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ASiantaeth YR
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES



OUTGOING

ENVIRONMENTAL PROTECTION ACT 1990 - PART II, SECTION 37

**NOTICE OF MODIFICATION OF
WASTE MANAGEMENT LICENCE**

Licence Number: 314-103/93

Licence Holder: Cwmni Gwastraff Mon-Arfon Cyf

WHEREAS on 12 November 1993 a Waste Disposal Licence was granted under Section 5 of the Control of Pollution Act 1974 (number 314-103/93) by Arfon Borough COUNCIL relating to disposal of controlled waste on land at Cilgwyn Landfill Disposal Site.

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: 314-103/93 as follows:

See attached schedule

Such modification shall take effect from 00:00 hours on 27 March 2000

Signed

Name: CLARE WALTERS

Team Leader Waste Licensing – Northern Area (Welsh Region)

Dated: 24 March 2000



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



SCHEDULE

The following conditions shall be modified:

GENERAL CONDITIONS

Modification shall read:

1.1.1 Shall be deleted

Working Plan and Phasing

Modification shall read:

2.1.1 No waste management operations shall be authorised by this licence unless specified in and undertaken in accordance with sections 1 to 7 of the working plan.

Modification shall read:

2.1.2 The Licence Holder shall give the Agency prior notice in writing of any proposed change to any section of the working plan specifically referred to in this licence.

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 working plan would have on the risk posed by the site to human health and the environment.

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.

The proposed change to the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

Modification shall read:

2.1.4 Shall be deleted

TYPES OF WASTE

Modification shall read:

- 3.1 No wastes other than those which are categorised below in Table 3.1. shall be accepted at the site for final disposal.

Table 3.1: Permitted quantities of waste	
Permitted Waste Categories	Maximum Permitted Quantities (tonnes/year)
Inert wastes	*
Scrap Metal	Not permitted
Special Wastes (<i>Excluding bonded asbestos and asbestos cement products and group E clinical wastes</i>)	Not permitted
Bonded asbestos with less than 1% by weight free fibres	*A maximum of 3375t but in any case less than 5% by weight of the annual input
Group E Clinical Waste as defined by the HSC/HSAC publication "Safe Disposal Of Clinical Waste (HMSO 1992)	*A maximum of 125t but in any case no more than 5 tonnes/week.
Contaminated soils with a level of contamination below level c of the Kelly scales.	*A maximum of 6750t but in any case less than 10% by weight of the annual input
Degradable Household Wastes (excluding inert, scrap metal and Special wastes)	*
Degradable Commercial Wastes (excluding inert, scrap metal and Special wastes)	*
Degradable Industrial Wastes (excluding inert, scrap metal and Special wastes)	*
Wastes from the sweeping of highways undertaken by Local Authorities or their agents	*
*Annual combined tonnage	67,500

Types of Wastes Not Permitted

Modification shall read:

- 3.2 Notwithstanding the specification of permitted waste types within section 4.2 of the working plan, wastes shall not be accepted which have any of the following specified characteristics:

Table 3.2 Excluded wastes of specified form and type	
Waste Form	Type
Solid	Dry wastes, Special (Excluding bonded asbestos and asbestos cement products and group E clinical wastes) Wet wastes, non-Special (Excluding road sweepings) Wet wastes, Special Clinical wastes (Excluding group E clinical wastes)
Powders	Non-Special Special
Sludges	Non-Special Special
Liquid wastes	Non-Special Special
Waste containers	Packaged wastes – unmixed Packaged wastes – mixed

Manning Levels

Modification shall read:

- 5.4.3 Whenever the site is open to receive waste it shall be supervised by at least one member of staff who is fully conversant with the requirements of the licence and the working plan regarding:
- a** waste acceptance and control procedures;
 - b** operational controls and environmental monitoring;
 - c** maintenance;
 - d** record-keeping;
 - e** emergency action plans;
 - f** notifications to the Agency;
 - g** site security.

Modification shall read:

- 5.4.4 All site staff shall be, or shall work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.

Modification shall read:

- 5.4.5 Any changes in the technically competent management of the site and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Agency in writing within 5 working days of the change in management.

The following conditions shall be added

- 5.4.6 In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence (as defined in Regulation 3 of the Waste Management Licensing Regulations 1994 or any amendment to the aforementioned Regulation) and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency within 14 days of conviction, whether or not the conviction is subsequently appealed. Such details shall include, in respect of each relevant person (as defined in section 74(7) of the Environmental Protection Act 1990 or any subsequent amendments to that section), the nature of the offence, the place and date of conviction, any sentence, and any fine or other penalty imposed.
- 5.4.7 In the event that the Licence Holder lodges an appeal against any such conviction, the Licence Holder shall notify the Agency of this within 14 days of the lodging. The Licence Holder shall notify the Agency of the results of that appeal, within 14 days of the appeal being decided.
- 5.4.8 The following information shall be notified in writing within 5 working days to the Agency:
- a** where the Licence Holder is an individual or named individuals in a partnership:
 - i** the death of the Licence Holder;
 - ii** any steps taken with a view to the Licence Holder going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of a partnership, dissolving the partnership;
 - iii** any change in the operator's trading name, registered name or registered office address (if different from the Licence Holder);

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b where the Licence Holder is a registered company:

- i** any change in the Licence Holder's trading name, registered name or registered office address;
- ii** any steps taken with a view to the Licence Holder going into administration, entering into a company voluntary arrangement or being wound up;
- iii** any change in the operator's trading name, registered name or registered office address (if different from the Licence Holder).

Waste Handling Methods

Modification shall read:

5.8.10 No waste shall be deposited into water other than engineering materials classed as waste and being used for engineering works.

Modification shall read:

5.8.12 All clinical waste received at the site shall be deposited in accordance with one of the following methods;

Either: clinical waste shall be deposited in a specially excavated trench in previously deposited waste and shall then be covered with a minimum depth of 1 m of cover consisting wholly of non-clinical waste.

or: clinical waste shall be deposited at the base of the working face and immediately covered with a minimum depth of 1 m of cover consisting of wholly non-clinical waste.

Modification shall read:

5.8.13 All clinical wastes deposited at the site shall be handled in a manner such that none of the sacks containing the waste are split or opened and that none is deposited within 2 m of the side or above a level 2 m below the final waste contours of the site.

Asbestos Waste

Modification shall read:

6.2.1 No asbestos containing waste other than bonded asbestos or asbestos cement products shall be accepted for deposit at the site.

The following condition shall be added

7.3.5 In extremely windy conditions a fully enclosed tipping area shall be provided for the deposit of potentially wind blown material this shall be constructed of wire mesh on a steel frame work. Details of the siting of the enclosed tipping area and operating procedures outlining when and how it will be used, will be submitted to the Agency within two months from the date of issue of this modification or other such time-scale as agreed with the Agency.

Noise

Modification shall read:

7.4.1 Measures shall be implemented throughout the operational life of the site, in accordance with this condition and section 4.8.7 of the working plan, to control and minimise the levels of noise from the site beyond the site boundary.

Site Security and Boundary Fences

Modification shall read:

7.5.6 To be deleted.

Pest Control

Modification shall read:

7.7 To be deleted.

The following conditions shall be added

- 7.7.1 The site shall be inspected for evidence of pest infestations by a competent person at least weekly. In the event of any evidence of pest infestations being found, measures as specified in section 4.8.4 of the working plan shall be taken immediately to control and eliminate those pests.
- 7.7.2 Measures, such as audible or visual scarers, the use of hawks, netting, decoys or any Agency approved method, shall be taken, in accordance with this condition and section 4.8.4 of the working plan, throughout the operational life of the site, to prevent birds with a propensity to scavenge and other scavengers from outside the site gathering on operational areas or scavenging wastes.

Faengoch Leachate Barrier

Modification shall read:

- 8.2.2 The barrier shall consist of geosynthetic clay liner (G.C.L.) consisting of a layer of bentonite sandwiched between two layers of geotextile and shall have a maximum permeability equivalent to a 1 m thickness of clay with a permeability of 1×10^{-9} m/s. The emplacement of this liner and associated engineering works shall be carried out in accordance with Specification of Minimum Standards as detailed in Condition 9 of this licence.

Gloddfa Glytiau Landfill Liner

Modification shall read:

- 8.3.2 The basal and side walls of Gloddfa Glytiau shall be lined with a composite site liner consisting of friction surfaced High Density Polyethylene (HDPE) geomembrane with a minimum thickness of 2 mm overlying a geosynthetic clay liner and shall have a maximum permeability equivalent to a 1 m thickness of clay with a permeability of 1×10^{-9} m/s.

Surface Water

Modification shall read:

- 10.1.2 A sample shall be taken weekly from the discharge issuing from the drainage adit shown in figure 2 Drawing No. 19249/R1/002 of the working plan and shall be analysed in accordance with Table 1. In addition the volume of discharge shall be measured and recorded as a weekly quarterly and annual volume.

Groundwater

Modification shall read:

- 10.2.2 Samples shall be taken weekly from the ground water monitoring boreholes shown in Drawing 1 Drawing No. 19249/R1/013 of the working plan and shall be analysed in accordance with Table 1.

Leachate Monitoring Points

Modification shall read:

- 10.3.3 Samples shall be taken weekly from the leachate sump and landfill gas vents as detailed on Drawing 2 Drawing No. 19249/R1/014 of the working plan and shall be analysed in accordance with Table 1.

Table 1: Monitoring frequencies for groundwater, surface water and leachate			
Determinands	Groundwater	Adit discharge	Leachate
Liquid level	Weekly	N/A	Weekly
PH	Weekly	Weekly	Weekly
Temperature	Weekly	Weekly	Weekly
Electrical conductivity	Weekly	Weekly	Weekly
Dissolved oxygen	Weekly	Weekly	Weekly
Ammoniacal nitrogen	Weekly	Weekly	Weekly
Chlorides	Weekly	Weekly	Weekly
Sulphates	Quarterly	Quarterly	Quarterly
Total alkalinity (as CaCO ₃ at pH 4.5)	Quarterly	Quarterly	Quarterly
Total oxidised nitrogen	Quarterly	Quarterly	Quarterly
Total organic carbon	Quarterly	Quarterly	Quarterly
Na	Quarterly	Quarterly	Quarterly
K	Quarterly	Quarterly	Quarterly
Ca	Quarterly	Quarterly	Quarterly
Mg	Quarterly	Quarterly	Quarterly
Fe	Quarterly	Quarterly	Quarterly
Mn	Quarterly	Quarterly	Quarterly
Cd	Quarterly	Quarterly	Quarterly
Cr	Quarterly	Quarterly	Quarterly
Cu	Quarterly	Quarterly	Quarterly
Ni	Quarterly	Quarterly	Quarterly
Pb	Quarterly	Quarterly	Quarterly
Zn	Quarterly	Quarterly	Quarterly

Results

Modification shall read:

- 10.4.1 A copy of the quality assured records of each monitoring and sampling result, with an interpretation of the results against background and trigger levels, shall be submitted to the Agency on a monthly basis, within 1 month of its being carried out.

The following condition shall be added

- 10.4.2 The frequency of sampling and the range(s) of determinands analysed for with regard to ground water leachate and the adit discharge may be varied at any time by agreement between the Agency and the Licence holder. If no agreement is in place then sampling and analysis shall be carried out in accordance with that shown in Table 1.

Monitoring

Modification shall read:

- 11.1.3 Monitoring and sampling of landfill gas shall be carried out and recorded in accordance with the monitoring programme specified in section 6.1 of the working plan.

Modification shall read:

- 11.1.6 The results of all gas monitoring required by this Licence shall be recorded in the site diary. In addition the date, time, weather conditions and person responsible for monitoring shall be recorded in the site diary.

Site Capping

Modification shall read:

- 12.1.4 Initial restoration shall be to the contours shown on Drawing No. 19249/R1/016 of the working plan. The objective shall be to achieve the contours as shown on Drawing No. 19249/R1/017 of the working plan, post settlement. The final capping layer shall have a maximum permeability after emplacement equivalent to a 1 m thickness of clay with a permeability of 1×10^{-9} m/s. The cap shall be designed and engineered such that settlement of the site has a minimal impact on its integrity.

The following conditions shall be added

- 13.1.3 Within 2 months of the date of issue of this modification a programme of works and timetable for producing a revised risk assessment for the site covering the items listed a) to e) in this condition shall be submitted to the Environment Agency. The risk assessment shall include
- a** A consideration of the risk of List I and List II substances being discharged from the site to both ground and surface waters.
 - b** A revision of water balance equations in the light of actual leachate production levels experienced to date.
 - c** Suggested trigger levels for action for parameters analysed for in leachate, ground and surface water.
 - d** A suggested monitoring programme for leachate, ground and surface waters.
 - e** Plans for action that will be taken if trigger levels are exceeded for leachate and ground surface water analysis parameters.
- 13.1.4 The activities of disposal, or tipping for the purpose of disposal, of waste which are authorised by this licence shall cease on 27 March 2004 and in the event that re-commencement of activities are authorised in accordance with this condition on every fourth anniversary thereafter, and shall not recommence unless the risk assessment or after the initial cessation, the subsequent review of the risk assessment carried out in accordance with condition 13.1.3 shows that at the specified dates there is no risk to groundwater under the terms of Regulation 15 of the 1994 Regulations, and this has been accepted in writing by the Agency.

Display of Licence

Modification shall read:

- 14.1.2 To be deleted.



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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 licence or a modification of the conditions to the licence is rejected
- b** a licence is granted subject to conditions

the applicant 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 granted 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 overleaf). 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.

