



CONTROL OF POLLUTION ACT 1974
Section 7

Post with letter 18/6/92

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Notice of Modification of Waste Disposal Licence Conditions

To INCO EUROPE LIMITED,
CLYDACH
SWANSEA SA6 5QR.



HJW/PC/AJ

WHEREAS on 8th July 1977 you were granted a Waste Disposal Licence by the* SWANSEA CITY COUNCIL relating to
Landfill site - Inco Europe Limited, Clydach.
subject to the conditions set out therein

[AND WHEREAS on 12th July 1991 you made application for the said conditions to be modified]

NOTICE is HEREBY GIVEN that the* SWANSEA CITY COUNCIL (hereafter called "the Authority") modifies the said conditions as follows:—

Condition 1

Only solid non-putrescible waste arising from within the site of Inco Europe Limited, Clydach is to be deposited on the Waste Disposal Site.

The site extent is delineated by the revised plan provided on the 12th July 1991 which sets out a final height for the site to be in line with the top of the adjacent railway embankment, i.e. to a maximum height of 90.93 ft AOD

The final profiles of the site will be as set out in the sections of Drawing No. 12119 dated 16th March 1977.

Such modification shall take effect on † 1st January 1992 at 12.00

~~[In the opinion of the Authority it is necessary for the purpose of preventing pollution of water or danger to public health that Section 10 (2) of the Control of Pollution Act 1974 should not apply.]~~

DATED 15th June

1992

(Signed)

Director of Environmental Health Services
(Designation)

Environmental Health Services Dept.,
The Guildhall,
Swansea.
(Address of Authority)

N.B.—The person served with this notice may appeal against the authority's decision to the Secretary of State within six months or such longer period as the Secretary of State may allow. (See notes overleaf.)

[The person on whom this notice is served may also make application to the Secretary of State for a ruling as to whether the Authority has acted reasonably in including the above statement as to the non-application of section 10 (2) of the Act. See notes overleaf.]†

* Insert name of Authority, as appropriate.

† Insert date and time when modification takes effect.

† These paragraphs should be included if it is intended that the decision shall have effect even when an appeal is pending.

SCHEDULE OF SITE LICENCE CONDITIONS AS MODIFIED JUNE 1992

CONTROL OF POLLUTION ACT 1974

INCO EUROPE LIMITED, CLYDACH - LANDFILL SITE

1. Only solid non-putrescible waste arising from within the site of Inco Europe Limited, Clydach is to be deposited on the Waste Disposal Site. The site extent is delineated by the revised plan provided on the 12th July 1991 which sets out a final height for the site to be in line with the top of the adjacent railway embankment, i.e. to a maximum height of 90.93 feet A.O.D.

The final profiles of the site will be as set out in the sections of Drawing No. 12119 dated 16th March 1977.
2. Tipping to be confined to hours of daylight.
3. Adequate supervision necessary during working hours.
4. Water courses to be protected.
5. Solid waste shall be compacted and formed into a layer as soon as possible after deposit and not later than at the end of the working day on which the waste is received.
6. The layer of waste shall be formed in one or other of the ways described in Condition 7 below using suitable compaction equipment with a blade or some other appropriate levelling device.
7. Waste shall either, (a) 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 (b) 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 other compacting machine.
8. Before covering, working faces and flanks shall be compacted to form gradients not steeper than 1 in 3.

9. All large articles such as furniture, crates and hollow containers likely to cause voids shall be crushed, broken up or flattened and covered each day by other wastes in such a position that they are not within one metre (3 feet) of the surface or two metres (6 feet) of the flanks or face.
10. Not less frequently than once a week any loose waste which may be lying on the site shall be gathered and disposed of in such a way as to keep the site tidy.
11. No waste material shall be burnt within the boundaries of the site, and a fire at the site shall be regarded as an emergency and immediate action shall be taken to extinguish it. All outbreaks of fire shall be notified forthwith to the disposal authority.
12. Precautions shall be taken to deal effectively with any vermin and insects on the site.
13. A record shall be kept of all deposits of special waste [as defined by the Control of Pollution Special Waste Regulations 1980]. Such records shall comprise of a site plan marked with the location of the deposit and a written record of the deposit described by reference to the composition of the waste and the date of its disposal.
14. All records are to be maintained until the disposal licence is surrendered or revoked and shall then be surrendered to and become the property of the disposal authority.
15. All asbestos waste is to be disposed of by double bagging in plastic sacks. All deposits of asbestos are to be at a depth of not less than 2 metres of the working surface and not less than 2 metres from the flanks of the landfill.
16. The terms of the Site Licence shall be made known to any person who is given responsibility for the management or control of the site and a copy of this shall be displayed at the site control office.
17. When landfilling commences, topsoil stripping shall be carried out in stages and only to the extent necessary to maintain a reasonably adequate area for landfilling at any one time. Top soil stripped shall be retained on the site for use as final cover.
18. Each layer of waste covering material shall be laid to a fall to encourage surface water run-off.
19. Until final restoration, completed areas of landfilling shall be graded and maintained in a tidy condition and where necessary action shall be taken to control or destroy weeds.
20. The final layer deposited shall be subject to the minimum compaction and shall, to a depth of 15-25 centimetres (6-10 inches), be kept free of materials likely to interfere with final restoration or subsequent cultivation.

20. Not less than 14 days notice shall be given to the Waste Disposal Authority of the date on which landfilling is to commence or re-commence in the event of a temporary cessation for a period in excess of three months.

21. Any temporary cessation of operations for a period in excess of three months shall be notified to the Waste Disposal Authority.

The issue of this Licence does not lessen the need to comply with other legislation, i.e. the Health and safety at Work Act 1974, The Radioactive Substances Act 1960, Planning, Water Protection and Environmental Health legislation.

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Section 7

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The final profiles of the site will be as set out in the sections of Drawing No. 12119 dated 16th March 1977.

Such modification shall take effect on † 1st January 1992 at 12.00

~~[It is the responsibility of the Authority to ensure that the necessary arrangements are made for the prevention of pollution of watercourses and to public health that Section 10 (2) of the Act and the Statutory Regulations of 1974 should not apply.]~~

DATED 15th June

1992

(Signed)

Environmental Health Services Dept.,
The Guildhall,
Swansea.
(Address of Authority)

Director of Environmental Health Services

(Designation)

(Address of Authority)

N.B.—The person served with this notice may appeal against the authority's decision to the Secretary of State within six months or such longer period as the Secretary of State may allow. (See notes overleaf.)

[The person on whom this notice is served may also make application to the Secretary of State for a ruling as to whether the Authority has acted reasonably in including the above statement as to the non-application of section 10 (2) of the Act. See notes overleaf.]†

* Insert name of Authority, as appropriate.

† These paragraphs should be included if it is intended that the decision shall have effect even when an appeal is pending.

NOTES

Appeals

If a licence holder is aggrieved by the decision of the Waste Disposal Authority in modifying conditions specified in a disposal licence he may appeal to the Secretary of State in accordance with Section 10 of the Control of Pollution Act 1974. Appeals must be notified within 6 months of the date of this notice to the Secretary, Department of the Environment. Land Wastes Division, Room B556, Romney House, Marsham Street, London, SW1P 3PY (for sites in England) or to the Secretary, Water Environmental Protection Division, Floor 2, Crown Building, Cathays Park, Cardiff CF1 3NQ, (for sites in Wales). The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of an appeal.

Where a notice giving the authority's decision to modify a disposal licence includes a statement that for the purpose of preventing pollution of water or danger to public health Section 10 (2) of the Control of Pollution Act should not apply to the decision, the notification of an appeal against the decision will not of itself render the decision ineffective pending determination of the appeal.

If you consider that such a statement has been unreasonably included in the notice of decision you may apply, under Section 10 (3) of the Control of Pollution Act, to the Secretary of State to determine whether the authority's action was unreasonable or not, (the address to write to is as given above). If the Secretary of State determines that the authority acted unreasonably in including such a statement, the authority's decision will become ineffective while an appeal is pending and you will be entitled to recover compensation from the authority in respect of any loss you have suffered in consequence of the statement. Any dispute as to your entitlement to compensation or its amount shall be determined by arbitration.

