

CAWML 30179

WASTE MANAGEMENT LICENCE NO. 95/07 [MOD. 1]
SECTION 37 **NOTICE OF VARIATION**

Dai Page
Peter Stephens } D.M.S.

DINAS
CAERDYDD
GWASANAETHAU'R
AMGYLCHEDD



CITY OF
CARDIFF
ENVIRONMENTAL
SERVICES



**ENVIRONMENTAL SERVICES DEPARTMENT
POLLUTION CONTROL DIVISION**

ENVIRONMENTAL PROTECTION ACT 1990

Licence to Dispose of Controlled Waste

Whereas on the 6 February 1996, the Council of the City of Cardiff in pursuance of the powers conferred on them by Section 36 of the Environmental Protection Act 1990 authorised:

CARDIFF BAY DEVELOPMENT CORPORATION
BALTIC HOUSE
MOUNT STUART SQUARE
CARDIFF CF1 6DH



hereinafter called the "licence holder" to operate a Landfill Site on land ...

FORMER MUNICIPAL LANDFILL SITE
FERRY ROAD
GRANGETOWN
CARDIFF

as identified in Condition 1 of the licence

NOTICE IS HEREBY GIVEN that the Council of the City of Cardiff in pursuance of the powers conferred on them by Section 37 of the Environmental Protection Act 1990 modifies the said conditions as follows :-

Delete all conditions and drawings set out in Licence No. 95/07 and substitute the conditions and drawings set out in Waste Management Licence 95/07 [MOD 1] attached to this Notice.

Such modification shall take effect on 30th March 1996 at 12:00 noon.

Dated this 29th day of March 1996

Signed *M. W. Evans*
Director of Environmental Services *RW*

* The licence holder's attention is drawn to the notes overleaf *
Such modifications are marked **

Pollution Control Division,
Environmental Services Department,
Wood Street, Cardiff. CF1 1NQ.
Tel. 01222-822134

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 2 of 15**

NOTES

These notes are for general guidance only, and they do not constitute an authoritative statement of the law. In particular, the licence holder's attention is drawn to Paragraph 1, where primary relevant legislation only is described. The licence holder should therefore satisfy himself that he is conversant with all legislation which may affect his operation of the facility. If there are any doubts, expert legal opinion should be sought.

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the deposit, keeping, treating and disposal of waste 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 **ENVIRONMENTAL PROTECTION ACT 1990, WATER RESOURCES ACT 1991, HEALTH AND SAFETY AT WORK ETC. ACT 1974, the RADIOACTIVE SUBSTANCES ACT 1993, the TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS, and ALL OTHER RELEVANT WATER PROTECTION AND ENVIRONMENTAL HEALTH** legislation.

All discharges to watercourses have to meet the requirements of the National Rivers Authority. Any diversion or other changes will also require National Rivers Authority approval.

All discharges to sewers have to meet the requirements of the water company. Any diversion or other changes will also require the water company's approval.

2. The carriage of controlled waste to and from licensed facilities should only be undertaken by carriers authorised under the provisions of the Control of Pollution (Amendment) Act 1989 and in compliance with Section 34 of the Environmental Protection Act 1990.
3. Compliance with the Conditions of this licence are obligatory to ensure that operations do not cause pollution of the environment, or harm to human health, or would be seriously detrimental to the amenities of the locality affected.
4. Notices of Appeal

[Regulation 6 : The Waste Management Licensing Regulations 1994]

A person who wishes to appeal to the Secretary of State under Section 43 of the Environmental Protection Act 1990 shall do so by notice in writing to :

*The Secretary of State for Wales
The Welsh Office
Cathays Park
Cardiff*



ENVIRONMENTAL PROTECTION ACT 1990, sec...
NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

To: Cardiff Bay Development Corporation
 of: Baltic House
 Mount Stuart Square
 Cardiff
 CF1 6DH

WHEREAS on 06-02-1996 you were granted a Waste Management Licence by the Cardiff City Council relating to Former Municipal Landfill Site, Ferry Road, Grangetown, Cardiff.

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

See attached Schedule

Such modification shall take effect on 30th June 1997.

DATED

10 June 1997

(Signed)

J E Hansen

(Area Waste Regulation Manager)

Environment Agency
 Abacus House
 St Mellons Business Park
 CARDIFF CF3 0LT

N.B.- The person served with this notice may under Section 43 of the 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. (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 Agency has acted reasonably in including the above statement as to the non-application of Section 43(4) of the Act. See notes attached.]

18 AUG 1997

MODIFICATION :

Modify exclusion (a) to read "Controlled Waste being defined as 'special waste' in the Special Waste Regulations 1996 and any subsequent amendments, other than those specified in Schedule B". Delete exclusion (d).

ENVIRONMENTAL PROTECTION ACT 1990, sect. 37



PERMIT

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

To Cardiff Bay Development Corporation
of Baltic House, Mount Stuart Square, Cardiff. CF1 6DH

WHEREAS on 30th March 1996 you were granted a Waste Management Licence by the* Council of the City of Cardiff (~~the Authority~~) relating to the disposal of controlled waste on land at the former municipal landfill site, Ferry Road, Grangetown, Cardiff.

[AND WHEREAS on 15th August 1996 you made application for the said conditions to be modified, accompanied by the prescribed fee payable under section 41 of the Environmental Protection Act 1990 ("the Act")]

NOTICE is HEREBY GIVEN that the Authority [~~grants the modification of~~][modifies] the said conditions as follows:-

Remove Schedule "B" and insert Schedule "B" as attached.



OUTGOING

n.b. "The Authority" refers to the Environment Agency.

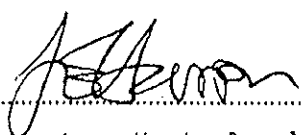
Such modification shall take effect on¹ Tuesday 17th September 1996 at 1200 hours

[IN the opinion of the Authority it is necessary for the purpose of preventing pollution of the environment or harm to human health that section 43(4) of the Environmental Protection Act 1990 should not apply.]¹

DATED

Environment Agency
South East Area Waste Regulation
Abacus House
St. Mellons Business Park
St. Mellons
Cardiff. CF3 0LI

(Address of Authority)

(Signed) 

Designation Area Waste Regulation Manager
(the officer appointed for this purpose)

N.B.- The person served with this notice may under section 43 of the Act appeal against the Authority'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. (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 43(4) of the Act.-See notes overleaf.]¹

* Insert name of Waste Regulation Authority.

¹ Insert date and time when modification takes effect.

¹This paragraph and note should be included if it is intended that the decision shall have effect even when the appeal is pending.

The Environmental Protection Act 1990 provides as follows: -

s.43(1) Where, except in pursuance of a direction given by the Secretary of State:-

- (a) an application for a licence or a modification of the conditions of a licence is rejected;
- (b) a licence is granted subject to conditions;
- (c) the conditions of a licence are modified;
- (d) a licence is suspended;
- (e) a licence is revoked under section 38 or 42 above;
- (f) an application to surrender a licence is rejected; or
- (g) an application for the transfer of a licence is rejected;

then, except in the case of an application for a transfer, the applicant for the licence or, as the case may be, the holder or former holder of it may appeal from the decision to the Secretary of State and, in the case of an application for a transfer, the proposed transferee may do so.

(2) Where an appeal is made to the Secretary of State -

- (a) The Secretary of State may refer any matter involved in the appeal to a person appointed by him for the purpose;
- (b) the Secretary of State may, instead of determining the appeal himself, direct that the appeal or any matter involved in it shall be determined by a person appointed by him for the purpose (who shall have the same powers as the Secretary of State);
- (c) if a party to the appeal so requests, or the Secretary of State so decides, the appeal shall be or continue in the form of a hearing (which may, if the person hearing the appeal so decides, be held or held to any extent in private).

(3) Where, on such an appeal, the Secretary of State or other person determining the appeal determines that the decision of the authority shall be altered it shall be the duty of the authority to give effect to the determination.

(4) While an appeal is pending in a case falling within subsection (1)(c) or (e) above, the decision in question shall, subject to subsection (6) below, be ineffective; and if the appeal is dismissed or withdrawn the decision shall become effective from the end of the day on which the appeal is dismissed or withdrawn.

(5) Where an appeal is made in a case falling within subsection (1)(d) above, the bringing of the appeal shall have no effect on the decision in question.

(6) Subsection (4) above shall not apply to a decision modifying the conditions of a licence under section 37 above or revoking a licence under section 38 or 42 above in the case of which the notice effecting the modification or revocation includes a statement that in the opinion of the authority it is necessary for the purpose of preventing or, where that is not practicable, minimising pollution of the environment or harm to human health that that subsection should not apply.

(7) Where the decision under appeal is one falling within subsection (6) above or is a decision to suspend a licence, if, on the application of the holder or former holder of the licence, the Secretary of State or other person determining the appeal determines that the authority acted unreasonably in excluding the application of subsection (4) above or, as the case may be, in suspending the licence, then-

- (a) if the appeal is still pending at the end of the day on which the determination is made, subsection (4) above shall apply to the decision from the end of that day; and
- (b) the holder or former holder of the licence shall be entitled to recover compensation from the authority in respect of any loss suffered by him in consequence of the exclusion of the application of that subsection or the suspension of the licence;

and any dispute as to a person's entitlement to such compensation or as to the amount of it shall be determined by arbitration or in Scotland by a single arbiter appointed, in default of agreement between the parties concerned, by the Secretary of State on the application of any of the parties.

(8) Provision may be made by the Secretary of State by regulations with respect to appeals under this section and in particular

- (a) as to the period within which and the manner in which appeals are to be brought; and
- (b) as to the manner in which appeals are to be considered.

The Waste Management Licensing Regulations 1994 provide as follows:-

Notice of appeal

6.- (1) A person who wishes to appeal to the Secretary of State under section 43 or 66(5) of the 1990 Act (appeals to the Secretary of State from decisions with respect to waste management licences or from determinations that information is not commercially confidential) shall do so by notice in writing.

(2) The notice shall be accompanied by-

- (a) a statement of the grounds of appeal;
- (b) where the appeal relates to an application for a waste management licence or for the modification, surrender or transfer of a waste management licence, a copy of the appellant's application and any supporting documents;
- (c) where the appeal relates to a determination under section 66(2) or (4) of the 1990 Act that information is not commercially confidential, the information in question;
- (d) Where the appeal relates to an existing waste management licence (including a waste management licence which has been suspended or revoked), a copy of that waste management licence;
- (e) a copy of any correspondence relevant to the appeal;
- (f) 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
- (g) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

(3) The appellant shall serve a copy of his notice of appeal on the waste regulation authority together with copies of the documents mentioned in paragraph (2) above.

(4) If the appellant wishes to withdraw an appeal, he shall do so by notifying the Secretary of State in writing and shall send a copy of that notification to the waste regulation authority.

Time limit for making an appeal

7.(1) Subject to paragraph (2) below, notice of appeal shall be given-

- (a) in the case of an appeal under section 43 of the 1990 Act, before the expiry of the period of 6 months beginning with-
 - (i) the date of the decision which is the subject of the appeal; or
 - (ii) the date on which the waste regulation authority is deemed by section 36(9), 37(6), 39(10) or 40(6) of the 1990 Act to have rejected the application;
- (b) in the case of an appeal under section 66(5) of the 1990 Act, before the expiry of the period of 21 days beginning with the date on which the determination which is the subject of the appeal is notified to the person concerned.

(2)

The Secretary of State may in relation to an appeal under section 43 of the 1990 Act at any time allow notice of appeal to be given after the expiry of the period mentioned in paragraph (1)(a) above.

WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 3 of 15

An appeal must be lodged with the Secretary of State within six months of the date of the issue of this licence, any modification, suspension or revocation, or at any time that the Secretary of State may allow.

The Notice of Appeal shall be accompanied by :-

- a] a statement of the grounds of appeal;
- b] where the appeal relates to an application for a Waste Management Licence or for the modification, surrender or transfer of a Waste Management Licence, a copy of the appellant's application and any supporting documents;
- c] where the appeal relates to an existing Waste Management Licence [including a Waste Management Licence which has been suspended or revoked], a copy of that Waste Management Licence;
- d] a copy of any correspondence relevant to the appeal;
- e] 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
- f] a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

The appellant shall serve a copy of his notice of appeal on the Waste Regulation Authority together with copies of the documents mentioned in Sections a] to f] above.

If the appellant wishes to withdraw an appeal, he shall do so by notifying the Secretary of State in writing and shall send a copy of that notification to the Waste Regulation Authority.

****** *In accordance with Section 43[4], where conditions have been varied by a Notice of Modification, the effect of this shall be suspended pending any appeal to the Secretary of State. If the appeal is dismissed or withdrawn, this notice will have immediate effect.*

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 4 of 15**

7. Time limit for making an appeal

[Section 7 : The Waste Management Licensing Regulations 1994]

- (1) Subject to paragraph (2) below, notice of appeal shall be given in the case of an appeal under Section 43 of the 1990 Act, before the expiry of the period of 6 months beginning with -
- (i) the date of the decision which is the subject of the appeal; or
 - (ii) the date on which the Waste Regulation Authority is deemed by Section 36(9), 37(6), 39(10) or 40(6) of the 1990 Act to have rejected the application.
- (2) The Secretary of State may in relation to an appeal under Section 43 of the 1990 Act at any time allow notice of appeal to be given after the expiry of the period mentioned in paragraph (1) above.

CONTRAVENTION OF LICENCE CONDITIONS etc.

Your attention is drawn to the provisions of section 33,38,39,40,42 and 59 of the Environmental Protection Act 1990. A brief resume is included below.

Section 33

Prohibits under penalty, the deposit of waste, or the use of plant and 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 appeal to the Secretary of State under Section 43 of the Act.

Any deposit which takes place without compliance with all licence conditions may lead to prosecution under this section.

Section 38

Should the licence holder cease to be a 'fit and proper' person by reason of him being convicted of a relevant offence, or the management of activities has ceased to be in the hands of technically competent management, or the continuation of activities may cause pollution of the environment, harm to human health or serious detriment to the amenities of the locality, this may lead to revocation of the licence.

The WRA also has powers to suspend the licence if the management of the site has ceased to be in the hands of technically competent management, or serious pollution of the environment or serious harm to human health is likely or has already occurred as a result of activities at the site.

Section 39

A licence holder may only surrender a licence with the written agreement of the WRA. An application, enclosing the appropriate fee, to surrender must contain such information as the WRA may require in order to demonstrate that the site is unlikely to cause pollution of the environment or harm to human health.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 5 of 15**

Section 40

Should the licence holder wish to transfer to another person, i.e. the transferee, a joint application shall be made, enclosing the appropriate fee, to the WRA. A licence may only be transferred to a 'fit and proper' person as defined by Section 74 of the Environmental Protection Act and, therefore, the WRA will be required to assess the status of the transferee by information contained within the application.

Section 42

Non-compliance with any licence condition may lead to partial revocation of this licence and prosecution.

Section 59

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

Penalties under Section 33

A person who contravenes section 33, subsection [1] shall, subject to subsection [4], be guilty of an offence, and liable, upon summary conviction, to imprisonment for a term not exceeding six months or a fine of an amount not exceeding £20,000, or both, or on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.

WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 6 of 15

SCHEDULE "A"
DEFINITIONS

1. In this licence, an "emergency" is defined as a case where a person has reasonable cause to believe that circumstances exist which are likely to give rise to pollution of the environment, or harm to human health, or would be seriously detrimental to the amenities of the locality affected.
2. In this licence, liquids which are "flammable", "highly flammable" or "extremely flammable" shall have the same meaning as Schedule 1, Part 1, of the Chemicals [Hazard Information and Packaging] Regulations 1993.
3. "Technically competent management" shall for the purposes of this licence, mean a person or persons who through training and/or qualification is/are able to identify the nature of wastes arriving at the facility and carry out operations at the facility in accordance with recommended practices. Such a person or persons shall be in possession of :-
 - a Certificate of Technical Competence [COTC]
 - or a Provisional Certificate of Technical Competence, [pCOTC]
 - or a Certificate of Qualifying Experience [CQE]for managing landfill operations : Biodegradable Waste [Level 4] in accordance with Regulation 4 of the Waste Management Licensing Regulations 1994 as issued by the Waste Management Industry Training and Advisory Board.

or on the 10 August 1994 is 55 years of age or over, and in the 10 years ending on that date he has had at least 5 years experience as the manager of a facility at the equivalent level mentioned above. This competence shall last only until 10 August 2004

or is deemed competent by virtue of section 77(2) of the Environmental Protection Act 1990 and has been notified in writing by the Waste Regulation Authority.
4. In this licence, "liquid" and "solid" have their ordinary everyday meanings.
5. In this licence, "sludge" means an intimate mixture of solid and liquid.
6. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Environmental Protection Act 1990 and its associated regulations.
7. In this licence, an Authorised Officer is an officer authorised by the Waste Regulation Authority for the purposes of the Environmental Protection Act 1990.
8. In this licence, the "water company" means the sewerage undertaker for the area, as defined by the Water Industry Act 1991.
9. In this licence, "operation" is defined as the receipt, handling, removal or deposit of controlled waste.
10. Any reference in the Working Plan to waste disposal authority shall also be taken to refer to the Waste Regulation Authority.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 7 of 15**

SCHEDULE "B"

THE QUANTITIES OF WASTE TO BE DISPOSED OF AT THE FACILITY

TYPES OF WASTE

1. Types of waste materials accepted at the facility, and the maximum quantities stored shall comply with the Schedule below.

TYPE OF WASTE QUANTITIES	MAXIMUM WASTE CODE	MAXIMUM QUANTITY	DOE CODE	EWG CODE
Phase I [Disposal Zone 2, as referred to in Ove Arup and Partners Report 95/2592]: Industrial wastes constituting contaminated soils, hardcore and similar materials arising from the excavation of land identified as Cardiff Bay Retail Park in Figure 1 of the Working Plan [Report No. 95/2924 - Ove Arup & Partners], spoil arising from the construction of the surface water drain to serve the Retail Park site, and quantities identified in the Working Plan arising from the excavation of the gas cut-off wall [defined in Figure 4 of Report No. 95/2952 - Ove Arup & Partners].		** 60,000 tonnes	S90	17 05 01
Phases II & III [Disposal Zone 1, as referred to in Ove Arup and Partners Report 95/2592]: a) Industrial wastes comprising excavated soils, hardcore and similar materials and municipal refuse arising from construction of the gas cut-off wall and ancillary works identified in Figure 2 of the Working Plan [Report No. 95/2942 - Ove Arup & Partners] b) Industrial wastes comprising contaminated soils and municipal refuse [including asbestos] arising from the excavation of land identified as Ely Fields, spoil arising from the construction of the surface water drain between the retail park site, and spoil arising from the construction of the permanent access road serving Ely Fields, as identified in Ove Arup and Partners Report 95/2592 c) Reprofilling of municipal wastes presently within the site authorised under this licence to achieve the final contours identified in the Working Plan.		250,000 tonnes 75,000 tonnes	S90 /S95 / S97 / J10 S90 / S95/ S97	20 00 00 17 05 01 17 06 01 20 00 00 17 05 01

THE MAXIMUM QUANTITY OF WASTE DISPOSED OF AT THE FACILITY SHALL NOT EXCEED 60,000 TONNES IN RESPECT OF PHASE I, AND 325,000 TONNES IN RESPECT OF PHASES II AND III.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 8 of 15**

EXCLUSIONS

Notwithstanding the generality of the types of wastes specified in this Schedule, the following wastes shall be specifically excluded from delivery to the facility without the prior *written* approval of the Waste Regulation Authority :-

- a] Controlled Waste being defined as "special waste" in the Control of Pollution [Special Waste] Regulations 1980 and any subsequent amendments;
- b] Any waste containing free flammable solvents;
- c] Liquid wastes;
- d] Any wastes other than those specified in Schedule B.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD 1]
SHEET 9 of 15**

SCHEDULE "C" : OPERATIONAL CONDITIONS

- 1a] *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 A COPY OF THESE CONDITIONS AND THE WORKING PLAN SHALL BE KEPT AVAILABLE AT THE FACILITY AND DISPLAYED IN A PROMINENT POSITION.*
- b] *THIS LICENCE SHALL APPLY TO THE SITES SHOWN EDGED IN RED ON THE ATTACHED DRAWING, LOCATED AT ORDNANCE SURVEY GRID REFERENCE ST 175 737, BEING LAND OCCUPIED BY THE LICENCE HOLDER.*
- c]** *THIS LICENCE SHALL NOT PERMIT THE DEPOSIT OF WASTE IN THE AREA IDENTIFIED AS THE DISPOSAL CELL (DISPOSAL ZONE 2 IN THE WORKING PLAN) UNTIL THE FOLLOWING INFORMATION HAS BEEN SUBMITTED TO, AND APPROVED BY, THE WASTE REGULATION AUTHORITY IN WRITING:*
- i] *Construction details of the drainage systems and associated storage tank(s) serving the Disposal Cell, including bunds;*
- ii] *The management arrangements to monitor levels in the leachate drainage system, including the storage tank(s), and to secure the removal of leachate as necessary to prevent the risk of the system's capacity being exceeded, having regard to action levels as detailed in the Working Plan.*
- 1d]** *Before depositing waste in any of the ten phases of the Disposal Cell as defined in drawing WSK/48 revision A, the relevant independent Constructional Quality Assurance performance documents, duly completed, shall be submitted to, and receipt acknowledged by, the Waste Regulation Authority in writing.*
- 1e]** *The construction details of the permanent drainage systems to serve the site authorised by this licence shall be submitted for approval to the Waste Regulation Authority in writing on, or before, 1st January 1997. The systems shall be installed in accordance with the approved scheme and be fully operational before impoundment of the River Taff and River Ely as provided for by the Cardiff Bay Barrage Act 1993.*
- 1f]** *The preliminary groundwater, gas and leachate monitoring report based on the boreholes identified on the drawing entitled "As Built Locations of Long Term Monitoring Boreholes" shall be submitted to the Waste Regulation Authority before the deposit of any waste otherwise permitted by this licence.*

The proposals for the secondary phase of the long term monitoring programme (the full intended programme having been detailed in the report entitled "General Scope of Works for Monitoring of Groundwater, Leachate and Gas" [Revision 1, March 1996]) shall be submitted to the Waste Regulation Authority in writing on or before 1st July 1996.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD.1]
SHEET 10 of 15**

- 2a) The statements of intended methods of operation and drawings contained within the documents entitled "Cardiff Bay Development Corporation : Disposal of Waste at the Ferry Road Landfill Site : Working Plan for Contaminated Soil Wastes", "Cardiff Bay Development Corporation, Disposal of Waste at the Ferry Road Landfill Site; Working Plan for the Cut-off Wall Arisings and Municipal Refuse Deposits encroaching within Cardiff Bay Retail Park Site", "Cardiff Bay Development Corporation Disposal of Waste at the Ferry Road Landfill Site; Working Plan for the wastes generated from Advanced Preparation Works for Ely Fields and Cardiff Bay Retail Park Developments", together with the documents entitled "Cardiff Bay Development Corporation : Ferry Road ; Hydrogeology and Groundwater Impact", "Cardiff Bay Development Corporation : Ferry Road : General Scope of Works for Monitoring of Groundwater, Leachate and Gas" and "Cardiff Bay Development Corporation : Ferry Road : Recommendations for Capping Over the Landfill and the Control of Leachate and Gas" submitted as part of the application for this licence shall be referred to as the Working Plan. Any reference in this licence to the Working Plan shall be construed to mean all of these documents unless specifically worded otherwise.
- b) The licence holder shall obtain *written* approval from the Waste Regulation Authority for any proposed changes to the conduct of the operations as detailed in the Working Plan, before any proposed change is implemented.
- c) Any reference in this licence to the Working Plan shall include a reference to any modification to the statement or the drawings which have been approved *in writing* by the Waste Regulation Authority as appropriate.
- d) Subject to the terms of this licence, the site shall be operated in accordance with the Working Plan.
- e) All circumstances of emergency shall be reported forthwith to the Waste Regulation Authority.
- f) Within *three months* of the issue of this licence, all preparation works as detailed in the Working Plan shall be completed.

Preparation Works

- 3.** The following engineering activities shall be subject to independent Constructional Quality Assurance:

- a) The liner and leachate/surface water collection systems serving the Disposal Cell (Disposal Zone 2 as identified in the Working Plan);
- b) The landfill gas control system serving the wastes to be deposited and those having previously been deposited;
- c) The leachate and surface water drainage systems serving the whole site authorised by this licence;
- d) The capping system to be installed upon completion of waste disposal activities.

None of the aforementioned engineering activities may be undertaken until the proposed Constructional Quality Assurance Scheme relevant to that activity has been submitted to, and approved by, the Waste Regulation Authority in writing.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD.1]
SHEET 11 of 15**

4. In accordance with details of the Working Plan, offices shall be provided and maintained.
5. Lighting in accordance with the Working Plan shall be provided at the facility for those operations which are to be carried out during the hours of darkness as defined by the statutory lighting-up times published by the Science and Engineering Research Council. Such lighting shall be sufficient to permit thorough inspection of wastes delivered to the facility to allow identification of wastes acceptable and unacceptable under the terms of Schedule B of this licence.
6. An identification board of durable material and finish shall be displayed at the entrance to the facility. This shall give the name of the facility, the Site Licence number, the name, address and telephone number of the operator and of the Waste Regulation Authority, the hours of operation and the telephone numbers of the personnel to contact in the event of an emergency.
7. Effective security shall be provided at the facility in order to prevent the escape of waste and unauthorised access to the facility. To this end, gates, walls and fencing shall be provided at the facility and maintained at all times in accordance with the Working Plan. The gates shall be locked outside operating hours and at any time the site is left unattended, in order to prevent unauthorised access, deposit on, or removal of materials from the facility. The fencing and gates shall be inspected daily by the site supervisor, and any damage observed shall be rectified within 24 hours of the damage being identified.
8. Under no circumstances shall site activities threaten pollution of ground or surface waters. For this purpose, site drainage shall be constructed and maintained in accordance with the Working Plan to ensure that water does not accumulate at the facility, other than the leachate storage system serving Disposal Zone 2, and the leachate attenuation lagoon serving Disposal Zone 1 as detailed on Drawings C4208 and C4209.
9. Tanks or drums used for the storage of liquids shall be contained within bunded compounds. The containment capacity of the bund shall be at least 110% of the tank capacity in the case of a single tank. Where multiple tanks or drums are contained within a bund, then the bund capacity shall be either 110% of the capacity of the largest tank or drum, or 25% of the total volume of liquid which could be stored in the bund, whichever is the greater. The side walls and base of the bunded areas shall be lined with an impervious material.

- 1) Within the bund;
- 2) Discharged vertically downwards;
- 3) Shut and locked when not in use.

Where liquid from a tank is delivered through a flexible pipe permanently attached to the tank, then -

- a) A tap valve shall be provided at the delivery end which automatically closes when not in use;
- b) An isolating valve shall be provided at the tank end of the flexible pipe which shall be kept locked when not in use
- c) The flexible delivery pipe shall be kept within the bund when not in use.

Every part of the storage tank shall be within the bund.

**WASTE MANAGEMENT LICENCE NO. 95/07 [MOD.1]
SHEET 12 of 15**

All taps or permanent valves through which liquid can be discharged shall be :

No part of the bund shall be situated within 10 metres of any inland or coastal water into which the liquid could enter if it were to escape.

All containers within the bund shall be of a type and construction suitable for liquids they contain, and shall be labelled to show their contents. Containers shall conform, where necessary, to all relevant safety and construction standards.

Any liquid waste temporarily stored/quarantined on the application site shall be stored in sealed containers within a bunded area to the specification detailed above, pending its collection and disposal at a suitably licensed facility elsewhere. This requirement shall not apply to the leachate storage system serving Disposal Zone 2, nor to the leachate attenuation lagoon serving Disposal Zone 1 as detailed on Drawings C4208 and C4209.

10. Measures in accordance with the Working Plan shall be taken to prevent damage to all pipework, valves, pumps and storage tanks.

Operations

11. During all operational and maintenance periods, the facility shall be staffed and supervised by technically competent management as defined in Schedule "A" which is capable of ascertaining, in accordance with the terms of the Working Plan, and having regard to the information supplied with the waste materials, that only wastes permitted by the licence are deposited at the site. As far as practicable, the nature of the waste shall be ascertained by site personnel to ensure that it is acceptable in accordance with this licence. Should there, at any time, be any changes to the technically competent management as presented by the licence holder to the Waste Regulation Authority during the application stage, then within FOURTEEN DAYS of any changes, the Waste Regulation Authority shall be informed *in writing*. Should at any time the management cease to be technically competent, the Waste Regulation Authority shall be informed in writing within FOURTEEN DAYS of such a change.
12. Provision shall be made to deal with any unacceptable waste delivered to or left at the facility in accordance with the Working Plan. Such waste shall be removed from the facility as soon as practicable or within such time as may be agreed with the Waste Regulation Authority and taken for disposal.
13. The types of waste and maximum quantities to be disposed of at the facility shall consist of those specified in Schedule "B" of this licence.
14. A record shall be kept of the types and quantities of waste delivered to, and removed from, the facility, giving details of the final destination, including materials inadvertently delivered to and subsequently removed from the facility. The record shall comprise full details, as required, on forms agreed with the Waste Regulation Authority, and copies shall be sent to the Waste Regulation Authority at a frequency as may be requested by the Waste Regulation Authority. These records shall be made available for inspection by an authorised officer of the Waste Regulation Authority at the facility at any reasonable time.
15. The hours of operation shall be 08:00 to 18:00 Mondays to Fridays, and 08:00 to 14:00 Saturdays only.

WASTE MANAGEMENT LICENCE NO. 95/07 [MOD.1]
SHEET 13 of 15

16. A diary/log book shall be provided and retained on site to record all circumstances of emergency and any defects revealed by the technically competent management or site staff as referred to in this licence and the Working Plan, together with details of any action taken. The diary/log book shall be available for the licence holder, accredited agent or employees and for authorised officers of the Waste Regulation Authority to read or record comments pertaining to the activities at the facility.
17. No waste material shall be burned within the boundaries of the facility. Any fire occurring within the confines of the facility shall be treated as an emergency, and immediate action shall be taken to extinguish it. All outbreaks of fire shall be reported to the Waste Regulation Authority forthwith. Fire-fighting equipment and emergency water supplies shall be provided and regularly maintained at the facility.
18. If required by the Waste Regulation Authority, any waste or other material segregated for re-use or re-sale shall be removed forthwith, if, in the opinion of the Waste Regulation Authority, it is likely to cause pollution of the environment, harm to human health or would be seriously detrimental to the amenities of the locality affected.
19. Appropriate measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility to ensure it does not cause pollution of the environment, harm to human health, or would be seriously detrimental to the amenities of the locality affected.
20. The facility shall be inspected daily for the presence of vermin and insects, and control measures shall be undertaken as detailed in the Working Plan to deal with any vermin or insects found. Records of these inspections, and any control measures undertaken, including types and quantities of pesticides used, shall be kept permanently on site.
21. No malodours or dust shall be detectable beyond the site boundary of the licensed waste disposal facility which arise from on site activities within the area defined in Condition 1 of this licence. To this end, wastes shall be sprayed with a deodoriser and/or dust suppressant at times and locations in accordance with the Working Plan, or as required by the Waste Regulation Authority.
22. Primary site roads to the standard of construction stipulated in the Working Plan, shall be provided and maintained in accordance with the Working Plan.
23. Provisions shall be made within the confines of the facility for the parking, loading and unloading of vehicles transporting wastes and residues to and from the facility in accordance with the Working Plan.
24. Wheel cleaning facilities shall be provided, maintained and used, in accordance with the Working Plan, to ensure that no mud debris or other material is deposited on any roadway by vehicles using the facility.
25. A system for the collection, settlement and discharge of surface water shall be installed, used and maintained as detailed in the Working Plan in order to minimise leachate production.
26. Surface water intercept drains shall be inspected as necessary and in any case, at least once per seven days. The drains shall be kept free of any blockage and maintained to the specification in the Working Plan.

WASTE MANAGEMENT LICENCE NO. 95/07 [MOD.1]
SHEET 14 of 15

27. All leachates collected at the facility shall be disposed of in accordance with the Working Plan.
28. A leachate collection system shall be provided in accordance with the Working Plan. The system shall be inspected as necessary, and in any case at least once per seven days. The system shall be kept free of blockages and maintained to the original specification.
29. Contaminated surface run-off waters shall be collected and directed to the leachate collection system such that no clean waters at the facility become contaminated.
30. Material used for landfill other than that which is wholly non-putrescible and non-combustible shall be covered progressively with suitable inert stabilised material throughout operating hours, so that by the end of each working day all exposed surfaces including the flanks and face shall have been covered to a depth of at least 15cm.

No putrescible or combustible waste shall be accepted at the site unless there is a stock-pile of inert material located in the vicinity of the working face which is sufficient to cover such wastes by the end of the working day.
31. Details of the landfill gas management system shall be submitted to and approved by the Waste Regulation Authority in writing within four months of the date of issue of this licence. The system shall be installed in accordance with the Working Plan.
32. The gas venting system shall be inspected in accordance with the schedule specified in the working plan. Any part of the gas system that fails to meet the design standards of the Working Plan shall be repaired or replaced after consultation and the agreement of the Waste Regulation Authority, without delay.
33. Any breakdown of the gas venting system shall be reported as soon as is practicable to the Waste Regulation Authority and in any case, not later than the first working day after such an event is identified.
34. Landfill gas, leachate and groundwater monitoring boreholes or other monitoring points will be installed and maintained to the specification detailed in the Working Plan and will be located as detailed in the Working Plan. The boreholes and any other monitoring points will be monitored as detailed in the Working Plan.

All boreholes and other monitoring points will be inspected in accordance with the schedule specified in the working plan. Any defects identified shall be remedied in accordance with the Working Plan.
35. A full record of gas readings, together with the barometric and air temperature shall be kept at the facility and a copy sent to the Waste Regulation Authority every month or as agreed by the Waste Regulation Authority in writing.

Landscaping and Aftercare -

36. Upon completion of waste disposal operations, the site will be contoured and capped over and landscaped in accordance with the Working Plan. Details of the capping and associated drainage details must be submitted to the Waste Regulation Authority within 4 months of the date of issue of this licence. Written approval from the Waste Regulation Authority shall be obtained before construction of the capping and associated drainage systems.
37. As detailed in the Working Plan, the site will be inspected for evidence of instability. With the exception of settlement anticipated in the Working Plan, any evidence of the uncontrolled movement of waste [including soil] and including that which may be indicated by movement of items of infrastructure, i.e. gas monitoring and control equipment, leachate and groundwater monitoring equipment, the drainage systems, the capping system and security fencing, shall be reported in writing to the Waste Regulation Authority as soon as is practicable, and in any case within seven days of the evidence being noted. Calculations to demonstrate the anticipated settlement shall be submitted as an amendment to the Working Plan within 4 months of the date of issue of this licence. Any works of repair or reinstatement shall be undertaken in accordance with the Working Plan.
38. As detailed in the Working Plan, the site will be inspected for evidence of disrepair, damage and malfunction of infrastructure, i.e. gas monitoring and control equipment, leachate and groundwater monitoring equipment, the drainage systems, the capping system and security fencing. Any such evidence shall be reported in writing to the Waste Regulation Authority as soon as is practicable, and in any case within seven days of the defects being noted. Any works of repair or reinstatement shall be undertaken in accordance with the Working Plan.
39. The landfill gas, groundwater and leachate monitoring boreholes and other monitoring points will be sampled for the determinands specified in the Working Plan and at frequencies specified in the Working Plan. All results will be forwarded in writing to the Waste Regulation Authority at intervals agreed in writing with that Authority. The licence holder will notify the Waste Regulation Authority of any results showing any determinands indicating a variance exceeding 30% of the previous result as soon as is practicable, and in any case, no later than the first working day after the result is known.
40. A copy of any notice or instruction received in respect of the facility from any authority other than the Waste Regulation Authority, which in any way relates to the use of the facility, shall be given to the Waste Regulation Authority within *seven* days of the receipt of such notice or instruction.
41. Any cessation of operations for a period in excess of *three months* shall be notified to the Waste Regulation Authority. Not less than *fourteen days* notice shall be given to the Waste Regulation Authority of the date on which operations are to recommence in the event of such a cessation.
42. In the event of cessation of operations whereby waste delivered to the facility is required to be transferred or diverted elsewhere, the Waste Regulation Authority shall be notified forthwith.

