



ASiantaeth YR
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

ENVIRONMENTAL PROTECTION ACT 1990, sect. 37

**NOTICE OF MODIFICATION OF
WASTE MANAGEMENT LICENCE**

To: The Company Secretary
Of: C B Environmental Ltd
Cwm Nant Yard
Capel Bangor
Aberystwyth
SY23 3LL

WHEREAS on 20 April 1995, Sundorne Products (Llanidloes) Ltd were granted a waste Management Licence No 23 by Ceredigion District Council relating to land at Glan-yr-afon Industrial Estate, Aberystwyth and on 25 January 1999 this licence was transferred to you in accordance with section 40 of the Environmental Protection Act 1990.

NOTICE is HEREBY GIVEN that the Environment Agency modifies the conditions contained in the said waste management licence as follows:-

The conditions of licence No23 are hereby replaced in their entirety by those conditions contained in Annex 1 to this notice.

Such modification shall take effect on 24 February 1999

Dated 18 February 1999 (Signed) A. Jane
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.

Asiantaeth yr Amgylchedd, Glan Tawe, 154 Fford Sant Helen, Abertawe, SA1 4DF
Ffon 01792 645300, Ffacs 01792 470068

Environment Agency, Glan Tawe, 154 St Helens Road, Swansca, SA1 4DF
Tel 01792 645300, Fax 01792 470068



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

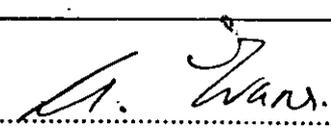
Annex 1

SECTION 0 DEFINITIONS AND INTERPRETATIONS

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

- The 1990 Act:** The Environmental Protection Act 1990.
- The 1995 Act:** The Environment Act 1995.
- The Agency:** The Environment Agency.
- The Site:** The land outlined in red on Plan ATS/391/04 together with structures, plant and equipment to which this licence relates.
- The Licence Holder:** The Licence Holder specified in this licence or other person to whom the licence has been transferred in accordance with section 40 of the 1990 Act and section 120 of the 1995 Act.
- The operator:** A person who is in occupation of the site and has responsibility for carrying out day to day activities at the site.
- Relevant offences:** Offences within the meaning of regulation 3 of the Waste Management Licensing Regulations 1994 or any statutory provisions or regulations amending or replacing them.
- 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.
- 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.

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Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- Preparatory works:** Works required prior to the carrying out of the activities authorised by this licence
- Authorised officer of the Agency:** A person 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.
- Engineered:** For works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions.
- 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.
- Engineer:** For engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional.
- Engineering survey:** A survey carried out in accordance with recognised or approved standards by a suitably qualified competent person.
- Maintenance:** For engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions.
- Working Plan** The working plan approved 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.

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A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- 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).
- Waste:** 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.
- Clinical waste:** As defined in regulation 1(2) of the Controlled Waste Regulations 1992 or any statutory provisions amending or replacing them.
- Special waste:** As defined by regulation 2 of the Special Waste Regulations 1996 or any statutory provisions or regulations amending or replacing them.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

Risk assessment: 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: 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.

Risk: A combination of the **probability** and **consequences** of occurrence of a defined **hazard**.

Hazard: A property or situation that in particular circumstances could lead to harm.

A. EVANS
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A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- Probability:** 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.
- Consequences:** For risk assessments carried out within these conditions, 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.
- Release pathways:** For risk assessments carried out within these conditions, 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.**
- 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:** Any water contained in underground strata.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- Surface water:** Any lake, pond, river or watercourse whether natural or artificial.
- Impermeable pavement:** A pavement which is constructed and maintained to a standard sufficient to prevent the transmission of liquid beyond the pavements surface.
- Sealed drainage system:** a drainage system with impermeable components which does not leak and will ensure that;
- a) no liquid will run-off the Impermeable Pavement otherwise than via the system
 - b) except where they maybe lawfully discharged, all liquids entering the system are contained within the site.
- Inert waste:** Waste that will not undergo any significant physical, chemical or biological transformations. It will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in any way likely to give rise to environmental pollution or harm to human health.
- Secure container:** A container from which waste cannot escape and to which members of the public are unable to gain access.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 1: GENERAL CONSIDERATIONS

1.1.1 SPECIFIED WASTE MANAGEMENT OPERATIONS

No waste management operations shall be authorised by this licence unless specified in the table below and unless otherwise specified in the table.

Specified Waste Management Operation	Restrictions on Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
Storage	None	No waste shall be stored at the site for periods in excess of 72 hours. All waste shall only be stored within the transfer building on areas of Impermeable Pavement provided with a Sealed drainage System. No more than 300tonnes of waste shall be stored on site at anyone time.
Bulking	None	Only within the transfer building on impermeable pavement provided with a sealed drainage system.

1.1.2 EXEMPT WASTE MANAGEMENT ACTIVITIES

Where wastes are being brought onto the site for waste management activities which are exempt from licensing under the Waste Management Licensing Regulations 1994 or any statutory provisions amending or replacing them, then those wastes shall be kept clearly segregated and identified from wastes which are being kept on the site for the specified waste management operations under these licence conditions.

A. EVANS
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A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

1.2.1 PERMITTED WASTE TYPES AND QUANTITIES:

No wastes other than those which are both categorised below shall be accepted at the site. The quantities of waste accepted shall not exceed 24,999 tonnes per annum.

Permitted Waste Categories
Inert wastes
Scrap Metal
Degradable Household Wastes (excluding inert, scrap metal and Special wastes)
Degradable Commercial Wastes (excluding inert, scrap metal and Special wastes)
Degradable Industrial Wastes (excluding inert, scrap metal and Special wastes)

1.2.2: EXCLUSION OF WASTE TYPES WITH SPECIFIED CHARACTERISTICS

Notwithstanding the specification of permitted waste types within condition 1.2.1, wastes shall not be accepted which are of the following form and type:

Waste Form	Type
<i>Solid</i>	<i>Dry wastes, Special</i> <i>Wet wastes, non-Special</i> <i>Wet wastes, Special</i>
<i>Powders</i>	<i>Non-Special</i> <i>Special</i>
<i>Sludges</i>	<i>Non-Special</i> <i>Special</i>
<i>Liquid wastes</i>	<i>Non-Special</i> <i>Special</i>

A. EVANS

FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

1.3 MINIMUM STAFFING AND SUPERVISION

Whenever the site is open to receive waste it shall be supervised by at least one member of staff who is fully conversant with the requirements of the licence and the working plan regarding:

1. waste acceptance and control procedures;
2. operational controls and environmental monitoring;
3. maintenance;
4. record-keeping;
5. emergency action plans;
6. notifications to the Agency.

1.4 AVAILABILITY OF LICENCE AND WORKING PLAN

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.

1.5 UNDERSTANDING OF LICENCE AND WORKING PLAN

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.

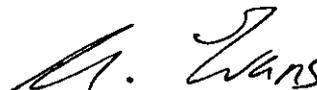
1.6 CHANGES IN TECHNICALLY COMPETENT PERSONS

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.

1.7 NOTIFICATION OF RELEVANT CONVICTIONS

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence (as defined in Regulation 3 of the Waste Management Licensing Regulations 1994 or any amendment to the aforementioned Regulation) and which is in addition to any already

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

notified to the Agency, then full details shall be provided to the Agency within 14 days of conviction, whether or not the conviction 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, any sentence, and any fine or other penalty imposed.

1.8 NOTIFICATIONS OF APPEALS AGAINST CONVICTIONS

In the event that the Licence Holder lodges an appeal against any such conviction, 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.

1.9 MAINTENANCE OF FINANCIAL PROVISION

No activities authorised by this Licence shall be commenced until the holder has secured a joint account with the Agency in compliance with the Agreement made between the holder and the Agency dated 25 January 1999 and the holder has given prior written notice to the Agency of the intention to commence operations at the site.

The financial provision for meeting the obligations under this Licence set out in the Agreement referred to in the previous paragraph shall be maintained by the holder from the date that the account was created throughout the subsistence of this Licence.

1.10 AMENDMENTS TO WORKING PLAN REQUIRING PRIOR NOTIFICATION

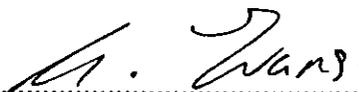
Except where it is specified under the other conditions of this licence that the amendment of specified sections of the working plan requires the prior written consent of the Agency, the Licence Holder shall give the Agency prior written notice of any change to the working plan. Changes to the working plan shall be deemed to be incorporated in the working plan and implemented on the date specified to the Agency in the amendment notification.

1.11 AMENDMENTS TO SUPPORTING INFORMATION REFERENCED IN THE WORKING PLAN

Supporting information which is referenced in any section of the working plan shall be deemed to be part of that section if the reference is to a specific dated version of the information, and

A. EVANS

FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

amendments to the referenced information shall be subject to the same requirements as the specified section of the working plan under the other conditions of this licence.

Supporting information which is referenced in any section of the working plan shall be deemed to be separate from that section if the reference is to the title and other identifier, but not to a specific dated version, and amendments to the referenced information shall be subject to the same requirement to give prior written notice to the Agency as specified in [LCT/1.310/1] above.

1.12 NOTIFICATION OF CHANGE OF OPERATORS/HOLDERS DETAILS

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 in a partnership:
 - i) the death of the Licence Holder;
 - ii) any steps taken with a view to the Licence Holder going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of a partnership, dissolving the partnership;
 - iii) any change in the operator's trading name, registered name or registered office address (if different from the Licence Holder);

1.13 NOTIFICATION OF PREPARATORY WORKS

No preparatory works shall be undertaken unless at least 7 days notice in writing have been given to the Agency of the intention to do so. The notification shall include details of what work is being done and when.

1.14 COMMENCEMENT OF WASTE MANAGEMENT OPERATIONS

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

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

1.15 CESSATION OF WASTE MANAGEMENT OPERATIONS

In the event that the site ceases all waste management operations either permanently or for longer than 28 days then no later than 5 working days following the cessation of waste management activities the Licence Holder shall inform the Agency in writing of the date of cessation and the planned date of recommencement. In the event that the site recommences waste management operations sooner than the notified date then the Licence Holder shall give the Agency at least 5 working days notice in writing.

1.16 NOTIFICATIONS AND SUBMISSIONS TO AGENCY

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; and
- b) shall quote the licence reference number and the name of the Licence Holder.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 2: SITE ENGINEERING FOR POLLUTION PREVENTION & CONTROL

2.1 PROVISION OF SITE SURFACE WATER COLLECTION AND DRAINAGE SYSTEM

Surface water drainage shall be provided in accordance with section F7, schedule E and plan ATS/391/11a of the working plan. The drainage facilities shall be inspected daily and maintained as necessary to ensure their effectiveness.

2.1.1 Provision of drain covers

By 1 June 1999 drain covers shall be provided at the site so that in the event of an emergency or spillage the four road gullies serving the concrete apron, detailed on plan ATS/391/11A, can be effectively sealed to prevent contaminated waters leaving the site.

2.1.2 Working plan amendments requiring prior consent

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F7, schedule E or plan ATS/391/11a of the working plan..
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section F7, schedule E or plan ATS/391/11a of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
- c) Any proposed change to section F7, schedule E or plan ATS/391/11a of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

2.2 ENGINEERED CONTAINMENT FOR STORAGE OF LIQUIDS

2.2.1 All liquids used for the operation and maintenance of plant and equipment at the site shall be stored only in suitable containers in order to prevent the spillage of liquid onto the ground. These containers shall be clearly labelled to show their contents.

A. EVANS

FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

2.2.2 Fuel and oil storage containers and associated pipework shall be situated within a bunded area. The base and bund walls of which shall be constructed with an impermeable material so as to contain, at any time 110% of the volume of the largest container present within the area. All tanks and containers shall be accurately labelled to indicate their contents.

2.2.3 Inspection of all bunded areas at the site shall take place on a daily basis with the results of the inspection being recorded in the site diary. All necessary repairs shall be commenced without delay and, in any event, be completed within 5 working days. Alternative storage agreements shall be made until such repairs are effected.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 3: SITE INFRASTRUCTURE

3.1 PROVISION OF SITE IDENTIFICATION BOARD

- a) No wastes shall be received at the site unless an identification board has been provided at or near the site entrance.
- b) The identification board shall be inspected once each working day. In the event of damage or defect, the board shall be repaired or replaced within 3 working days.
- c) The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:
 - Site name and address;
 - Licence Holder name (company name, not individual name unless justified as necessary);
 - Operator name (company name, not individual name unless justified as necessary);
 - Licence number;
 - 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);
 - Agency national numbers: 0645 333111 and 0800 807060;
 - Days and hours site is open to receive waste.

3.2 SITE SECURITY

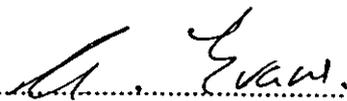
3.2.1 PROVISION AND MAINTENANCE OF SECURITY

Site security systems shall be provided and maintained at all times during the subsistence of this licence in accordance with section F1 and F6 of the working plan. These shall be installed, operated and maintained to prevent access by humans and livestock which is not authorised either by the Licence Holder or under legal powers of entry.

The site shall be kept closed and secure at all times when unattended.

The site security shall be fully inspected at the commencement of each working day, and recorded in the site diary. Any defects or damage shall be made secure by the end of the

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

working day, and shall be repaired within 8 days of the damage being detected. All repairs shall be recorded in the site diary.

3.2.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to sections F1 or F6 of the working plan.
- b) Any proposed changes to sections F1 or F6 of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 4: SITE OPERATIONS

4.1 CONTROL OF MUD AND DEBRIS

4.1.1 PREVENTION OF MUD AND DEBRIS ON ROAD

Whenever the site is receiving or despatching wastes, measures shall be provided, operated and maintained as specified in section F4 of the working plan, in order to prevent the deposit or tracking of mud or debris arising from the site onto public areas outside the site, which shall include public highways and areas of public access outside the site.

4.1.2 REMEDIATION OF MUD AND DEBRIS ON ROAD

In the event that mud or debris arising from the site is deposited onto public areas outside the site, remedial measures shall be instigated immediately to ensure the material is removed by the end of the working day .

4.1.3 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

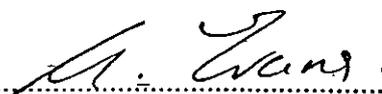
- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F4 of the working plan.
- b) Any proposed change to section F4 of the working plan shall not be implemented unless the Agency has given its written consent to it.
- c) Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

4.2 POTENTIALLY POLLUTING LEAKS AND SPILLAGES

4.2.1 POTENTIALLY POLLUTING LEAKS AND SPILLAGES FROM VEHICLES, PLANT AND EQUIPMENT

All vehicles used on the site which are under the operator's control, and all plant and all

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

equipment used on the site in connection with waste management operations, shall be operated and maintained so as to prevent potentially polluting leaks and spillages of wastes.

4.2.2 CONTROL AND REMEDIATION OF LEAKS AND SPILLAGES:

In the event of any potentially polluting leak or spillage occurring on site the documented control and remediation procedures specified in section F17 of the working plan shall be implemented immediately and recorded in the site diary.

4.2.4 LEAK AND SPILLAGE ACTION PLAN:

In the event of any leak or spillage which may compromise the effectiveness of the pollution control regime and which either is leading or may imminently lead to pollution of the environment, harm to human health or serious detriment of the amenities of the locality, measures shall be taken immediately to prevent the discharge of contaminants from the site and the Agency immediately informed.

4.2.5 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to the leak/spillage procedures contained in section F17 of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to the procedures on the risk of the site to human health and the environment.
- c) Any proposed change to the procedures shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changes shall be deemed to be incorporated in the working plan in replacement of the previous version.

4.3 FIRES ON SITE

4.3.1 FIRES ON THE SITE

- a) No waste shall be burned on the site other than through a specified waste

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- management operation authorised under the other conditions of this licence.
- b) Precautions shall be taken to prevent fires at the site in accordance with section F19 of the working plan.
 - c) In the event of a fire on the site, the fire action plan specified in section F17 of the working plan shall be implemented immediately.
 - d) The four road gullies detailed in condition 2.1.1 above shall be sealed as necessary to prevent the discharge of contaminated fire fighting water from the site.

4.3.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

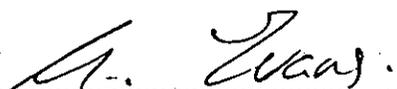
- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F19 or the fire emergency procedures specified in section F17 of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed changes on the risk of the site to humans dwelling or working in the vicinity of the site.
- c) Any proposed change to section F19 or the fire emergency procedures specified in section F17 of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

4.4 WASTE ACCEPTANCE AND CONTROL SYSTEMS AND PROCEDURES

4.4.1 WASTE ACCEPTANCE PROCEDURES

All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the waste acceptance procedures specified in section F15 of the working plan.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

In the event of waste being inadvertently delivered to the site which is considered to have the potential to cause pollution of the environment, harm to human health or cause serious detriment to the amenities of the locality the Agency shall be immediately notified by telephone and the emergency procedure outlined in section F17 of the working plan instigated.

4.4.2 WASTE CONTROL PROCEDURES

All wastes accepted at the site shall be handled and kept in accordance with the waste control procedures specified in section F16 of the working plan.

4.4.3 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to sections F15, F16 or the emergency procedures dealing with unpermitted wastes specified in section F17 of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed changes on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
- c) Any proposed change to sections F15, F16 or the emergency procedures dealing with unpermitted wastes specified in section F17 of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

4.5 WASTE QUANTITY MEASUREMENT SYSTEMS

4.5.1 MEANS OF MEASUREMENT

- a) All wastes accepted at and despatched from the site shall be weighed by means of the weighbridge detailed on plans ATS/391/04 and ATS/391/09B.
- 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.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER

A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

- c) The weight of each incoming and each outgoing load of waste shall be recorded.
- d) In the event of a defect in the weighbridge preventing the measurement of waste loads volume to weight conversion factors shall be used. These conversion factors shall be agreed in writing with the Agency.

4.5.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to plan ATS/391/04 or plan ATS/391/09B of the working plan.
- b) Any proposed change to plan ATS/391/04 or plan ATS/391/09B shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

4.6 REMOVAL OF RESIDUAL WASTES FROM SITE

In the event that the permitted waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed, all wastes remaining on the site shall be removed by the date specified in writing by the Agency.

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A. Evans

Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 5: POLLUTION CONTROL & MONITORING

No conditions attached.

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FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 6 AMENITY CONTROL

6.1 CONTROL OF DUSTS, FIBRES AND PARTICULATES

6.1.1 PREVENTION OF RELEASES OF DUSTS, FIBRES AND PARTICULATES

Measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section F20c of the working plan, to prevent and minimise the release of airborne dusts, fibres and particulates arising from the site.

6.1.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F20c of the working plan.
- b) Any proposed change to section F20c of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

6.2 ODOUR CONTROL

6.2.1 CONTROL OF ODOURS

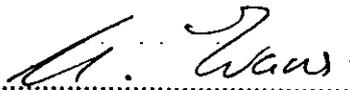
In the event that any offensive odours arising from the site are released or are likely to be released outside the site boundary in such quantities or concentrations that they are likely to serious detriment to the local amenity, the actions specified in section F20d of the working plan shall be implemented immediately and the waste giving rise to the malodour removed from the site by the end of the working day on which the malodour was discovered.

6.2.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F20d of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of

A. EVANS

FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

implementing the proposed change to section F20d of the working plan on the risk of the site to human health and the environment.

- c) Any proposed change to section F20d of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

6.3 CONTROL OF PESTS AND VERMIN

6.3.1 PREVENTION OF VERMIN AND PEST INFESTATIONS ARISING ON THE SITE

Measures shall be taken, in accordance with this F20b of the working plan, throughout the operational life of the site, to prevent pest infestations arising on the site.

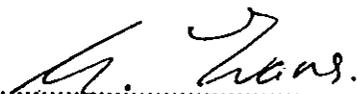
6.3.2 MONITORING AND CONTROL OF PESTS

The site shall be inspected at weekly intervals for evidence of vermin and pest infestations and in the event of any evidence of pest infestations being found, measures as specified in the F20b of the working plan shall be taken immediately to control and eliminate those pests.

6.3.3 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F20b of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section F20b of the working plan on the risk of the site to human health and the environment.
- c) Any proposed change to section F20b of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

6.4 CONTROL OF LITTER

6.4.1 CONTROL OF LITTER

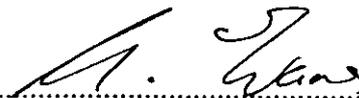
Litter control and collection measures shall be implemented in accordance with this condition and section F20a of the working plan, throughout the operational life of the site, such that any free litter within the site is collected, so as to prevent any litter escaping from the confines of the site.

In the event that litter does escape from the site, it shall be retrieved immediately.

6.4.2 WORKING PLAN AMENDMENTS REQUIRING PRIOR CONSENT

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F20a of the working plan.
- b) The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section F20a of the working plan on the risk of the site to human health and the environment.
- c) Any proposed change to section F20a of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

A. EVANS
FOR ENVIRONMENT PLANNING MANAGER



Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

SECTION 7

7.1 SECURITY AND AVAILABILITY OF RECORDS

7.1.1 Security and availability of records

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 at the locations and in the manner specified in section F14 of the working plan.

7.1.2 Security of storage medium and data

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.

7.1.3 Working plan amendments requiring prior consent

- a) The Licence Holder shall give the Agency prior notice in writing of any proposed change to section F14 of the working plan.
- b) Any proposed change to section F14 of the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

7.2 RECORDING OF WASTES ACCEPTED AND REMOVED

A record shall be kept of each load of waste accepted and each load of waste removed from site. This record shall include the following details:

- a) Loads in :- Nature (solid, sludge or liquid), waste type, quantity (tonnes), date received, date accepted, originating local authority area.
- b) Loads out :- Nature (solid, liquid or sludge), waste type, quantity of waste removed

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Environmental Protection Act 1990

Section 37

Licence No 23

Date of modification: 18 February 1999 coming into force 24 February 1999

(tonnes), date removed, location of final disposal (local authority area)..

7.2.1 Summary records of wastes accepted and removed

A summary record of the waste types accepted and removed from the site shall be made for each quarter of the financial year, and shall be submitted to the Agency within 1 month following the end of the quarter. The summary record shall be in a format agreed by the Agency in writing.

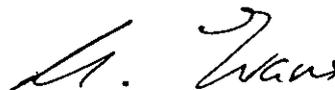
7.3 SITE DIARY

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:

- (a) Start and finish dates of all construction works including preparatory works relevant to this licence.
- (b) Times and dates of when technically competent management or specific personnel required for the licence were not present at the site.
- (c) Difficulties encountered with wastes received and action taken
- (d) Emergencies (including any fires) which may result in pollution of the environment or harm to human health
- (e) Inspections and maintenance of infrastructure.
- (f) Sampling, surveying or monitoring exercises
- (g) Operator's site inspections, their findings and remedial action taken
- (h) Dispatch of records required by the licence to the Agency
- (i) Extreme weather conditions
- (j) Environmental incidents which could lead to pollution of the environment, harm to human health or detriment to the amenities of the locality
- (k) Vandalism or unauthorised access to the site
- (l) Complaints received resulting from site operations
- (m) Inspections for vermin and control measures taken

Each record in the site diary shall be completed within 24 hours of the relevant event.

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WASTE MANAGEMENT LICENSING APPEALS

Introduction

- 1.1 The purpose of this Appendix is to explain the procedure for, and the provisions relating to, the submission of appeal to the Secretary of State for Wales under:

Section 43 of the Environmental Protection Act 1990 against decisions made by the Environment Agency on waste management licences; (Section 35(12) of the Act provides that "licence" means a waste management licence. The term "licence" is subsequently used in the rest of this Appendix.)

- 1.2 Section 35 (8) and 74 (5) of the 1990 Act duties on the Environment Agency to have regard to any guidance issued to it by the Secretary of State with respect to the discharge of their functions in relation to licences. The Environment Agency should make prospective applicants and licence holders aware of authorities' duties to have regard to this advice; and that the Secretary of State will similarly have regard to this advice in his determination of appeals made to him.

Right to Appeal

- 1.3 Applicants and other persons have a right of appeal to the Secretary of State in the circumstances set out in paragraphs 1.4 below.
- 1.4 Section 43 (1)(a) of the 1990 Act sets out the right of appeal to the Secretary of State by a licence holder where an application to modify the conditions of a licence submitted under Section 37 (1) (b) is rejected by the Environment Agency or is deemed to be rejected under section 37 (b). Section 43 (1)(c) of the 1990 Act sets out the right of appeal to the Secretary of State by a licence holder where the conditions of a licence are modified by the Environment Agency .

Notice of Appeal

- 1.5 **Regulation 6 (1)** provides that any person who wishes to appeal to the Secretary of State under Section 43 must do so by notice in writing. **Regulation 6 (2)** provides that the notice of appeal must be accompanied by certain information:

The information to be provided:

- (a) a statement of the grounds of appeal;
 - (b) 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.
- 1.6 A copy of a form on which notice of appeal may be given is available from:

Welsh Office
Environment Division
Cathays Park
Cardiff

CF1 3NQ

- 1.7 **Regulation 6(3)** requires the appellant to serve a copy of his notice of appeal on the Environment Agency together with copies of the documents mentioned in paragraph 1.5 above

The Effect of Making an Appeal

- 1.8 The Environment Agency's decision remains in effect pending determination of the appeal in cases of:

Section 43 (1) (a)

- (a) an application for a licence submitted under Section 36 (1) (a) or (b) is rejected by the Environment Agency or is deemed to be rejected under Section 36 (9);
- (b) an application to modify the conditions of a licence submitted under Section 37 (1) (b) is rejected by the Environment Agency or is deemed to be rejected under Section 37 (6);

Withdrawal of an Appeal

- 1.9 **Regulation 6(4)** provides that if an appellant wishes to withdraw his appeal he must do so by notifying the Secretary of State in writing and send a copy of that notification to the Environment Agency. Subject to these requirements, an appellant may withdraw his appeal at any time.

Time Limit for Making Appeal

- 1.10 **Regulation 7 (1)** provides that, subject to **Regulation 7 (2)**, notice of appeal must be given:

Appeals Under Section 43 (1) (a)

- (a) before the expiry date of 6 months beginning with:
 - (i) the date of the decision which is subject to appeal; or
 - (ii) the date on which the E.A is deemed by Section 36 (9), 37(6), 39(10) or 40 (6) of the 1990 Act to have rejected the application; or
- 1.11 **Regulation 7 (2)** provides that 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 6 month period mentioned in paragraph 1.17 (a) above. In the case in which the Secretary of State receives a notice of appeal after the expiry of this 6 month period he will request from the person wishing to appeal, and before considering the exercise of his discretion under **Regulation 7 (2)**, an explanation of the reasons for that person's not giving notice within the time limit provided by **Regulation 7 (1) (a)**. The Secretary of State has no discretion under **Regulation 7 (2)** to accept an appeal under Section 66 (5) after the expiry of 21 day limit provided by **Regulation 7 (1) (b)**