

RHYMNEY VALLEY DISTRICT COUNCIL

YSTRAD FAWR, YSTRAD MYNACH, HENGOED, MID GLAM, CF8 7SF

SITE LICENCE NO. 80

SHEET 1 of 13

ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

The Rhymney Valley District Council hereinafter called the "Waste Regulation Authority" in pursuance of their powers conferred on them by the Environmental Protection Act 1990, hereby licence:

**Goodlife Spares
Old Colliery Yard
Graddfa Road
Llanbradach
Caerphilly
Mid Glamorgan**

herein after called the "licence holder" to operate a motor vehicle dismantling facility (hereinafter called the "facility") on land at:

**The Old Colliery Yard, Graddfa Road, Llanbradach
Grid reference [ST 1489 9099]**

which is edged red on the drawings attached to this licence, being land occupied by the licence holder.

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

Dated the 15th day of Dec 1995

Signed: 

**N. Gatehouse
Environmental Services Manager**

*** The licence holders attention is drawn to the notes overleaf ***

NOTES

These notes are for general guidance only and they do not constitute an authoritative statement of the law.

1. This licence relates only to the requirements of the Environmental Protection Act 1990 for the storage of waste and the use of plant or equipment subject to the conditions set out in the schedules and does not constitute a consent required by other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the **HEALTH AND SAFETY AT WORK ETC., ACT 1974, THE RADIOACTIVE SUBSTANCES ACT 1993, THE TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS, and ALL RELEVANT WATER PROTECTION AND ENVIRONMENTAL HEALTH legislation.**

All discharges to foul sewer have to meet the requirements of the Dwr Cymru Welsh Water, whereas discharges to separate surface water sewers or direct to watercourse require the consent of the National Rivers Authority. Any diversion or other changes will also require approval of the National Rivers Authority.

2. If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the Waste Regulation Authority who has the right to decline to accept the new licence holder.

CONTRAVENTION OF LICENCE CONDITION

Environmental Protection Act 1990

Section 33 (1) (c) of the above Act provides that a person shall not treat, keep or dispose of controlled waste in a manner likely to cause pollution of the Environment or harm to health. A person who commits an offence under this section is liable on summary conviction to a fine of an amount not exceeding £20,000 or imprisonment for a term not exceeding 6 months or both, or on conviction on indictment to imprisonment for a term not exceeding two (2) years or a fine or both.

It is an offence to contravene any condition of this licence.

Section 38 of the above Act provides that where the licence holder ceases to be a fit and proper person by reason of :-

- a) being convicted of a relevant offence ; or
- b) the management of the authorised activities cease to be in the hands of a technically competent person ,

or continuation of the activities so authorised would cause pollution of the environment or harm to human health or would be seriously detrimental to the amenities of the locality, and the pollution harm or detriment cannot be avoided by modifying the conditions of the licence, the Authority may revoke, suspend in part the licence so far as it authorises the carrying on of the activities or in the case of (a) and (b) revoke the licence entirely. Where a licence is suspended or revoked the Waste Regulation Authority may require the licence holder to take such measures as they deem fit to avert any pollution or harm. A person who without reasonable excuse fails to comply with any requirement imposed by the Waste Regulation Authority shall be liable to a fine not exceeding the statutory maximum on summary conviction, and on indictment to imprisonment for a term not exceeding 2 years or a fine or both.

Section 39 of the Act sets out procedures for the surrender of licences. A site licence may only be surrendered to the Waste Regulation Authority which granted it if the Authority accepts the surrender. Before the accepting Surrender the Waste regulation Authority must be satisfied that the condition of the land is such that it is unlikely to cause pollution or harm. If surrender of the licence is accepted a Certificate of Completion will be issued.

Section 40 of the Act makes provision for the transfer of licences. The licence holder and proposed transferee are required to make a joint application to the Waste Regulation Authority, giving the details as laid down in Schedule 2 of the Waste Management Licensing Regulations. The Waste Regulation Authority can only approve of the transfer if it is satisfied that the proposed transferee is a fit and proper person.

Section 42 of the Act places a responsibility on Waste Regulation Authorities to supervise all waste management facilities.

Section 59 of the Act gives the Waste Regulation Authority powers to require the removal of illegally deposited waste or to remove the waste itself, in which case it may recover the costs from the occupier of the land or from the person responsible for the deposit of the waste.

DUTY OF CARE

Section 34 of the above Act and the associated regulations impose a **DUTY OF CARE** on any person who imports, produces, carries, keeps, treats or disposes of waste to take all such measures applicable to him in that capacity as are reasonable in the circumstances :-

- a) to prevent any contravention by any other person of Section 33 of the Environmental Protection Act 1990
- b) to prevent escape of the waste from his control or that of any other person; and
- c) on the transfer of waste, to secure -
 - (i) that the transfer is only to an authorised person or to a person for authorised transport purposes; and
 - (ii) that there is transferred such a written description of the waste as will enable other persons to avoid a contravention of that section and to comply with the duty of care.

All parties to the transfer of waste are required to keep documentation for 2 years and to produce such documentation to the Waste Regulation Authority within a minimum period of 7 days if required to do so.

Contravention of the Duty Of Care is punishable by a fine not exceeding £2,000 on summary conviction, or a fine on indictment.

SCHEDULE 'A' DEFINITIONS

1. In this licence, "**emergency**" is defined as a case where a person has reasonable cause to believe that circumstances exist which are likely to endanger life or health or cause damage to property or pollution of the environment.
2. A "**Competent Person**" shall for the purpose of this licence mean a person who meets the following requirements :-
 - (a) either holds a waste management qualification relevant to the operations permitted by this licence, or has prove of attendance at appropriate courses held by recognised waste management training bodies (such as the Institute of Waste Management).
 - and
 - (b) for at least 2 years in the last 5 years has either managed or acted as deputy manager of a similar facility to that subject to this licence,
 - and
 - (c) is responsible for ensuring the facilities compliance with the terms and conditions of this licence.
3. A "**proficient person**" shall be trained to understand the terms and conditions of this licence, to recognise the general descriptions of waste that may arrive at the facility, and actions to be taken to deal with such wastes and what action to take in the event of an emergency, and be capable of deputising for the competent person.
4. An "**authorised officer**" is an officer authorised by the Regulation Authority for the purpose of the Environmental Protection Act 1990.
5. In this licence, "**operation**" is defined as any of the following involved in activities handling or removal of waste from the facility.
 - (I) the receipt of waste at the facility
 - (ii) the handling of waste at the facility
 - (iii) the sorting of waste at the facility
 - (iv) the removal of waste from the facility
 - (v) recycling
6. In this licence "**Recycling**" is defined as the collection and separation of materials from waste and subsequent processing to produce marketable products or raw materials.

7. **Difficult wastes** are those contained in Appendix (C) of the Department of Environment Waste Management Paper No. 26.
8. Notwithstanding the above, words and phrases in this licence have the meaning ascribed to them by the Environmental Protection Act 1990, and its associated, and associated regulations.

SCHEDULE 'B' PERMITTED WASTES

B1. Materials processed at the facility shall be restricted to the types and quantities of waste detailed below. The quantities of waste stored shall not exceed those specified in Condition B2.

Waste	Max. Qty. Received/week	Max. Qty. Stored at any time
(i) Batteries (IN VEHICLES)	70 (batteries)	14 tonnes
(ii) Cars/Vehicles (incl. plant &	100 tonnes	500 tonnes
(iii) Engines machinery)	IN VEHICLES ONLY	
(iv) Engine Oils (IN VEHICLES)	100 gallons	500 gallons
(v) Hydraulic Fluids (IN VEHICLES)	50 gallons	500 gallons
(vi) Coolants (IN VEHICLES)	100 gallons	500 gallons
(vii) Tyres	ON VEHICLES ONLY	
(viii) Other Ferrous Metals	50 tonnes	400 tonnes
(ix) Other Non Ferrous Metals	10 tonnes	25 tonnes

EXCLUSIONS

Notwithstanding the generality of the types of waste specified in this Schedule the following wastes shall be specifically excluded from delivery to the facility.

- a. Substances within the Control of Radioactive Substances Act 1993 and subsequent amendments.
- b. Percussives and explosives and other substances with similar characteristics, excepting where such wastes are in such a form or state where the percussive or explosive properties are and will remain effective.
- c. Special Waste as defined by the Control of Pollution (Special Waste) Regulations 1980 and any subsequent amendments, except battery acid and petrol.
- d. Any waste containing flammable solvents except petrol.
- e. Any waste containing elemental sodium or potassium, or any metal which is in a fine powdered form.

SCHEDULE 'C' - GENERAL CONDITIONS

- C1. (i) The statement of intended methods of operation and drawings contained within the documents entitled: -

Working Plan
Site location plan
Site layout plan (1:200 scale)

Shall be herein after referred to as the working plan.

- (ii) Any proposed modification to the working plan shall be submitted to the Regulation Authority not less than 28 calendar days prior to its proposed implementation. The proposed change shall not be implemented if within 28 calendar days from receipt of notification the Waste Regulation Authority informs the licence holder in writing that the change will require a modification to the licence conditions.
- (iii) Paragraph C1 (ii) shall not apply to any alterations of working practices undertaken in an emergency or to prevent an environmental hazard.
- (iv) 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 agreed in writing by the Waste Regulation Authority as appropriate.
- (v) Subject to the terms and conditions of the licence, the site shall be operated in accordance with the working plan.

- C2. A copy of any notice or instruction in respect of the facility from any body corporate or other authority, other than the Regulatory Authority, which in any way relates to the use of the facility, shall be kept at the facility for inspection by the Regulation Authority and the licence holder shall make an entry in the facility's diary or log book on the date the notice or instruction was received and a summary of the effect of that notice or instruction on the facility. Where the said notice or instruction conflicts with any requirement of the licence conditions a copy of the instruction shall be forwarded to the Waste Regulation Authority within 7 working days.

- C3. The terms and conditions of this licence shall be made known to the proficient person and to any person who is given responsibility for the management or control of the facility and a copy of these terms and conditions shall be kept available at the facility and displayed in a prominent position.

SCHEDULE 'D' - SITE PREPARATION WORKS

- D1. 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.
- D2. An identification board of durable material and finish shall be maintained and displayed in a prominent position at the facility. This shall give the name, address and telephone number of the Operator and the Regulation Authority, the hours of operation and the telephone numbers of personnel to contact in the event of an emergency.
- D3. Gates, walls and fencing shall be constructed and maintained in accordance with the working plan. The gates shall be locked outside operating hours and precautions shall be taken in order to prevent unauthorised access to deposit on, or removal of materials from the facility.
- D4. Site drainage facilities shall be constructed and maintained so that water does not accumulate at the facility. An oil interceptor shall be installed at the southern end of the facility below the processing area to be agreed with the Waste Regulation Authority. The interceptor shall be preceded by a settlement bay.
- The inlet identified adjacent to the proposed customer parking area shall be protected by a raised kerb so that all contaminated surface water drains to the settlement bay and oil interceptor.
- D5. The yard area of the facility shall be surfaced and maintained to the satisfaction of the Waste Regulation Authority. All 'activity areas' such as the dismantling and compacting areas shall be surfaced with an impermeable permanent surface which is bunded and drains to the oil interceptor.
- D6. Yard surfaces shall be cleaned as necessary and when requested by the Waste Regulation Authority.
- D7. The access/entrance road to the facility shall be provided with level permanent surface as agreed with the Waste Regulation Authority.
- D8. Any storage containers for liquids which may be polluting shall be contained in a bunded area and shall be of a type and construction suitable for the liquids they contain and labelled to show their contents. They shall conform where necessary to all relevant safety and construction standards and shall be installed at a location and to a specification in agreement with the Waste Regulation Authority.
- D9. Measures shall be taken to prevent damage to all pipework, valves, pumps and storage tanks which may result in the pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.

- D10. Arrangements shall be provided on site for the storage and maintenance of equipment used at the facility.
- D11. Provision shall be made to deal with waste which does not conform with Schedule B delivered to or left at the facility. Such waste shall be removed from the facility as soon as practicable and in any case within such time as agreed with the Waste Regulation Authority.
- D12. A diary log book shall be retained on site. The diary log book shall be available for the Licence Holder, accredited Agent or employees and for Authorised Officers of the Regulation Authority to read or record comments pertaining to the activities at the facility.

SCHEDULE 'E' - OPERATIONS

- E1. During all operational and maintenance periods the facility shall be manned by at least one technically competent person who is capable of ascertaining, in accordance with the terms of the working plan and having regard for information supplied with waste materials, that only waste permitted by the licence is received at the site. As far as practicable the nature of the waste shall be ascertained by site personnel prior to receipt to ensure that it is acceptable at the facility.
- E2. The types of waste and quantities stored at the facility shall consist of those specified in Schedule B of this licence. No waste shall remain at the facility for longer than 1 month or otherwise agreed by the Waste Regulation Authority.
- E3. Waste shall be delivered to and removed from the facility only on Monday to Saturday between the hours of 08.00 am and 18.00 pm, Sunday and Bank Holidays between the hours of 09.00 am and 16.00 pm. Except in cases of emergency, no delivery or removal of waste shall take place outside these hours, without prior approval of the Waste Regulation Authority. All circumstances of emergency shall be reported forthwith to the Regulation Authority.
- E4. The facility shall be manned and supervised during operating hours and during all maintenance operations.
- E5. All wastes entering the facility and all wastes leaving the facility shall be weighed and recorded.
- E6. A full record shall be kept in a form to be agreed with the Regulation Authority of wastes delivered to and removed from the facility and copies shall be sent to the the Waste Regulation Authority at a frequency of 6 monthly intervals. These records shall be made available to any representative of the Regulation Authority at any reasonable time.
- E7. Car vehicle bodies shall not be stores to a height greater than 2 vehicles high, and shall be stored dry (drained from fluids) only within the area marked on the plan attached to this licence.
- E8. Metals segregated for resale or reuse shall be stored only within the areas indicated on the plan attached to this licence.
- E9. If required by the Waste Regulation Authority, any waste or any other material segregated for reuse or resale shall be removed forthwith, if, according to the Regulation Authority, it is giving rise to pollution of water, causing danger to public health or is seriously detrimental to the amenities of the locality.

- E10. On entering the facility all waste vehicles or parts of vehicles shall be delivered to the dismantling area which is bunded and drains to the oil interceptor.
- E11. Vehicles or other equipment containing liquids shall be drained at the dismantling area only as shown on the working plan.
- E12. All fluids (such as petrol or diesel fuel, engine oil, transmission oil, hydraulic fluid, or radiator fluid) removed from vehicles, parts of vehicles or other equipment shall be stored on a bunded impermeable surface which drains to the oil interceptor.
- E13. Batteries shall be taken to a bunded storage area and stored wet in accordance with the working plan whilst awaiting removal from the facility to a facility capable of processing the acid and metal contents.

The bund must be capable of containing 110% of the maximum possible volume of a leak or spill. Equipment shall be provided for collecting any leakages or spillages from the bunded area.

- E14. The 'dismantling area' where fuel and other fluids are drained from vehicles and any subsequent fuel or oil storage area shall be designated NO SMOKING AREAS and appropriate signs shall be prominently displayed.
- E15. No waste, (other than car/vehicle bodies) or skips shall be stored at the facility to a height greater than 2.5 metres, and this height shall be clearly marked at an appropriate point.
- E16. No deposit shall take place within 15 metres from the bank of any open water courses on the site unless such water courses have been diverted, culverted, or otherwise protected.
- E17. Provision 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.
- E18. No waste material shall be burnt 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 immediately to the Regulation Authority. Fire fighting equipment and emergency water supplies shall be provided in accordance with the working plan.

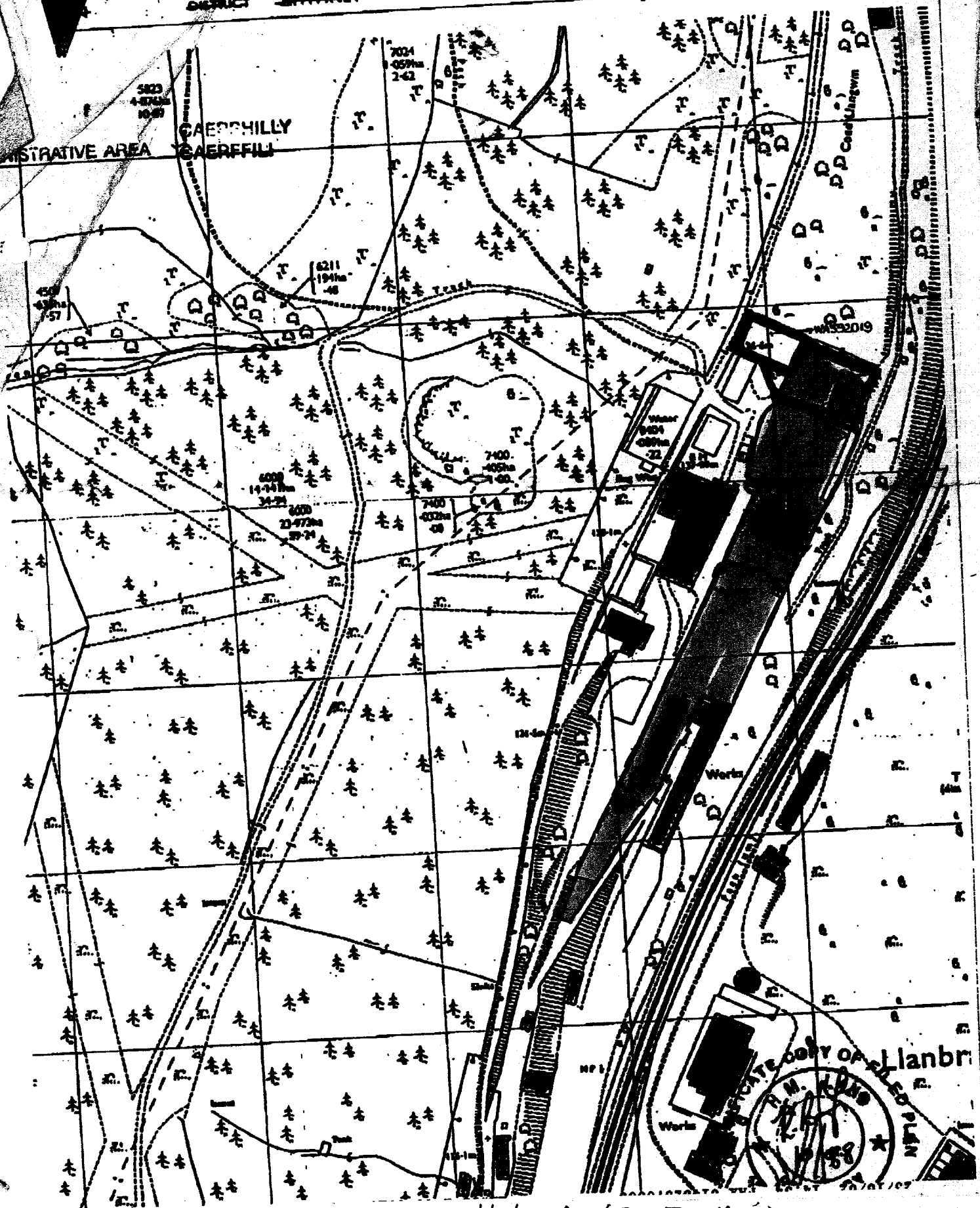
- E19. Standby operating and processing arrangements shall be implemented in the case of an emergency at the facility. The Regulation Authority shall be informed as soon as practicable whenever these arrangements are implemented.
- E20. Litter shall not be allowed to accumulate at the facility. Not less frequently than once per seven days or at a greater frequency as directed by the Regulation Authority, any litter which may be lying at the facility shall be gathered and disposed of in such a way as to keep the facility tidy to the satisfaction of the Regulation Authority.
- E21. Measures shall be taken to ensure that mud, debris or any other material is not deposited on the roadway by vehicles leaving the facility. These measures shall include the cleaning of the yard, entrance and public highway leading from the facility.
- E22. The facility shall be inspected daily for the presence of vermin and insects. Records of these inspections and any control measures undertaken, including types and quantities of pesticides used shall be kept permanently on site.
- E23. Surface water shall be removed and disposed of from bunded areas whenever necessary and at the request of the Regulation Authority. Spillages in bunded areas shall be removed forthwith in a manner appropriate to prevent pollution of Environment or harm to human health.
- E24. Any cessation of operations for a period in excess of 3 months shall be notified to the Regulation Authority. Not less than 14 days notice shall be given to the Regulation Authority of the date on which operations are to recommence in the event of such cessation.
- E25. In the event of a cessation of operations, whereby waste delivered to the facility is required to be transferred or diverted elsewhere, the Regulation Authority shall be notified forthwith.
- E26. A copy of any notice or instruction received in respect of the facility from any authority other than the Regulation Authority, which in any way relates to the use of the facility, shall be forwarded to the Regulation Authority within three days of the receipt of such notice or instruction.
- E27. The terms and conditions 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 shall be available at the facility for the use of such persons.

Scale
1/ 2500

DISTRICT RHYMNEY VALLEY

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ADMINISTRATIVE AREA
CAERFFILI



Red Line added Dec/03 Tm Morris

