



**ENVIRONMENT  
AGENCY**

## Modification of Waste Management Licence

Environmental Protection Act 1990

Section 37(1)(a)

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**Rees Metals Ltd**

Pencoed Works, Bynea,  
Llanelli

Authorisation number

LLN/SM/003 (EAWML 34065)

Effective date

16<sup>th</sup> September 2002

**Asiantaeth yr Amgylchedd Cymru**  
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## Introduction

*This note does not form part of the authorisation.*

This licence is granted under Section 35 of the Environmental Protection Act 1990. It consists of the authorisation certificate, the site plan and subsequent conditions.

The licence is written to prevent the authorised activities causing pollution of the environment or harm to human health.

You are reminded that it is an offence under Section 33 of the Environmental Protection Act 1990 not to comply with the terms of this licence.

This licence does not free you from the need to comply with any other regulatory regimes controlled by other bodies (such as planning or environmental health etc).

The Agency is required to maintain an up to date copy of this licence on the public register which is freely available to anyone wishing to view it.

If you wish to transfer or surrender the licence, or modify any of its conditions, you cannot do so without the consent of the Agency. Further advice can be obtained on these issues or any other aspect of the licence from your local Environment Agency office.

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**ENVIRONMENTAL PROTECTION ACT 1990, sect. 37(1)(a)**

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## **NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE**

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To: Rees Metals Ltd

Of: Pencoed Works, Bynea, Llanelli, SA14 9LN

WHEREAS on 14th May 1993 you were granted a Waste Disposal Licence, licence number LLN/SM/003, by Llanelli Borough Council relating to land at Pencoed Works, Bynea, Llanelli

AND WHEREAS on 1<sup>st</sup> May 1994 the said disposal plan converted to a waste management licence pursuant to Section 77 (2) of the Environmental Protection Act 1990 ("the 1990 Act")

NOTICE is HEREBY GIVEN that the Environment Agency modifies the said conditions as follows:-

Replace the schedule of conditions to the licence with those that are attached to this Notice.

This modification shall take effect from 00.01 hours 16<sup>th</sup> September 2002.

Dated: 3<sup>rd</sup> September 2002

(Signed).....

**Audrey Evans**

**For Environment Planning Manager**

N.B.- The person served with this notice may under Section 43 of the 1990 Act appeal against the Agency's decision to the Secretary of State within six months of the date of the decision or such longer period as the Secretary of State may allow.

## Conditions

### 1 General considerations

#### 1.1 **Specified waste management operations**

1.1.1 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; or
- b** otherwise required by the conditions of this licence as being an integral part of those operations;

**Table 1.1 Specified waste management operations**

Specified Waste Management Operation	Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
a) <b>Storage</b> pending recovery (R13).	All categories permitted by condition 1.2.1.	<ul style="list-style-type: none"> <li>i) Stored in areas with hardstanding or impermeable pavement provided in accordance with condition 2.1.2.</li> <li>ii) Ferrous and non-ferrous metals shall be kept physically separate within designated storage areas. Where a consignment of mixed waste is accepted it may be stored unseparated within a designated storage area, pending sorting, for a period not exceeding 2 months.</li> <li>iii) The maximum quantity of ferrous scrap metal stored on site at any one time shall not exceed 10,000 tonnes.</li> <li>iv) The maximum quantity of non-ferrous scrap metal stored on site at any one time shall not exceed 2 tonnes.</li> <li>v) No wastes shall be stored on site for a period of more than 3 years.</li> <li>vi) Within four months from the date of issue of this modification all wastes (including waste residues) accepted at the site, excluding wastes permitted by this modification shall be removed to a suitably licensed facility.</li> </ul>
b) Recycling or reclamation of metals and metal compounds (R3): <b>Treatment</b> consisting of <b>physical sorting or separation</b> of waste into different components, physical mixing or bulking of solid wastes of the same or different types, where there are no resulting changes in the chemical composition of the wastes or its different components.	All categories permitted by condition 1.2.1.	<ul style="list-style-type: none"> <li>i) Only upon areas with a hardstanding or impermeable pavement.</li> </ul>
c) Recycling or reclamation of metals and metal compounds (R3): <b>Size reduction</b> and separation by <b>crushing, cutting, shearing</b> or similar processes.	All categories permitted by condition 1.2.1.	<ul style="list-style-type: none"> <li>i) Only upon an impermeable pavement served by a sealed drainage system.</li> </ul>

*Specified Waste Management Operations and Exempt Waste Management Operations*

- 1.1.2 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.

1.2 **Permitted wastes**

*Permitted categories and types of wastes*

- 1.2.1 No wastes shall be accepted at the site other than those which are categorised below in Table 1.2 A.

**Table 1.2.A Permitted quantities of waste**

Permitted Waste Categories	European Waste Catalogue Chapter	Maximum Permitted Quantities (tonnes/year)
a) Inert wastes	Not applicable	i) Not Permitted
b) General and biodegradable wastes	Not applicable	ii) Not Permitted
c) Metals and discarded (scrap) composite equipment.	<b>16 Wastes not otherwise specified in the list (non-hazardous)</b> 16 01 17 ferrous metal 16 01 18 non-ferrous metal. <b>17 Construction &amp; demolition wastes</b> 17 04 01 copper, bronze, brass 17 04 02 aluminium 17 04 03 lead 17 04 04 zinc 17 04 05 iron and steel 17 04 06 tin 17 04 07 mixed metals <b>19 wastes from waste management facilities</b> 19 12 02 ferrous metal 19 12 03 non-ferrous metal	iii) Subject to the maximum storage capacities specified in Table 1.1.
d) Contaminated general wastes	Not applicable	iv) Not Permitted
e) Special wastes	Not applicable	v) Not Permitted
f) Other categories of waste	Not applicable	vi) Not Permitted

*Permitted quantities of wastes*

- 1.2.2 Whilst complying with the maximum quantities in Table 1.2, the total quantity of waste accepted at the site per year shall not exceed 4,999 tonnes.



*Exclusion of wastes with other specified characteristics*

- 1.2.3 Notwithstanding the specification of permitted waste types under conditions 1.2.1 and 1.2.2 above, wastes shall not be accepted at the site which have any of the following characteristics:

**Table 1.2.B Excluded wastes of specified form and type**

Waste Characteristic	Type
a) Form and Type:	Consisting solely or mainly of : <ul style="list-style-type: none"> <li>i) Finely divided metals (including ferrous and non ferrous swarf)</li> <li>ii) End of Life Vehicles</li> <li>iii) Spent Catalysts</li> <li>iv) Transformers and large capacitors</li> <li>v) Waste Electronic Equipment</li> <li>vi) Liquefied petroleum gas cylinders</li> <li>vii) Powders</li> <li>viii) Sludges</li> <li>ix) Liquids</li> </ul>
b) Form of containers and degree of mixing within containers:	<ul style="list-style-type: none"> <li>i) Unmarked sealed containers</li> <li>ii) Any equipment containing CFCs or HCFCs</li> </ul>

1.3 **Hours of operation**

- 1.3.1 The following specified waste management operations authorised by this licence shall only be carried out within the times specified in Table 1.3 below.

**Table 1.3 Permitted operating hours**

Specified waste management operations	Permitted hours
Waste acceptance or removal	Monday – Friday: 09:00 – 17:00 Saturday: 09:00 – 12:00 Sunday: Closed Bank Holidays: Closed
Treating wastes	Monday – Friday: 09:00 – 17:00 Saturday: 09:00 – 12:00 Sunday: Closed Bank Holidays: Closed

**1.4 Staffing and understanding of requirements of licence conditions**

*Minimum staffing and supervision*

- 1.4.1 Whenever the site is open to receive or despatch waste, or is carrying out any of the specified waste management operations, it shall be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan regarding:

- a** waste acceptance, control and despatch procedures;
- b** operational controls and environmental monitoring;
- c** maintenance;
- d** record-keeping;
- e** emergency action plans;
- f** notifications to the Agency.

*Availability of licence and working plan*

- 1.4.2 A copy of this licence and the working plan shall be kept available on site for reference when required by all site staff carrying out work under the requirements of the licence.

*Understanding of licence and working plan*

- 1.4.3 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.

**1.5 Changes in technically competent persons**

- 1.5.1 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.

**1.6 Relevant convictions**

*Notification of relevant convictions*

- 1.6.1 In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency within 14 days following sentencing, whether or not the conviction or sentence 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, and any fine or other penalty imposed.

*Notifications of appeals against convictions*

- 1.6.2 In the event that the Licence Holder and/or any relevant person lodges an appeal against any such conviction or sentence, 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.

1.7 **Notification of change of operator holder's details**

- 1.7.1 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:
  - i** where the Licence Holder consists of more than one named individual, the death of any of those individuals;
  - ii** any change in the Licence Holder's name(s) or address(es);
  - iii** any steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership;
  - iv** the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder);
- 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** the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder);
- c** where the Licence Holder is a corporate body other than a registered company:
  - i** any change in the Licence Holder's name or address;
  - ii** any steps taken with a view to the dissolution of the Licence Holder;
  - iii** the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder)

1.8 **Notification of commencement, cessation and  
recommencement of waste handling operations**

*Specified waste management operations*

- 1.8.1 No specified waste management operation shall be carried out until at least 7 days prior notice in writing has been given to the Agency of the intention to commence carrying out the specified waste management operation.

*Cessation and recommencement of receiving wastes*

- 1.8.2 In the event that the site ceases receiving wastes for longer than 28 days then within 7 days following the elapse of that time, the Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of recommencement. In the event that Licence Holder intends that the site shall recommence receiving wastes sooner than the notified date then they shall give the Agency not less than 7 days prior notice in writing.

1.9 **Notifications and submissions to Agency**

- 1.9.1 Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions:
- a** shall be made in writing to the address specified by the Agency in writing at the time of issue of this licence, or as subsequently specified by written notification to the Licence Holder;
  - b** shall quote the licence reference number and the name of the Licence Holder.

## 2 Site engineering for pollution prevention and control

### 2.1 Engineered site containment and drainage systems

#### *Provision and maintenance of site containment and drainage systems*

2.1.1 Unless otherwise agreed in writing with the Agency, no waste shall be deposited or handled in any area of the site after **24 months** from the date of issue of this licence until the engineered site containment and drainage system for that area has been constructed and completed in accordance with condition 2.1.2.

2.1.2 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, where provided, to meet the standards specified in Table 2.1.

2.1.3 Notwithstanding condition 2.1.1 above the licence holder shall submit three copies of the following documents to the Agency. These documents shall be provided with unique identification numbers and dated. Once submitted and agreed with the Agency any proposed change shall not be implemented unless the Agency has given its written consent to it.

**a** Within **two months** of issue of this modification, site plan(s) showing current and proposed:

- i** layout of areas of hardstanding;
- ii** layout of areas of impermeable pavement;
- iii** layout of drainage systems, including details of (where provided) kerbing, interceptors, discharge points, sumps, sealed drainage and isolation systems;
- iv** location and layout of covered buildings and roofed areas (where provided);
- v** location and design of fixed tanks – above ground and underground – where provided, with layout of bunds and impermeable pavements or other engineered secondary containment;
- vi** location and layout of storage areas for ferrous and non ferrous metals;
- vii** location of the designated waste reception and quarantine areas; and
- viii** location of storage areas for waste produced on site.
- ix** location of groundwater and surface water monitoring points.

- b** Within **four months** of issue of this modification, a report detailing the phasing and time scales for the clearance of all wastes from all storage areas so that the existing engineered site containment can be quality assured in accordance with condition 2.1.5. The report should also include details of any remedial works to be undertaken should evidence of contamination (as a result of licensed activities) be found during the phased waste clearance. Once the report has been agreed with the Agency, the licence holder shall arrange for the works to be carried out in accordance with the report.

- 2.1.4 No wastes shall be deposited, stored, treated or otherwise handled in any area cleared of wastes unless the area has been designated as a waste reception, quarantine, storage or treatment area on the plan submitted in accordance with condition 2.1.3.

**Table 2.1 Site containment and drainage standards**

Type of Site Containment and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
a) Hardstanding	<ul style="list-style-type: none"> <li>i) Areas of hardstanding shall be constructed of granular material (e.g. crushed stone, aggregate, road planings or other similar material) such that the working surface: <ul style="list-style-type: none"> <li>(a) shall remain even</li> <li>(b) shall not be subject to settlement or differential settlement</li> <li>(c) shall not be subject to rutting by vehicles even when wet</li> <li>(d) shall have sufficient durability to allow cleaning for example by scraping</li> <li>(e) shall remain free of standing water.</li> </ul> </li> <li>ii) Areas of hardstanding shall be maintained so as to meet the objectives specified above.</li> <li>iii) The surface should be kept uncontaminated from mineral oils, if contamination occurs the contaminated material shall be removed and replaced.</li> </ul>
b) Impermeable pavement, bunding and sills	<ul style="list-style-type: none"> <li>i) 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.</li> <li>ii) Areas of impermeable pavement shall be surrounded by a concrete bund with a minimum height of 100mm.</li> <li>iii) All areas of impermeable pavement shall fall towards the drainage system to prevent ponding.</li> <li>iv) Rainwater shall be removed from any bunding by bailing or pumping and shall be treated as contaminated water and disposed of to an approved discharge point or suitably licensed facility.</li> </ul>
c) Sealed drainage systems	<ul style="list-style-type: none"> <li>i) Unless otherwise agreed in writing by the Agency drainage to areas of impermeable pavement shall be provided by either / or combination of: <ul style="list-style-type: none"> <li>(a) A sealed sump, which shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 80% of the capacity of the sump as measured using a dipstick or equivalent gauge, and constructed and maintained so as to collect and contain all liquids which run off the pavement; or</li> <li>(b) An oil interceptor, which shall be designed and constructed in accordance with Agency guidance entitled '<i>Use and design of oil separators in surface water drainage systems: PPG3</i>'. It shall be inspected no less frequently than daily, and shall be maintained as to intercept all liquids that run off the pavement; or</li> <li>(c) Public foul sewerage system with permission of the relevant water undertaker.</li> </ul> </li> </ul>

**Table 2.1 Site containment and drainage standards**

Type of Site Containment and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
	<ul style="list-style-type: none"> <li>ii) Inspections and emptying of sealed sump(s) and/or oil interceptor(s) shall be recorded in the site diary.</li> <li>iii) Uncontaminated drainage from clean yard areas shall be kept separate and discharged to either surface water or sewer or watercourse or soakaway</li> <li>iv) All drainage channels shall be maintained so they remain free from blockages at all times.</li> </ul>
d) Covered buildings or roofed areas	<p>Where wastes are stored in a building:</p> <ul style="list-style-type: none"> <li>i) Shall be maintained to prevent ingress of rain and surface water.</li> <li>ii) Roof water shall be kept separate from contaminated water and other liquids.</li> </ul>
e) Waste storage containers	<ul style="list-style-type: none"> <li>i) Shall be inspected daily, to ensure the continuing integrity and fitness for purpose of their construction, and the inspection and any necessary maintenance shall be recorded in the site diary;</li> </ul>
f) Inspection and maintenance of engineered containment	<p>All areas of impermeable pavement, sealed drainage systems:</p> <ul style="list-style-type: none"> <li>i) Shall be inspected daily, to ensure the continuing integrity and fitness for purpose of their construction, and the inspection and any necessary maintenance shall be recorded in the site diary; and</li> <li>ii) In the event of any damage occurring which breaches the integrity of the engineered containment so that it is longer meets the specified standards, the Licence Holder shall cease importing waste into the site, and shall notify the Agency immediately, and shall not recommence importing waste into the site until it has been repaired to a standard at least as good as the original specification.</li> <li>iii) All repair work or (unless otherwise agreed with the Agency) shall be subject to construction quality assurance and a validation report shall been submitted to the Agency for approval prior to the reintroduction of waste into the affected area(s).</li> <li>iv) Any area being used for waste storage shall be cleared of all wastes on written request by an authorised officer of the Agency to allow the inspection of engineered site containment and drainage systems.</li> </ul>



*Construction quality assurance of existing site containment and drainage systems*

- 2.1.5 No wastes shall be deposited, stored, treated or otherwise handled in any area for which a previously constructed and existing engineered site containment and drainage system is being used to meet the requirements of this condition unless:
- a** details of the identities, relevant experience and relevant qualifications of the suitably qualified person who will be providing inspection and validation of the existing engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;
  - b** the engineered site containment and drainage system for that area has been inspected by the designated person and has been maintained or improved, in accordance with their recorded advice, to meet the standards specified in table 2.1.
  - c** the Validation Report confirming that the engineered site containment and drainage system meets the specified standards has been submitted in writing to the Agency and the Agency has confirmed in writing that it has no objection to the placement of wastes on that containment area.

*Construction quality assurance of new site containment and drainage systems*

- 2.1.6 No wastes shall be stored or otherwise handled in any area for which an engineered site containment and drainage system is to be newly constructed to meet the requirements of this condition unless:
- 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 engineered site containment and drainage system has been constructed in accordance with the other requirements of condition 2.1;
  - c** the Validation Report on the construction of the engineered site containment and drainage system has been submitted in writing to the Agency, and the Agency has confirmed in writing that it has no objection to the placement of wastes on that containment area.

## 3 Site infrastructure

### 3.1 **Provision of site identification board**

- 3.1.1 Within two months from the date of issue of this modification an identification board shall be provided at or near the site entrance.
- 3.1.2 The identification board shall be inspected at least once per week. In case of damage or defect affecting the legibility of the information prescribed in condition 3.1.3 below, the board shall be repaired or replaced within 5 working days.
- 3.1.3 The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:
- a** Site name and address;
  - b** Licence Holder name (company name, not individual name unless justified as necessary);
  - c** Operator name (company name, not individual name unless justified as necessary);
  - d** Licence number;
  - e** Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);
  - f** Statement that the site is licensed by the Environment Agency;
  - g** Agency national numbers: 0845 933 3111 and 0800 807060 or as subsequently notified in writing by the Agency;
  - h** Days and hours site is open to receive waste.

The location of the notice board should be such that it is clear that it does not designate areas outside the licensed site and does not encourage illegal tipping.

### 3.2 **Site security**

- 3.2.1 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 3.2:

**Table 3.2 Site security system standards**

Site security system	Specified standards
a) Timetable of provision	i) Within 1 month of issue of this modification unless otherwise agreed in writing with the Agency.
b) Design standards	i) The site boundary is to be permanently fenced, the objective of which shall be to prevent access by humans who are not authorised either by the Licence Holder or under legal powers of entry. ii) The site entrance shall have a lockable gate or barrier to at least the same height and standards of the perimeter fencing to prevent vehicular and human access.
c) Operational standards	i) The licensed site shall be kept closed and secure at all times when unattended.
d) Maintenance standards	i) The site security shall be fully inspected at the commencement of each working day. ii) Unless agreed in writing with the Agency any defects or damage shall be made secure by temporary repair by the end of the working day, and shall be permanently repaired within 5 working days of the damage being detected. iii) All inspections, defects, damage and repairs shall be recorded in the site diary.

## 4 Site operations

### 4.1 Control of mud and debris

#### *Prevention of mud and debris on road*

- 4.1.1 All vehicles used in conjunction with those specified waste management operations authorised by this licence 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 no waste has escaped that their loads are secure.

#### *Remediation of mud and debris on road*

- 4.1.2 In the event that mud or debris arising from the site is deposited onto public areas outside the site, the following remedial measures shall be implemented immediately:-
- a** Any items of scrap metal debris shall be removed
  - b** Mud and other debris shall be removed by cleansing with a brush and shovel and/or road sweeper.
  - c** 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.

### 4.2 Potentially polluting leaks and spillages of waste

#### *Potentially polluting leaks and spillages from vehicles, plant and equipment*

- 4.2.1 All vehicles used on the site by the operator, and all plant and all equipment used on the site in connection with specified waste management operations, shall be operated and maintained with the objective of preventing potentially polluting leaks and spillages of wastes.

#### *Control and remediation of leaks and spillages*

- 4.2.2 In the event of any potentially polluting leak or waste spillage occurring on site, documented control and remediation procedures shall be implemented immediately and recorded, and shall meet the standards specified in Table 4.2.

**Table 4.2 Standards for prevention and control of leaks and spillages**

Action	Specified standards
a) Control and remediation of leaks and spillages	i) Dry, clean sand or proprietary absorbents shall be kept on site at all times for immediate use in the event of any leak or clean up liquids.
b) Leak and spillage action plan	<p>i) <b>Minor spillages</b> shall be cleaned up immediately, using sand or proprietary absorbent to clean up liquids. All contaminated sand or proprietary absorbents shall be cleared and placed in an alternative sealed container once the spillage has been contained.</p> <p>ii) <b>Major spillages</b>, which are causing or are likely to cause polluting emissions to the environment:</p> <ul style="list-style-type: none"> <li>(a) immediate action shall be taken to contain the spillage and prevent liquid from entering surface water drains, water courses and unsurfaced ground;</li> <li>(b) the spillage shall be cleared immediately and placed in alternative sealed containers;</li> <li>(c) the Agency shall be informed immediately.</li> <li>(d) all contaminated sand or proprietary absorbents shall be cleared and placed in an alternative sealed container once the spillage has been contained.</li> </ul>

#### 4.3 **Fires on the site**

##### *Prohibition of fires on site*

4.3.1 No wastes shall be burned on the site.

##### *Actions to be taken in the event of a fire*

4.3.2 In the event of a fire on the site, notwithstanding the implementation of actions to suppress and extinguish the fire, the following actions shall be implemented immediately and recorded in the site diary:

- a** the Agency shall be informed immediately of the fire; and
- b** so far as practicable, contaminated site drainage shall be prevented from entering any surface water drain or water course or unsurfaced ground.

#### 4.4 **Waste acceptance and control procedures**

##### *Waste acceptance procedures*

4.4.1 All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the standards specified in Table 4.4.

##### *Waste control procedures*

4.4.2 All wastes accepted at the site shall be handled, kept and recorded in accordance with the standards specified in Table 4.4.

*Waste despatch procedures*

- 4.4.3 All outgoing wastes shall be inspected, despatched and recorded in accordance with the standards specified in Table 4.4.

*Incompatible wastes*

- 4.4.4 Incompatible wastes which are likely, in combination with each other or with other material at the facility, to give rise to pollution of the environment or harm to human health outside the site, shall be clearly identified and kept physically separate in designated areas, in accordance with the standards specified in Table 4.4.

**Table 4.4 Standards for waste acceptance and control procedures**

Stage of Waste Handling	Specified standards
a) Waste reception	i) All incoming waste shall be kept in the designated waste reception area until it has been confirmed for acceptance at the site.
b) Waste inspection	i) All wastes received at the site shall be inspected within 24 hours to confirm their description and composition.
c) Waste acceptance and recording	i) A written record shall be kept of all wastes accepted on site and be available for inspection upon request.
d) Quarantine storage and rejection of wastes	i) Any wastes which are received at the site but rejected as a result of inspection shall be placed in a designated quarantine area and the Agency informed immediately. ii) Unless otherwise agreed in writing with the Agency quarantined wastes shall be removed from site within 7 days. iii) The maximum quantity of wastes kept in the quarantine storage area shall be 5m <sup>3</sup> at any one time. iv) A record shall be kept of all rejected wastes and recorded in the site diary.
e) Identification of wastes	i) Wastes shall be stored in clearly defined and identified areas or bays.
f) Tracking of wastes	i) Within <b>three months</b> of issue of this modification, a report detailing the recording procedures to ensure all wastes accepted are tracked through to disposal or despatch shall be submitted to the Agency for approval. ii) Once the report has been approved by the Agency, the licence holder shall track all waste received at the site through to disposal or despatch in accordance with the report. iii) Once submitted and agreed with the Agency any proposed change to the report shall not be implemented unless the Agency has given its written consent to it.
g) Inspection of wastes for despatch	i) All wastes despatched from the site shall be inspected prior to despatch to confirm their description and composition.
h) Waste despatch and recording	i) A record shall be kept of all wastes despatched from the site.
i) Incompatible wastes	i) Incompatible wastes, which are likely, in combination with each other or with other material at the facility to give rise to pollution of the environment or harm to human health outside the site, shall be clearly identified and kept physically separate in designated areas agreed in writing with the Agency.

## 4.5

### **Waste quantity measurement systems**

#### *Means of measurement*

#### 4.5.1

All wastes accepted at and despatched from the site shall be measured in accordance with the following requirements:

- a** All wastes accepted at and despatched from the site shall be weighed by means of a weighbridge located within the site.

- b** The weighbridge shall be maintained and calibrated in accordance with the manufacturers' instructions, and shall measure quantities of wastes in tonnes to an accuracy of 0.01 tonnes.
- c** The weight of each incoming and each outgoing load of waste shall be recorded.
- d** In the event of failure of the weighbridge, the following conversion factors shall be used: Waste quantities shall be recorded in cubic metres and measured on the basis of the capacity of the vehicles or containers used for transport. This shall be converted into tonnes on the basis of conversion factors, which have been agreed in writing with the Agency.

#### **4.6 Removal of residual wastes from site**

- 4.6.1** In the event that the specified waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed within 2 months, then, notwithstanding the operational limits on storage times of wastes specified in the other conditions of this licence, the licence holder shall ensure that all wastes remaining on the site shall be removed by the date specified by the Agency in writing. This shall include, where required by the Agency, cleaning of plant, equipment and engineered containment used in the specified waste management operations, and emptying of any sealed sumps or interceptors.



## 5 Pollution Control, Monitoring and Reporting

### 5.1 **Groundwater Monitoring System**

5.1.1 Within **fourteen months** of issue of this modification, engineered groundwater monitoring systems shall be provided to enable monitoring of the quality of groundwater.

5.1.2 The engineered external groundwater monitoring system provided for the site shall be:

- a** designed, constructed, completed, and shall be fully documented and recorded; and
- b** inspected and maintained, and fully documented and recorded in accordance with the standards specified in Table 5.1.

**Table 5.1 Standards for groundwater monitoring and sampling system**

Groundwater monitoring systems	Specified standards
a) Design of groundwater monitoring systems	<ul style="list-style-type: none"> <li>i) a minimum of three groundwater monitoring boreholes shall be provided at locations agreed in writing with the Agency (1 up-gradient and 2 down-gradient of the groundwater system).</li> <li>ii) Unless otherwise agreed in writing with the Agency, the minimum depth of each borehole shall be below the lowest level of seasonal water table variation within the aquifer, to a depth to allow adequate purging and sampling.</li> </ul>
b) Construction and installation of groundwater monitoring systems	<ul style="list-style-type: none"> <li>i) Unless otherwise agreed in writing with the Agency details of the design and construction of the groundwater monitoring boreholes shall be submitted to the Agency for approval at least one month prior to their installation.</li> <li>ii) A lockable, protective cover should be installed to protect the borehole from damage. The cover shall remain locked when the borehole is not in use.</li> </ul>
c) Quality assurance of engineered groundwater monitoring systems	<ul style="list-style-type: none"> <li>i) Quality assurance of the construction of all groundwater monitoring boreholes shall be undertaken in accordance with condition 5.1.6.</li> </ul>
d) Inspection and maintenance of groundwater monitoring systems	<ul style="list-style-type: none"> <li>i) Groundwater monitoring boreholes shall be inspected no less frequently than quarterly to ensure the continuing integrity and fitness for purpose of their construction.</li> <li>ii) If up on inspection it is found that maintenance or repair is required then a suitably qualified person shall undertake necessary works within 28 days. Details of the qualifications and experience of the person(s) undertaking maintenance or repair work shall be submitted to the Agency in writing prior to the work being undertaken.</li> <li>iii) Unless otherwise agreed in writing with the Agency, the licence holder shall submit in writing a Construction Quality Assurance Validation report to the Agency following the completion of any repair / maintenance work. The report shall provide validation by a QA Engineer that groundwater monitoring boreholes have been repaired to meet the original design and specification.</li> </ul>
e) Records	<ul style="list-style-type: none"> <li>i) A record shall be kept in the site diary of every borehole inspection and any remedial action undertaken.</li> </ul>

*Construction Quality Assurance of Groundwater Monitoring Programme*

5.1.3

No wastes shall be received at the site after **fourteen months** from the date of issue of this licence unless:

- a** a Construction Quality Assurance Plan covering the engineered groundwater monitoring system for the site has been submitted in writing to the Agency and the Agency has given its written consent to it;

- b** details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the construction have been submitted in writing to the Agency and acknowledged in writing by the Agency;
- c** the engineered groundwater monitoring system for the site has been constructed and records of the construction quality assurance have been made in accordance with the Construction Quality Assurance Plan;
- d** the Validation Report on the construction of the engineered groundwater monitoring system shall be submitted in writing to the Agency and acknowledged in writing by the Agency.

## 5.2 **Groundwater Monitoring And Sampling Programme**

5.2.1 Monitoring and sampling of groundwater shall be carried out and recorded in accordance with the following monitoring programme:

- a** groundwater monitoring and sampling shall be carried out at the monitoring points specified in table 5.1.
- b** groundwater monitoring and sampling shall be carried in accordance with the schedule specified in Table 5.2
- c** To ensure representative groundwater samples, the boreholes should be purged to three times the well volume prior to sampling.

**Table 5.2 Standards for groundwater monitoring and sampling programme**

Determinands	Monitoring frequencies	Units and accuracies	Trigger levels
Water level	Weekly for first 4 weeks, then monthly unless otherwise agreed in writing with the Agency.	0.01m	None
pH		0.1	6.5-8.5
Electrical Conductivity @ 20°C		10 µS/cm	3,000 µS/cm
Mineral oils		0.01mg/l	0.1mg/l
Total organic carbon		0.1mg/1°C	10mg/1°C

## 5.3 **Groundwater Monitoring And Sampling Records**

*Keeping and maintenance of records:*

5.3.1 A record of the groundwater monitoring sampling results shall be made and submitted to the Agency in accordance with the standards specified in table 5.3.

**Table 5.3 Standards for groundwater monitoring sampling records**

<b>Groundwater Monitoring Sampling Records</b>	<b>Specified Standards</b>
Quality assurance of monitoring and sampling	i) The records shall be quality assured in accordance with UKAS, or a revised Quality Assurance system agreed in writing with the Agency.
Making and submission of records	i) A record of all sampling and monitoring shall be supplied to the Agency within 1 month of its being carried out and shall include the following: <ul style="list-style-type: none"> <li>(a) Determinands monitored/sampled;</li> <li>(b) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters;</li> <li>(c) Results of measurements/sample analyses, with error limits;</li> </ul> ii) The records shall be submitted in a format agreed in writing with the Agency.

#### 5.4 **Groundwater Monitoring Action Plan**

5.4.1 In the event that any results exceed the trigger levels specified in Table 5.2 above:

- a** the results shall be notified to the Agency immediately and confirmed in writing immediately; and
- b** the following groundwater monitoring action plan shall be implemented immediately:
  - i** The source of the exceeded trigger level is to be identified;
  - ii** The Agency is to be informed immediately of the identified source and the proposed remedial works to prevent ground water contamination arising from the metal recycling site.
  - iii** The method and timetable of the implementation of such remedial works shall be agreed in writing with the Agency prior to commencement.

#### 5.5 **Surface water quality monitoring and reporting systems**

##### *Provision of surface water monitoring system*

5.5.1 Monitoring of surface water quality shall take place at a location agreed in writing with the Agency, to ensure that periodic measurements of water quality are taken at the same position.

##### *Surface water monitoring and sampling programme*

5.5.2 Monitoring and sampling of surface water shall be carried out and recorded in accordance with the standards specified in Table 5.5A.

**Table 5.5A Standards for surface water monitoring and sampling programme**

Determinands	Monitoring frequencies	Units and accuracies	Trigger levels
pH	Weekly for first 4 weeks, then monthly unless otherwise agreed in writing with the Agency.	0.1	6.5-8.5
Electrical Conductivity @ 20°C		10 µS/cm	3,000 µS/cm
Mineral oils		0.01mg/l	0.1mg/l
Total organic carbon		0.1mg/1°C	10mg/1°C

*Monitoring and sampling records*

5.5.3

A record of the surface water monitoring and sampling results shall be made and submitted to the Agency in accordance with the standards specified in Table 5.5B.

**Table 5.5B Standards for surface water monitoring and sampling records**

Surface water monitoring and Sampling Records	Specified standards	
Quality assurance of monitoring and sampling	i)	The records shall be quality assured in accordance with UKAS, or a revised Quality Assurance system agreed in writing with the Agency.
Making and submission of records	i)	A record of all sampling and monitoring shall be supplied to the Agency within 1 month of its being carried and shall include the following: <ul style="list-style-type: none"> <li>(a) Determinands monitored/sampled;</li> <li>(b) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters;</li> <li>(c) Results of measurements/sample analyses, with error limits;</li> </ul>
	ii)	The records shall be submitted in a format agreed in writing with the Agency.

## 6 Amenity management and reporting

### 6.1 Control, monitoring and reporting of dusts, fibres and particulates

- 6.1.1 Measures shall be implemented and maintained throughout the operational life of the site to control and monitor emissions of dusts, fibres and particulates from the site, in accordance with the standards specified in table 6.1 below.
- 6.1.2 All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency.
- 6.1.3 In the event that any dusts, fibres or particulates arising from the site are released or are likely to be released onto public areas outside the site boundary in such quantities or concentrations that they are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality, the actions specified in table 6.1 below shall be implemented immediately.

**Table 6.1 Standards for dust, fibre and particulate control measures**

Dusts fibres and particulate control measures	Specified standards
a) Monitoring	i) Visual Monitoring by a member of staff at least twice per day. A record of the time and location of each inspection and any remedial actions shall be recorded in the site diary.
b) Monitoring action plan:	i) In the event of release or potential release the relevant treatment process shall be stopped and the offending waste covered or dampened with a spray or bowser.

### 6.2 Control of litter

- 6.2.1 Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the escape of litter from the confines of the site, in accordance with the standards specified in table 6.2 below, to prevent any litter escaping the confines of the site.
- 6.2.2 In the event that litter does escape from the site, it shall be retrieved immediately.

**Table 6.2 Standards for litter control measures**

Litter Control Measures	Specified standards
a) Secure storage	i) Loose waste or waste which is likely to become airborne shall be stored in a building or in enclosed or netted containers.

## 7 Site records

### 7.1 Security and availability of records

#### *Security of records*

- 7.1.1 All records which are required to be made under the other conditions of this licence and the working plan shall be maintained and kept secure from loss, damage or deterioration, and shall be kept in accordance with the requirements specified in Table 7.1 below.

#### *Availability of records*

- 7.1.2 All records which are required to be made under the other conditions of this licence and the working plan shall be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency.

**Table 7.1 Standards for keeping of site records**

Site records	Specified locations	Specified standards
a) Wastes accepted, despatched and rejected.	On site	i) All records shall be stored either on: (a) paper in a secure cabinet or cupboard; (b) computer disc with a back up copy. ii) Records should be kept for a minimum of three years.

### 7.2 Records of waste movements

- 7.2.1 A record shall be kept of all wastes received and of all materials (wastes and recovered materials) removed from the site. The records shall include the following for each vehicle load of waste/material:

#### 7.2.2 *for waste received:*

- a origin of waste
- b date received
- c quantities in tonnes received and waste type
- d nature of the waste (solid, liquid or sludge)

#### 7.2.3 *for waste/material removed:*

- e date removed
- f quantities in tonnes removed and waste and/or material type
- g destination of waste and/or materials removed

**h** nature of the waste and/or materials (solid, liquid or sludge)

7.2.4 A summary of the information, including nil returns, shall be submitted to the Agency, in a format specified by the Agency. Summaries shall be for each financial year and shall be submitted to the Agency within one month of the end of each financial year.

7.3 **Site diary**

7.3.1 A site diary shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events, in accordance with the other conditions of this licence:

- a** construction work
- b** maintenance
- c** breakdowns
- d** emergencies
- e** problems with waste received and action taken
- f** site inspections and consequent actions carried out by the operator
- g** technically competent management attendance on site: the date and the time onto site and the time left site
- h** despatch of records to the Agency
- i** severe weather conditions
- j** complaints about site operations and actions taken
- k** environmental problems and remedial actions

7.3.2 Each record shall be completed within 24 hours of the relevant event.



## Interpretation

In these conditions and their interpretation, unless the context otherwise requires, the following terms have the specified meanings:

*“accepted”*

for waste being delivered to the site, shall mean accepted as waste input to the site for storage and/or processing and/or disposal under the specified waste management operations;

*“authorised officer of the Agency”*

means any person(s) authorised in writing by the Agency pursuant to section 108(1) of the 1995 Act to exercise any of the powers specified in subsection (4) of that section;

*“chlorofluorocarbons”*

(CFCs) means the controlled substances listed in Group I of Annex I of Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer, including their isomers.

*“consequences”*

for **risk assessments** carried out within these conditions, means the adverse effects of harm as a result of realising a **hazard** which cause the quality of human health (other than health and safety of site staff or visitors to the site covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term;

*“engineer”*

for engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional;

*“engineered”*

for works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions;

*“engineered site containment and drainage system”*

means all elements relating to engineered containment of activities on the site, other than final disposal to land, and incorporating site surfacing, bunding and drainage systems, buildings and fixed tanks;

*“engineering”*

for engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions;

*“engineering survey”*

means a survey carried out in accordance with recognised or approved standards by a suitably qualified competent person;

*"environmental targets or receptors"*

for **risk assessments** carried out within these conditions, shall mean identified human and environmental populations or components, as specified in these conditions or otherwise agreed by the Agency within these conditions;

*"groundwater"*

means any water contained in underground strata;

*"hazard"*

means a property or situation that in particular circumstances could lead to harm;

*"hydrochlorofluorocarbons"*

(HCFCs) means the controlled substances listed in Group VIII of Annex I of Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer, including their isomers,

*"immediately"*

for carrying out of actions under the conditions, shall mean without delay and within a reasonable time, taking into account any more immediate direct action necessary to prevent or minimise risk to human health and the environment. For carrying out notifications to the Agency, shall also mean by the fastest effective means available (for example, telephone) and confirmed in writing within 1 working day (or such other time as may be agreed by the Agency within the conditions);

*"inert waste"*

means waste which when disposed of in or on land does not undergo any significant physical, chemical or biological transformation;

*"maintenance"*

for engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions;

*"minor spillage"*

any potentially polluting leak or spillage less than 100 litres;

*"major spillage"*

any potentially polluting leak or spillage greater than 100 litres;

*"preparatory works"*

means engineering works required prior to the carrying out of the activities authorised by this licence;

*"probability"*

means the quantified expression of chance, denoted either as:

- the ratio or percentage of the occurrence of a particular event as one among a number of possible events;
- or as the frequency of occurrence of a particular event in a given period of time;

*“received”*

for waste being delivered to the site, shall mean delivered to the site and undergoing the waste acceptance procedures specified in the working plan, including storage of those wastes during those procedures prior to acceptance of the waste;

*“release pathways”*

for **risk assessments** carried out within these conditions, shall mean the routes by which defined **hazards** may potentially realise their **consequences**, defined in terms of releases or emissions from the site that go beyond the site containment or boundary via one or more of the following routes, either directly or indirectly: **Land; Groundwater; Surface water; Atmosphere;**

*“relevant offences”*

are offences within the meaning of regulation 3 of the Waste Management Licensing Regulations 1994 or any statutory provisions or regulations amending or replacing them;

*“risk”*

means a combination of the **probability** and **consequences** of occurrence of a defined **hazard**;

*“risk assessment”*

means the systematic identification, analysis, estimation and evaluation within a defined **scope** of the defined **risks** of a particular activity, operation, process or design, carried out and reported by suitably qualified or competent persons, using recognised quantified or semi-quantified methods and techniques.

Unless otherwise agreed by the Agency within these conditions, a risk assessment shall include and record the following:

- definition of the **hazards** associated with an activity, operation, process or design;
- assessment of the **probability** of those **hazards** occurring;
- determination of the potential **consequences** of those hazards for defined **environmental targets or receptors**, taking into account defined **release pathways** and defined protective measures;
- evaluation of the potential **magnitude** of those consequences and the **probability** of their occurrence;

*“scope of risk assessment”*

means the boundaries of the **risk assessment** and the **risks** to be assessed within those boundaries, as defined in the conditions or otherwise agreed by the Agency within the conditions;

*“special waste”*

has the meaning as defined by regulation 2 of the Special Waste Regulations 1996 or any statutory provisions or regulations amending or replacing them;

*“specified waste management operations”*

means the waste management operations authorised by condition 1.1 of this licence;

***“surface water management system”***

means all elements relating to collection of rain water or surface water from individual landfill phases and the landfill site as a whole, and incorporating methods of water collection, containment and the subsequent treatment and/or disposal system, either on or off the site;

***“surface water”***

means any lake, pond, river or watercourse whether natural or artificial;

***“the 1994 Regulations”***

means the Waste Management Licensing Regulations 1994 and any statutory provisions or regulations amending or replacing them.

***“the Agency”***

means the Environment Agency;

***“the Licence Holder”***

means the Licence Holder specified in this licence or other person to whom the licence has been transferred in accordance with section 40 of the Environmental Protection Act 1990;

***“the operator”***

means a person who is in occupation of the site and has responsibility for carrying out day to day activities at the site;

***“the site”***

means the land, structures, plant and equipment to which this licence relates;

***“time periods, e.g. annually, quarterly, monthly, per year, etc. “***

Where periods are referred to in conditions, they shall be calculated in the following way:

- annually or per year: 1 April to 31 March;
- quarterly: 1 April to 30 June, 1 July to 30 September, 1 October to 31 December, 1 January to 31 March;
- monthly: calendar month;
- weekly: Monday to Sunday.

Where the issue of the licence does not coincide with the start of any of these periods, then any relevant limits for the first period shall apply pro rata;

***“UKAS”***

United Kingdom Accreditation Service

***“waste”***

means controlled waste as defined in section 75(4) of the 1990 Act and the Controlled Waste Regulations 1992 or any statutory provisions or regulations amending or replacing them;

***“working plan”***

means the working plan identified in writing by the Agency at the time of issue of this licence and any subsequent amendments to it made in accordance with the conditions of this licence.

## 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 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 written notice of an appeal from:

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

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 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
- 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, to the Environment Agency. 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.

