

WASTE MANAGEMENT LICENCE NO. 91/08 [MOD 2]
SECTION 37 NOTICE OF VARIATION
SHEET 1 OF 12

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CITY OF
CARDIFF

ENVIRONMENTAL
SERVICES



OUTGOING

ENVIRONMENTAL SERVICES DEPARTMENT
POLLUTION CONTROL DIVISION

ENVIRONMENTAL PROTECTION ACT 1990

Licence to KEEP Controlled Waste

Whereas on the 2nd August 1994, the Council of the City of Cardiff in pursuance of the powers conferred on them by Section 36 of the Environmental Protection Act 1990, licensed :

PERSONNEL HYGIENE SERVICES LTD.,
REGISTERED OFFICE : PO BOX 251,
LONGMOORE STREET,
LONDON. SW1V 1JJ.



PERMIT

hereinafter called the "licence holder" to operate a **Waste Transfer Station** on land at;

UNIT 49,
PORTMANMOOR ROAD INDUSTRIAL ESTATE,
CARDIFF. CF2 2FX.

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. 91/08 [Amendment No. 1] and substitute the conditions and drawings set out in Waste Management Licence No. 91/08 [MOD 2] attached to this Notice.

Such modification shall take effect on 11th day of March 1996 at 12.00 p.m.

Dated this 4th day of March 1996

Signed

M. W. Evans

Director of Environmental Services

MS

* 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

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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***

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.

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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.

5. 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.

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CONTRAVENTION OF LICENCE CONDITIONS

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.

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 revocation of this licence.

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.

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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.

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**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.** "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 Transfer Operations Special 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.
 - or, in the case of waste activities not covered by the W.A.M.I.T.A.B. scheme, has satisfied the Waste Regulation Authority of their Technical Competence and this has been confirmed in writing by that Authority.
- 3.** In this licence, "liquid" and "solid" have their ordinary everyday meanings.
4. 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.
5. In this licence, an Authorised Officer is an officer authorised by the Waste Regulation Authority for the purposes of the Environmental Protection Act 1990.
- 6.** In this licence, the "water company" means the sewerage undertaker for the area, as defined by the Water Industry Act 1991.
7. In this licence, "operation" is defined as the receipt, handling, removal or deposit of controlled waste.
8. Any reference in the Working Plan to waste disposal authority shall also be taken to refer to the Waste Regulation Authority.

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9. In this licence "Clinical Waste" shall have the same meaning as ascribed to it by the Collection and Disposal of Waste Regulations 1988 [SI 1988/No.819].
10. In this licence "Notifiable Disease" shall have the same meaning as ascribed to it by the Public Health [Control of Disease] Act 1984, Sections 10 and 11 and the Public Health [Infectious Diseases] Regulations 1985.

SCHEDULE "B"

THE QUANTITIES OF WASTE TO BE KEPT 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.

TYPES OF WASTE	MAXIMUM QUANTITY	DOE CODE	FWC CODE
A[a] Soiled surgical dressings, swabs from treatment areas.	$A[a] + E = 27m^3$	U10	18 01 04
A[b] Material other than linen from cases of infectious diseases.	$A[b] + A[c] + C = 1.5m^3$	U10	18 01 04
A[c] All human tissues, animal carcasses and tissues [and all related swabs and dressings] from laboratories and surgeries.	$A[b] + A[c] + C = 1.5m^3$	U10	18 01 02
B Discarded syringes, needles, cartridges, broken glass and any other sharp implements.	$0.8m^3$	U10	18 01 01
C Laboratory and post mortem room waste other than waste included in Group A.	$A[b] + A[c] + C = 1.5m^3$	U12	18 01 02
D Pharmaceutical waste.	$0.2m^3$	N10	18 01 05
E Used disposable bed pan liners, urine containers, incontinence pads and sanitary towels.	$A[a] + E = 27m^3$	N40	18 01 04

- 2a. **THE MAXIMUM THROUGHPUT OF WASTE AT THE FACILITY SHALL NOT EXCEED 1,500 TONNES PER ANNUM.**

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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, except those listed in Schedule B;
- b] Liquid wastes other than those specified in Schedule B;
- c] Any material contaminated with a notifiable disease, unless it has been sterilised.

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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 SITE SHOWN EDGED IN RED ON THE ATTACHED DRAWING, LOCATED AT ORDNANCE SURVEY GRID REFERENCE ST207756 , BEING LAND OCCUPIED BY THE LICENCE HOLDER.*
- 2a]** The statement of intended methods of operation and drawings contained within the documents entitled "Operational Plan dated 4th October 1995, floor plan for Cardiff WTS ground floor and drawing numbers 01A, 03 and 04 from G.A. Spacey and Associates" shall be referred to as the Working Plan.
- 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.

Preparation Works

- 3.** In accordance with details of the Working Plan, offices shall be provided and maintained.
4. Lighting 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.
- 5.** 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.
6. 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.

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- 7.** Under no circumstances shall site activities threaten pollution of ground or surface waters. For this purpose, site drainage shall be constructed and maintained to ensure that water does not accumulate at the facility. Site water other than roof drainage water shall be discharged to the foul sewer.
- 8.** Tanks or drums used for the storage of liquids (germicides, fuels, oils, anti-freezes, wastes, etc) 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.

Every part of the container shall be within the bund.

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.

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.

Absorbent granules or socks shall be made available to deal with any spillage's that occur within the bunded compound.

9. Measures be taken to prevent damage to all pipework, valves, pumps, storage tanks and bunded compound.

Operations

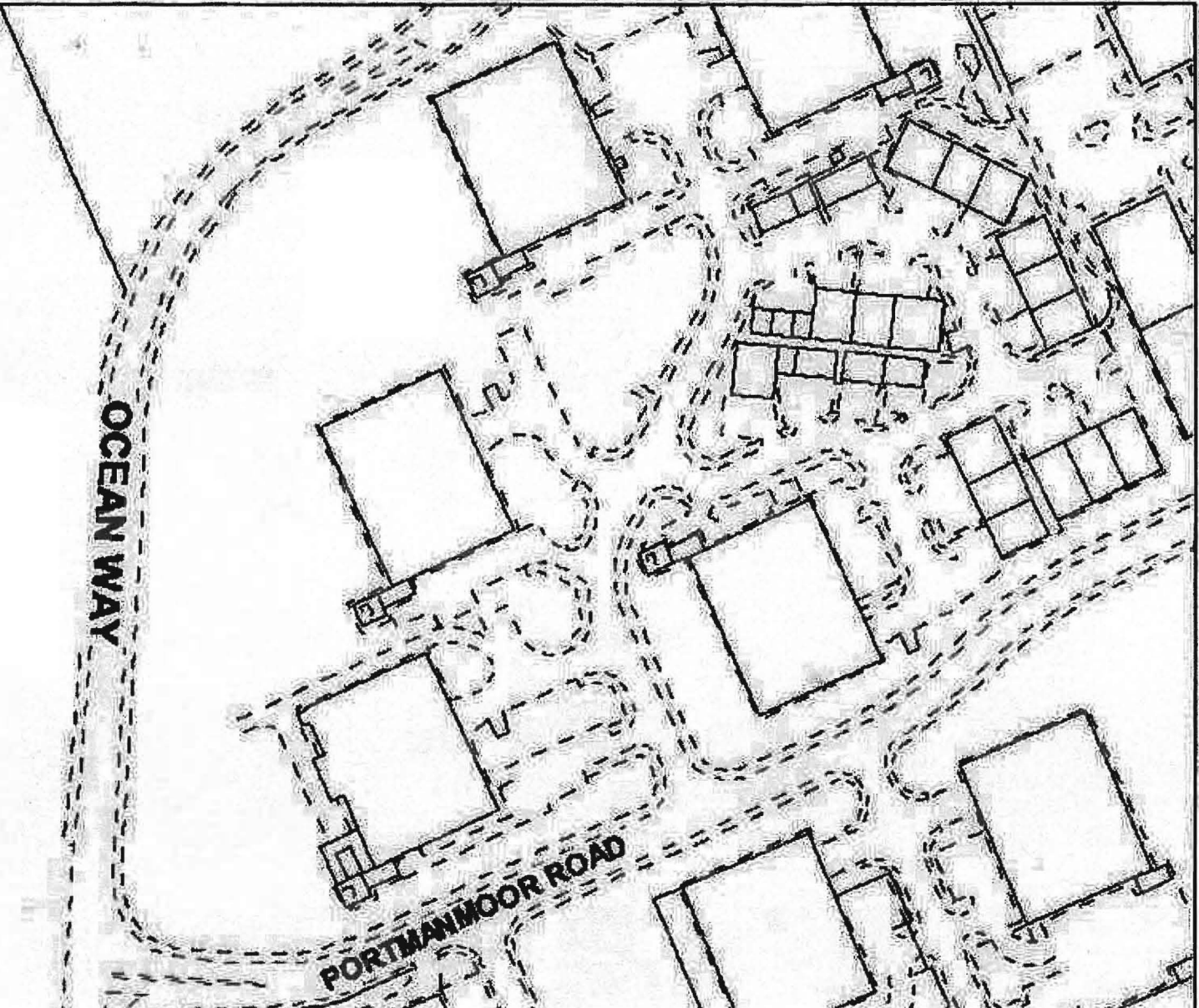
- 10.** During all operational and maintenance periods, the facility shall be staffed and supervised by technically competent management as defined in Schedule "A" which is capable of ascertaining, in accordance with the terms of the Working Plan, and having regard to the information supplied with the waste materials, that only wastes permitted by the licence are deposited at the site. Should there, at any time, be any changes to the technically competent management, then within **FOURTEEN DAYS** of any changes, the Waste Regulation Authority shall be notified *in writing*. 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.

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- 11.** Within *Two Months* from the issue of this licence details of the intended method and provisions to deal with unacceptable waste delivered to or left at the facility shall be forwarded to the Waste Regulation Authority. No method shall be implemented until the licence holder receives **written** approval from the Waste Regulation Authority. The approved method shall be implemented within *Six Months* from the issue of this licence.
- 12.** The types of waste and maximum quantities stored at the facility shall only consist of those specified in Schedule "B" of this licence.
13. 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.
14. The hours of operation shall be in accordance with those specified in the Working Plan.
15. 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.
16. 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.
- 17.** All practicable measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility.
- 18.** Control measures shall be implemented to deal with any vermin or insects detected at the facility. Records of any control measures undertaken, including the types and quantities of pesticides used, shall be kept permanently on site.
- 19.** All practicable measures, including the covering and deodorising of wastes, shall be undertaken to deal with malodours arising from the facility.
- 20.** The floor area of the facility shall be surfaced and maintained in accordance with the working plan. Hard surfaces shall be cleaned and disinfected to prevent waste and water accumulations or as requested by the Waste Regulation Authority.
- 21.** Waste materials shall be loaded, unloaded, sorted and stored only in the areas indicated in the working plan. Waste category B may also be stored in the lockable storage cage indicated in the working plan, prior to being placed in the lockable skip.

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- 22.** Facilities shall be provided for storing and maintaining equipment used at the facility. All equipment used at the facility shall be effectively maintained. The facility shall have appropriate cleaning equipment and protective clothing available on site as detailed in the working plan.
23. Waste arriving at the facility shall be stored, after segregation, in enclosed, lockable, vermin-proof containers or purpose built refrigerated storage containers in an enclosed area.
24. Storage containers other than those under refrigeration or those containing Category B and D waste shall be cleaned and disinfected when the container is emptied. Refrigerated containers shall be cleaned and disinfected as required, or in any case not less frequently than 28 days.
- 25.** Clinical waste of the type described as Categories A, C & E of schedule B of this licence shall not be stored at this facility for longer than 72 hours unless refrigerated. Consignments of clinical wastes of Categories B & D, and waste of the above categories kept under refrigeration, shall not remain at the facility for longer than 28 days.
- 26.** Waste shall only be received at the facility if contained within yellow plastic bags to BS 309, BS 6642 1985, or the standard storage units supplied by Personnel Hygiene Services. Waste category B shall only be accepted in sharps-type boxes to Department of Health Specification TSS/S/330.015 .
27. Standby operating and disposal arrangements in accordance with the working plan shall be implemented in case of an emergency at the facility. The Waste Regulation Authority shall be immediately informed whenever these arrangements are implemented.
- 28.** Litter shall not be allowed to accumulate at the facility. Any litter which accumulates at the facility shall be removed within a period not exceeding *seven days*.
- 29.** 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.
30. 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.
31. 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.



P.H.S.
WASTE TRANSFER STATION
LICENCE No.91/08

