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Environment
Agency

**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37(1)(b)**

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE REF No: EAWML 47074	FACILITY TYPE: Transfer Station, Scrap Yard and Household Waste Recycling (Civic Amenity) Site
LICENCE HOLDER: Mr James Edward Potter Potters Yard Severn Road Welshpool Powys SY21 7YE	LICENSED FACILITY: Potters Yard Severn Road Welshpool Powys SY21 7YE

WHEREAS on the 24th March 1994 the Montgomeryshire District Council issued a disposal licence in pursuance of their powers under Part I of the Control of Pollution Act 1974 for the above named facility.

AND WHEREAS on the 1st May 1994 the licence fell to be treated as a waste management licence under Part II of The Environment Protection Act 1990

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Environment Agency ("the Agency") by virtue of section 2 of the Environment Act 1995

AND WHEREAS on the 7th January 1998, 14th April 1999 and 9th June 2000 the licence was modified under Part II of The Environment Protection Act 1990

NOTICE IS HEREBY GIVEN that the Agency modifies the following conditions of the said licence as detailed in Schedule 1 (Modification 4) attached to this notice.

Signed

Name

Paul Hayward

Environment Management Team Leader

Dated 3rd October 2005

This modification shall take effect on 4th October 2005 at 00.01 hours

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED AT THE END
OF THIS MODIFICATION.**



SCHEDULE 1 (Modification 4)

Modification of conditions under section 37(1)(b) as follows:

Delete existing table 1.1 Specified waste management operations as found in Appendix 1 to Schedule 1 to Modification Number 3

Replace with table 1.1 Specified waste management operations as found in Appendix 1 to Schedule 1 to Modification Number 4.

EXPLANATORY NOTES - including rights of appeal.

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the Secretary of State, the conditions of a licence are modified, the licence holder may appeal from the decision to the Secretary of State.

Therefore, if you feel aggrieved by the decision detailed on the attached notice, you may obtain the appropriate form on which to give written notice of an appeal from :-

The Planning Inspectorate
Environment Appeals Team
Room 215
Regus Building
1 Friary
Temple Quay
Bristol
BS1 6EA

For Wales, the address is –
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0117 344 5680/5682/5683
Fax: 0117 344 5242

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 any application to modify the licence

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 and

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 the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

Appendix 1 to Schedule 1 to Modification Number 4

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
D9: Physico-chemical treatment of waste not listed elsewhere in this table which results in final compounds or mixtures which are disposed of on this site by means of any of the category 'D' operations authorised under this column, or elsewhere than on this site, by means of any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.	1. Wastes arising from construction or demolition works or works preparatory thereto.	Shall not be subjected to treatment by mechanical screening and/or crushing in any area of the site until the Agency has given its written consent to amendments to sections 1.4vii and 4.8iii of document 1 of the working plan in accordance with condition 1.8.1
	2. Wastes specified in section 1.2 of document 2 of the working plan.	Shall only be subjected to treatment by sorting/separating in accordance with the following requirements:- a within the Transfer Station area of the site as marked on plan 36/99/2 dated November 1999 and b by manual means
	3. Waste fridge's/freezers of household or commercial waste origin.	Shall only be subject to treatment by removal of refrigerant gasses using portable equipment in accordance with the following requirements:- a Within the White Waste Compound area of the site as marked on plan 799/2B and within the area marked as 47 on plan 36/99/1C b Fridge's/freezers that have been so treated shall be clearly marked.
	4. Wastes described as kerbside recyclables and listed in section 1.5 of document 1 of the working plan	Shall only be subjected to treatment by sorting/separating in accordance with the following requirements:- a within the Metal Storage Building of the site as marked as 12 on plan 36/99/1C b by manual means

<p>D15: Storage pending, on this site any of the category 'D' operations authorised under this column, or elsewhere than on this site, any of the operations listed in Part III of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).</p>	<p>1. Household wastes as specified in section 1.2 of document 3 of the working plan which are to be disposed of elsewhere.</p>	<ol style="list-style-type: none"> 1. Permitted wastes other than waste asbestos, waste fluorescent tubes, and hazardous household wastes, shall only be stored in accordance with the following requirements:- <ol style="list-style-type: none"> a. within the containers located at positions labelled 'general domestic waste' as marked on drawing 799/2B b. the containers shall be located on a surface a surface provided in accordance with sections 2.1iii and 2.1vii of document 3 of the working plan c. the period of storage shall not exceed 48 hours d. the quantity stored shall not exceed 60 tonnes at any one time e. the containers shall be sheeted or otherwise suitably covered when they contain waste and are awaiting removal from the site and/or the site is closed and f. be stored wholly within the containers 2. Waste asbestos shall only be stored in accordance with the following requirements:- <ol style="list-style-type: none"> a. in a sealed and lidded container located at one of the positions numbered 11 to 15 on drawing 799/2B b. in accordance with the requirements of condition 4.6 and c. the quantity stored shall not exceed 10m³ at any time. 3. Hazardous household wastes shall only be stored in accordance with the following requirements:- <ol style="list-style-type: none"> a. in the Chemistore located at the position numbered 1 on drawing 799/2B b. in accordance with the requirements of condition 2.1 and c. the quantity stored shall not exceed 90% of the storage capacity of the Chemistore. 4. Waste fluorescent tubes shall only be stored in accordance with the following requirements:- <ol style="list-style-type: none"> a. in the purpose built tube store located within the 'White waste compound' on drawing 799/2B b. the container shall be labelled as to its contents and c. the quantity stored shall not exceed 1000 waste fluorescent tubes at any one time.
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	2. Wastes specified in section 1.2 of document 2 of the working plan.	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a in an area, as marked as Transfer Station on plan 36/99/2, provided with an impermeable pavement and sealed drainage system in accordance with section 2.1ii of document 2 of the working plan. b Not above 3 metres in height c The period of storage shall not exceed 48 hours and d The quantity stored shall not exceed 550 tonnes at any one time
R3. Recycling or reclamation of metals and metal compounds.	1. Ferrous and non-ferrous metals not specified in 2 below.	Shall only be subject to treatment by sorting, or separating, or dismantling and/or size reduction by cutting, shearing, crushing or compacting in areas with hardstanding or impermeable pavement provided in accordance with condition 2.1.
	2. Cable and wiring, ferrous and non-ferrous swarf, components containing oil and other fluids (not including waste motor vehicles), spent catalysts and/or waste motor vehicles	<ul style="list-style-type: none"> 1. Shall only be subject to treatment by sorting/ separating, or dismantling in areas with impermeable pavement and a sealed drainage system provided in accordance with condition 2.1 2. Shall only be subject to treatment by size reduction by cutting, shearing, crushing or compacting in areas with impermeable pavement and a sealed drainage system provided in accordance with condition 2.1 and if the following actions have been undertaken:- <ul style="list-style-type: none"> a. The wastes have been manually drained of all fluids in area with impermeable pavement and a sealed drainage system provided in accordance with condition 2.1 and b. In the case of a waste motor vehicle all batteries contained within it have been removed.
R13: Storage of waste consisting of materials intended for submission, on this site any of the category 'R' operations authorised under this column, or elsewhere than on this site, to any of the operations listed in Part IV of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).	1. Ferrous metals and non-ferrous metals	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a. In areas marked 'scrap storage area' and 'metal storage building' on drawing 36/99/1B and 'heavy scrap iron', 'light scrap iron' and white waste compound on drawing 799/2B and in dedicated skips in the Household Waste Recycling Centre b To a height no greater than that specified in section 1.3 viii of document 1 of the working plan c In areas with hardstanding or impermeable pavement provided in accordance with condition 2.1 and d The quantity stored shall not exceed:- <ul style="list-style-type: none"> i. the quantity specified in, section 1.5 of document 1 of the working

		<p>ii. plan, in the Metal Recycling Facility at any one time and 30 tonnes in the Household Waste and Recycling Site at any one time.</p>
	<p>2. Swarf and/or components containing oil and other fluids (not including undrained vehicles)</p>	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a. in areas marked 'scrap storage area' and 'metal storage building' on drawing 36/99/1B b. in either:- <ul style="list-style-type: none"> i. a bunded area or ii. a 3 sided bay constructed of impermeable pavement, with a drain across the open side which drains to a sealed sump or iii. a covered area with an impermeable pavement provided in accordance with condition 2.1 as appropriate and c. the quantity stored shall not exceed 120 tonnes at any one time.
	<p>3. Oils and other fluids</p>	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a. in containers in a bunded area provided in accordance with condition 2.1 b. the quantity stored shall not exceed 1000 litres at any one time.
	<p>4. Batteries</p>	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a. Batteries received at the Metal Recycling Facility or that have been removed from vehicles accepted at the Metal Recycling Facility shall be stored either:- <ul style="list-style-type: none"> i. in a covered area with an impermeable acid resistant base or ii. in an acid resistant, leak proof container with a close fitting lid to prevent ingress of surface water and <p>the quantity stored shall not exceed 60 tonnes at any one time</p> <ul style="list-style-type: none"> b. Batteries received at the Household Waste and Recycling Site shall be stored in accordance with sections 1.4 and 3.5 of document 3 of the working plan and the quantity stored shall not exceed 4 tonnes at any one time.
	<p>5. Construction an demolition wastes (hardcore/soils)</p>	<p>Shall only be stored in accordance with the following requirements:-</p> <ul style="list-style-type: none"> a. stored in containers located within the Household Waste and Recycling Site at the positions numbered 11 to 15 and 22 to 27 shown on drawing 799/2B and the quantity stored shall

		<p>not exceed 150 tonnes</p> <p>b. stored on areas of hardstanding provided in accordance with condition 2.1 in the area labelled 'inert waste storage area' on drawing 36/99/1B dated November 1999 and</p> <p>c. the quantity stored shall not exceed the limits specified in Section 1.5 of document 1 of the working plan at any one time.</p>
	6. Waste tyres removed from vehicles	<p>Shall only be stored in accordance with the following requirements:-</p> <p>a. stored separately from other wastes in areas with impermeable pavement or hardstanding provided in accordance with condition 2.1 and</p> <p>b. no more than 100 tonnes (with or without an associated wheel rim) may be stored at any one time.</p>
	7. Degradable waste to be subjected to composting	<p>Shall only be stored in accordance with the following requirements:-</p> <p>a. stored in containers located within the Household Waste and Recycling Site at the positions labelled 'compost skip' on drawing 799/2B.</p> <p>b. the containers shall be located on a surface provided in accordance with sections 2.1iii and 2.1vii of document 3 of the working plan,</p> <p>c. the period of storage shall not exceed 7 days and</p> <p>d. the quantity stored shall not exceed 10 tonnes at any one time.</p>
	8. Waste motor vehicles that have not been drained of fluids (includes Special Waste which forms part of, or is contained within, a waste motor vehicle and was necessary for the normal operation of the vehicle)	<p>Shall only be stored in accordance with the following requirements:-</p> <p>a. stored within areas with impermeable pavement provided in accordance with condition 2.1 and</p> <p>b. no more than 5 vehicles shall be stored at any one time and no vehicle to be stored for more than 5 working days before being drained of all fluids and having all batteries removed.</p>
	9. Waste fridge's/freezers of household or commercial waste origin.	<p>Waste fridge's/freezers shall only be stored, in accordance with the following requirements:-</p> <p>a. in the compound located at position number 31 on drawing 799/2B or in the compound located at position number 47 on drawing 36/99/1C</p> <p>b. stored upright to prevent damage to the coolant system and release their refrigerant gasses and</p> <p>c. the quantity stored shall not exceed 1000 fridge's at any one time.</p>