	13 02 07 readily biodegradable engine, gear and lubricating oils *
	13 02 08 other engine, gear and lubricating oils *
Fuel	13 07 01 Fuel oil and diesel *
	13 07 02 Petrol *
	13 07 03 Other fuels (including mixtures) *
Air conditioning fluids	14 06 01 Chlorofluorocarbons, HCFC, HFC *
	14 06 02 Other halogenated solvents and solvent mixtures *
	14 06 03 Other solvents and solvent mixtures *
Brake fluids	16 01 13 Brake fluids *
Antifreeze fluids	16 01 14 Antifreeze fluids containing dangerous substances **
	16 01 15 Antifreeze fluids other than those mentioned in 16 01 14
Any other fluid contained in the end of life vehicle	16 01 22 Components not otherwise specified
Plastic, glass and ferrous and non-ferrous metal wastes arising from the treatment of end of life vehicles	16 01 17 Ferrous Metal
	16 01 18 Non-ferrous metal
	16 01 19 Plastic
	16 01 20 Glass

EWC entries marked with a * are hazardous wastes

EWC entries marked with a ** may be hazardous depending on threshold concentrations. Please refer to Agency Technical Guidance WM2 or subsequent guidance for further advice



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Chief Environment Officer
 Public Rights of Way section

Llynolnion site
Scale 1:1,250 at A3

DK1b.

Crown Buildings, Wrexham LL13 8BG
 Telephone 01978 297179 Fax 01978 297086

- Freehold title WA811323
- Environment Agency licenced area
- David Kelly leased area
- STORAGE + Treatment Area

- Public Footpath (Definitive line)
- Footpath - as walked (part)
- DK approx fence / hedge and containers
- Licensed Area

wrexham
 COUNTY BOROUGH
 INVESTED IN
wrexham
 Produced by PS
 Version 3
 Date : 15/1/2007

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.