



PERMIT

Public Register

CONTROL OF POLLUTION ACT 1974



OUTGOING

DISPOSAL LICENCE

Ref. No. 930012

The South Pembrokeshire District Council in pursuance of the powers conferred on them by the Control of Pollution Act 1974, hereby licence: **TEXACO LTD.**,

of **1 Westferry Circus, Canary Wharf, London, E14 4HA**  
(hereinafter called the "licence holder")

to store and landfarm oily and biological sludges

on land shown edged red on plan reference no, at **Pembroke Plant, Pembroke, Dyfed** (edged blue) Reference No. SO-AA-653 Issue 2.

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

Dated this 12th day of March 1996

Signed .....

(Authorised Officer)

The licence holder's attention is drawn to the notes overleaf.

## **NOTES**

THESE NOTES ARE FOR GENERAL GUIDANCE ONLY AND DO NOT CONSTITUTE AN AUTHORITATIVE STATEMENT OF THE LAW.

1. This licence relates only to the requirements of the Control of Pollution Act 1974 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 HEALTH AND SAFETY AT WORK ACT 1974, the RADIOACTIVE SUBSTANCES ACT 1993, the TOWN AND COUNTY PLANNING ACTS, BUILDING REGULATIONS, the ENVIRONMENTAL PROTECTION ACT 1990, and ALL RELEVANT WATER PROTECTION and ENVIRONMENTAL HEALTH legislation.
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 Disposal 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 Disposal Authority together with a notice stating 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.

## **CONTRAVENTION OF LICENCE CONDITIONS**

Your attention is drawn to the provisions of Sections 3, 9, & 16 of the Control of Pollution Act 1974. A brief resume is included below.

### **Section 3**

Prohibits under penalty the deposits of waste or the use of plant or 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 an appeal to the Secretary of State under Section 10 of the Act. Any deposit which takes place without compliance with all the licence conditions may lead to prosecution under this Section.

### **Section 9**

Non compliance with any licence conditions may lead to the revocation of this licence.

### **Section 16**

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

### **Penalties under Section 3**

A persons who contravenes Section 3 subsection (1) shall, subject to subsection (4), be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding scale 5 (currently £5,000) or on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both.

The increased penalty may be given where a person contravenes Section 3(1) and the waste in question is poisonous, noxious and polluting, is likely to give rise to an environmental hazard, and has been brought for the purpose of being disposed of. Under such circumstances the person would be liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding scale 5 on conviction on indictment to imprisonment for a term not exceeding five years or a fine or both.

## **SCHEDULE A - DEFINITIONS.**

The following meanings shall apply throughout this licence:

1. **WORKING PLAN** shall mean the operational statement, together with Drawing No. 5O-AA-653 of the proposed facility contained in Schedule E.
2. **THE ACT** shall mean the Control of Pollution Act 1974 as amended.
3. **DISPOSAL AUTHORITY** shall have the meaning assigned to it in Section 30(1) of the Control of Pollution Act 1974.
4. **DULY AUTHORISED OFFICER** shall mean any person authorised in writing by the Disposal Authority pursuant to Section 91 (1) of the Control of Pollution Act 1974.
5. **ENVIRONMENTAL HAZARD** shall have the meaning assigned to it in Section 4(5) of the Control of Pollution Act 1974.
6. **LICENCE HOLDER** shall mean the person or persons to whom this licence is granted.
7. **BIODEGRADABLE** shall mean material which may be broken down by the action of microorganisms.
8. **LEACHATE** shall mean liquid which seeps from or through the landfill and by doing so extracts substances from the deposited waste.
9. **INERT WASTE** shall mean solid or granular dry materials, free from any noxious, poisonous, or polluting substance, which does not decompose or for which the environmental impact of decomposition is less than, or comparable with, that of topsoil and is virtually insoluble in water:
10. **EMERGENCY** shall mean a case where a person has reasonable cause to believe than circumstances exist which are likely to endanger life or health or cause damage to property or pollution of water.
11. **OPERATING** shall mean the deposit of waste or acceptance of waste for deposit and all matters incidental thereto.
12. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Control of Pollution Act 1974 and its associated regulations.

## **SCHEDULE B. - SITE PREPARATION.**

### **Site Infrastructure**

1. Perimeter fencing and gates shall be provided and maintained at all times in accordance with the working plan.
2. An identification board of durable material and finish shall be displayed at the location specified in the working plan. The following information shall be provided:
  - (a) Name, address and telephone number of the Disposal Authority responsible for issuing this Licence and the Disposal Licence Number;
  - (b) Name, address and telephone number of Manager;
  - (c) Twenty-four hour emergency telephone number and contact.

The board shall be maintained in a legible condition at all times.

3. The site control office is contained within the refinery administration block, representing the accommodation of the Environment Group.
4. The site access road shall be maintained to the original standard specified in the working plan.
5. Provisions for the storage and maintenance of plant shall be maintained to the original standard specified in the working plan.

### **Site Preparation**

6. The drainage system shall be maintained to the original standard specified in the working plan.

## **SCHEDULE C. - TYPES OF WASTE**

1.
  - a. Oily sludges from tank/vessel cleaning activities.
  - b. Biological sludges from the waste water treatment plant.
  - c. Sand/oil mixtures from oil spill clean up activities.
  - d. Oil contaminated soil.
  - e. Inert clay.
  - f. Calcium fluoride sludge.
2. The total quantity of waste accepted annually shall not exceed 24000 tonnes.

## **SCHEDULE D. - OPERATIONS.**

1. The licence holder shall operate the facility in accordance with the working plan as agreed with the Disposal Authority and contained in Schedule E of this licence.
2. Any proposed modification to the agreed working plan shall be submitted to the Disposal Authority together with the proposed date of implementation at least 6 weeks before the proposed date of such implementation.
3. The licence holder shall obtain the written agreement of the Disposal Authority for any proposed modification to the actual conduct of the operations from the proposals approved in the working plan.
4. The types of wastes accepted at the facility shall consist of those specified in Schedule C of this licence. All wastes shall be inspected to ensure that they conform with the requirements of Schedule C of this licence. Any wastes not conforming to the requirements of Schedule C shall be rejected as unsuitable for disposal at the facility, in accordance with the working plan.
5. No operations shall be carried out at the facility during the hours of darkness as defined by the statutory lighting up times published by the Science Research Council; i.e. half an hour after sunset to half an hour before sunrise.
6. The facility shall be manned and supervised during operating hours. Supervisors must be able to identify the types of waste permitted by this licence and those wastes specifically excluded.
7. Permitted wastes shall be delivered to the facility between the hours of daylight. Except in cases of emergency, no delivery or removal of waste shall take place outside these hours without the prior approval of the Disposal Authority. All circumstances of emergency movement of such wastes shall be reported forthwith in writing to the Disposal Authority.
8. A written record shall be kept of the characteristics and quantities of all wastes delivered to the facility, the name and address of the person delivering the waste, the date and time of the delivery, and identification of the origin of the waste. This record shall be available to any representative of the Disposal authority for inspection at the facility at any reasonable time.
9. A summary of the records required by condition 8 above of all wastes delivered to the facility in a calendar three month period shall be submitted to the Disposal Authority before the end of the succeeding calendar month.

10. No material shall be burnt within the boundaries of the facility. Any outbreak of fire shall be regarded as an emergency and immediate action shall be taken to extinguish it. Fire fighting equipment and emergency water supplies shall be provided, maintained and identified in accordance with the working plan. All outbreaks of fire shall be reported immediately to the County Fire Brigade and the Disposal Authority.
11. Measures, in accordance with the working plan shall be taken to remove any mud, debris or any other material that is deposited on any roadway by vehicles using the facility. These measures shall include the sweeping of the site access road, hard surfaced areas.
12. The amount of oil present in the topsoil of the site shall not exceed 10% at any time, sampled and analysed in accordance with working plan.
13. Oily sludge shall not be deposited on the land during adverse weather conditions or when the soil temperature is insufficient to promote satisfactory bacteriological activity.
14. The sludge from leaded gasoline tanks shall not be deposited on the site.
15. The amount of Lead, Cadmium, Copper, Zinc and Nickel in the soil shall not exceed the following levels:-

Lead	500 p.p.m.
Cadmium	3 p.p.m.
Copper	130 p.p.m.
Zinc	300 p.p.m.
Nickel	70 p.p.m.

The levels for Copper, Zinc and Nickel are the amounts available to plants as defined by A.D.A.S. methods.

16. Measures in accordance with the working plan shall be taken to effectively suppress any malodours which may be detrimental to the amenities of the locality.
17. A copy of any notice or instruction received in respect of the facility from any authority, other than the Disposal Authority, which in any way relates to the use of the facility, shall be given to the Disposal Authority within 3 days of the receipt of such a notice or instruction.
18. The terms of this licence shall be made known to any person who is given responsibility for the management or control of the facility and be available at all times at the facility for the use of such persons.
19. Notwithstanding the generality of the conditions in this Schedule, the activities to which this licence relates shall not be carried on so as to cause pollution to water or danger to public health or become seriously detrimental to the amenities of the locality affected by the activities.



20. Within 28 days of the grant of this licence details of the technically competent staff including names, qualification and experience for the posts identified in the working plan shall be submitted.
21. Within 12 months of the issue of this licence an investigation shall be carried out into the possible impact of waste disposal activities at this site upon groundwater quality and must clearly demonstrate compliance with the EC's Groundwater Directive.

The investigation shall include a detailed probabilistic, risk assessment which must consider the following points.

- a) Characteristics of the unsaturated zone, to include the soil profile, should be included within the risk assessment. Typically the following may be considered; thickness of unsaturated zones, porosity, moisture content, hydraulic conductivity and cation exchange capacity.
- b) Aquifer parameters - including pathway length and width, porosity, hydraulic conductivity and groundwater gradient.
- c) Predicted impact - must consider the likely probability of calculated concentrations occurring at identified end receptors to include the quality of controlled waters and abstractions as well as impact on receiving ecosystems.

The results of the above assessment must be presented (including any assumptions made) and supported by examples of the method of calculation so that the methodology can be audited. The assessment should not only identify the probability of calculated levels of contamination reaching end receptors but also the time period at which this level of contamination is likely to be encountered.