

NOTICE OF MODIFICATION 2

Notice of Modification of Waste Disposal Licence Conditions

To Gerald Mabb, Managing Director,
Cynon Valley Waste Disposal Co. Ltd.,
Cwm Cynon Business Centre,
Mountain Ash,
Mid Glamorgan.



PERMIT

WHEREAS on 22nd July 19 94 you were granted a Waste Disposal Licence by the* Cynon Valley Borough Council relating to Bryn Pica Landfill Site, Merthyr Road, Llwydcoed, Aberdare, Mid Glamorgan.

subject to the conditions set out therein

[AND WHEREAS on 24th December 19 93 you made application for the said conditions to be modified]

NOTICE is HEREBY GIVEN that the* Cynon Valley Borough Council (hereafter called "the Authority") modifies the said conditions as follows:—

Under Schedule B - TYPES OF WASTE, the maximum quantity of "1. Household and Commercial Waste", accepted per day shall be increased from 300 tonnes to 375 tonnes.



OUTGOING

Such modification shall take effect on ‡ 1st February, 1994 at 0000 hrs

[IN the opinion of the Authority it is necessary for the purpose of preventing pollution of water or danger to public health that Section 10 (2) of the Control of Pollution Act 1974 should not apply.]†

DATED 1st February 19 94.

(Signed) A. Tucker
Director of Environmental Services
(Designation) _____

Environmental Health Section,
Exchange Buildings, Monk Street,
Aberdare, Mid Glamorgan.

(Address of Authority)

N.B.—The person served with this notice may appeal against the authority's decision to the Secretary of State within six months or such longer period as the Secretary of State may allow. (See notes overleaf.)

[The person on whom this notice is served may also make application to the Secretary of State for a ruling as to whether the Authority has acted reasonably in including the above statement as to the non-application of section 10 (2) of the Act. See notes overleaf.]†

* Insert name of Authority, as appropriate.

‡ Insert date and time when modification takes effect.

† These paragraphs should be included if it is intended that the decision shall have effect even when an appeal is pending.

NOTES

Appeals

If a licence holder is aggrieved by the decision of the Waste Disposal Authority in modifying conditions specified in a disposal licence he may appeal to the Secretary of State in accordance with Section 10 of the Control of Pollution Act 1974. Appeals must be notified within 6 months of the date of this notice to the Secretary, Department of the Environment, Land Wastes Division, Room B556, Romney House, Marsham Street, London, SW1P 3PY (for sites in England) or to the Secretary, Water Environmental Protection Division, Floor 2, Crown Building, Cathays Park, Cardiff CF1 3NQ, (for sites in Wales). The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of an appeal.

Where a notice giving the authority's decision to modify a disposal licence includes a statement that for the purpose of preventing pollution of water or danger to public health Section 10 (2) of the Control of Pollution Act should not apply to the decision, the notification of an appeal against the decision will not of itself render the decision ineffective pending determination of the appeal.

If you consider that such a statement has been unreasonably included in the notice of decision you may apply, under Section 10 (3) of the Control of Pollution Act, to the Secretary of State to determine whether the authority's action was unreasonable or not, (the address to write to is as given above). If the Secretary of State determines that the authority acted unreasonably in including such a statement, the authority's decision will become ineffective while an appeal is pending and you will be entitled to recover compensation from the authority in respect of any loss you have suffered in consequence of the statement. Any dispute as to your entitlement to compensation or its amount shall be determined by arbitration.