



OUTGOING



PERMIT

BOROUGH OF BLAENAU GWENT
BWRDEISDREF BLAENAU GWENT

MUNICIPAL OFFICES, CIVIC CENTRE, EBBW VALE, GWENT NP3 6XB
SWYDDFEYDD BWRDEISIOL, CANOLFAN DINESIG, GLYN EBWY, GWENT

TRANSFER STATION FACILITY

SITE LICENCE NO.CPA 21
SHEET No 1 OF 14

CONTROL OF POLLUTION ACT 1974
LICENCE TO DISPOSE OF WASTE

The Borough of Blaenau Gwent in pursuance of the powers conferred on them by the Control of Pollution Act 1974, hereby licence :-

Hemmings Waste Management Ltd
South Wales Region
Hafod Garage
Old Abergavenny Road
BRYNMAWR, Gwent NP3 4BU
telephone number 0495 312588

hereinafter called the "licence holder" to operate a Solid Waste Transfer Station [hereinafter called the "facility"] on land at

Grid Reference [SO 320200 / 213800]

which is edged in RED on the drawing attached to this licence, being land occupied by the licence holder.

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

Dated the Fourteenth day of May 1993

Signed: _____

B. D. KEMBER

Director of Environmental Health

The licence holders attention is drawn to the notes overleaf

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NOTES

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

1. This licence relates only to the requirements of the Control of Pollution Act 1974 for the deposit of waste and the use of plant or equipment subject to the conditions set out in the Schedules and does not constitute a consent required by other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the **HEALTH AND SAFETY AT WORK ETC., ACT 1974, THE RADIOACTIVE SUBSTANCES ACT 1960, THE TOWN AND COUNTRY PLANNING ACTS, BUILDING REGULATIONS, and ALL RELEVANT WATER PROTECTION AND ENVIRONMENTAL HEALTH legislation.**

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

2. If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the Waste Disposal Authority who has the right to decline to accept the new licence holder.
3. If the licence holder wishes to cancel this licence, he must return it to the Waste Disposal Authority together with a notice stating that he no longer requires the licence. Cancellation of the licence will not affect any outstanding liability of the licence holder under the conditions of the licence.

CONTRAVENTION OF LICENCE CONDITIONS

Your attention is drawn to the provisions of Sections 3, 9, and 16 of the Control of Pollution Act 1974. A brief resume is included below.

Section 3

Prohibits under penalty the deposit of waste, or the use of plant or equipment, otherwise than in accordance with the terms of a 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 10 of the Act.

Any deposit which takes place without compliance with all the licence conditions may lead to prosecution.

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Section 9

Non compliance with any licence conditions may lead to the revocation of this licence.

Section 16

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.

Penalties under Section 3

A person who contravenes Section 3 subsection (1) shall, subject to subsection (4), be found guilty of an offence and liable on summary conviction to a fine of an amount not exceeding Scale 5 (currently £2,000), or on conviction on indictment to imprisonment for a term not exceeding two (2) years or a fine or both.

Environmental Protection Act 1990

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

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

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

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

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

NB:- References to Waste Disposal Authority and Waste Regulation Authority in the case of The Borough of Blaenau Gwent , are for practical purposes The Environmental Health Department of that Council.

NOTE Disposal Licences issued under The Control of Pollution Act 1974 will automatically transfer to Waste Management Licences under Part II of the Environmental Protection Act 1990 , at a date to be determined by Government. The Licence Holder's attention is drawn to the fact that an annual subsistence fee is payable from that date and that modification , surrender , transfer , etc., of the licence will be subject to statutory fees and the stringent guidelines that will be in force from that date.

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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 endanger human or animal life or health or cause damage to property or pollution of water.
2. The presence of waste on land gives rise to an **"environmental hazard"** if the waste has been deposited in such a manner or in such a quantity (whether that quantity by itself or cumulatively with other deposits of the same or different substances) as to subject persons or animals to material risk of death, injury or impairment of health, or as to threaten the pollution or contamination (whether on the surface or underground) or any water supply.
3. An **"Authorised Officer"** is an officer authorised by the Borough of Blaenau Gwent as the Waste Disposal Authority for the purposes of the Control of Pollution Act 1974.
4. In this licence the terms **"Special Waste"** and **"consignment note"** shall have the same meaning as the terms referred to in the Control of Pollution (Special Waste) Regulations 1980 and any subsequent amendment, including the Transfrontier Shipment of Hazardous Waste Regulations 1988.
5. Liquids which are **"flammable"**, **"highly flammable"** or **"extremely flammable"** shall have the same meaning as Schedule 1, Part 1, of the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984, or any equivalent definition in any statutory instrument that amends or replaces those Regulations.
6. **" Proficient Person "** shall be trained to understand the terms and conditions of this licence , to recognise the general descriptions of the waste that may arrive at the facility , the actions that are to be taken to deal with such wastes and what action to take in the event of an emergency.
7. A **" Competent Person "** shall , for the purposes of this licence , mean a person who has received training in management of a waste transfer station by an accredited waste management training body and be capable of identifying the nature of waste arriving at , sorted and stored on the facility , and assessing its compatibility with other wastes sorted and stored on site.
8. An **"accredited waste management training body"** shall include the Institute of Wastes Management , National Association of Waste Disposal Companies ,and any body approved from time to time by the Waste Management Industry Training and Advisory Board

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9. Any drawing number referred to in this licence shall relate to the latest approved revision , indicated by letter suffix , contained within the working plan
10. In this Licence "**immiscible**" means substantially immiscible with water.
11. In this Licence "**liquid**" and "**solid**" have their ordinary , every day meanings.
12. In this Licence "**sludge**" means an intimate mixture of solid and liquid.
13. In this Licence, "**operation**" means the receipt, deposit , handling and removal of controlled waste and works or measures undertaken in the preparation for and conduct of, or as a consequence of , such deposits and shall exclude machine maintenance and environmental control procedures required by this Licence , and "**operating hours**" shall be construed accordingly.
14. In this Licence "**Maintenance**" is defined as any works required to plant , buildings , fences, gates or other equipment or facilities as required to keep them in a good state of repair and in relation to plant , vehicles, and equipment, includes compliance with manufacturers specifications.
15. In this Licence "**Processing of Waste**" includes baling, compacting, sorting, pulverising, incinerating, or shredding of waste.
16. Notwithstanding the above , words and phrases in this Licence have the meaning ascribed to them by the Control of Pollution Act 1974 and its associated regulations, and the Environmental Protection Act 1990 and its associated regulations, including any subsequent amendments to either Acts or regulations.

NOTE:-

On the introduction of Part II of the Environmental Protection Act 1990 the term "authorised officer" will mean an officer authorised by the Waste regulation Authority or the Secretary of State for Wales to accompany an inspector appointed by the Waste Regulation Authority or the Secretary of State for Wales. The term "Inspector" will mean an officer appointed by the Waste Regulation Authority or the Secretary of State for Wales under Section 68(3) of the Environmental Protection Act 1990.

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SCHEDULE B PERMITTED WASTES AND EXCLUDED WASTES

1) PERMITTED WASTES

Types of waste materials acceptable at the facility and the maximum quantities stored shall consist only of the following :-

<u>TYPE OF WASTE</u>	<u>MAXIMUM TONNEAGE DEPOSITED OR STORED ON SITE PER DAY</u>
1) Solid household and/or Solid commercial	100 tonnes
2) Solid non hazardous industrial	100 tonnes
3) Clinical in sealed containers	10 tonnes

The above waste shall include the following:-

general factory sweepings; general shop and office wastes; paper; cardboard; plastic; rubber; polythene; polystyrene; timber; sawdust; fabric; metal scrap; ashes; construction waste; garden wastes; tree loppings; road sweepings; putrescible household and commercial waste in sealed containers

2) EXCLUDED WASTES

Notwithstanding all the permitted types of waste specified in section (1) of this Schedule the following wastes shall be specifically excluded from delivery to the facility :-

- (a) controlled waste being defined as "special waste" in the Control of Pollution (Special Waste) Regulations 1980 and any subsequent amendments, except those expressly permitted above;
- (b) substances within the Control of Radioactive Substances Act 1960 and subsequent amendments;
- (c) percussive and explosives and other substances with similar characteristics, excepting where such wastes are in such a form or state where the percussive or explosive properties are and will remain ineffective;
- (d) any oil or solvent containing polychlorinated biphenyl (PCB) or analogues;
- (e) any waste containing free flammable solvents.
- (f) any liquid waste or sludge waste.

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2) EXCLUDED WASTES (continued)

- (g) any pesticides or pesticide contaminated garden waste or timber
- (h) any drummed waste whether solid ,liquid or sludge.
- (i) Putrescible waste arising from slaughter houses, knacker yards, or butchery establishments.

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SCHEDULE C OPERATIONAL CONDITIONS

Working Plan.

1. (a) The Statement of intended methods of operation and drawings contained within or attached to the document entitled "Operational plan for Transfer Station" submitted as part of the application for this licence shall be referred to as the working plan.
- (b) The licence holder shall obtain written approval from the Waste Disposal Authority for any proposed change in the actual conduct of the operations from the proposals approved in the working plan, as altered by any previous changes approved by the Waste Disposal Authority, before such change is implemented.
- (c) Any reference in this licence to the working plan shall include a reference to any modifications to the statement or the drawings, as appropriate, which have been approved, in writing, by the Waste Disposal Authority.
- (d) Subject to the terms of this licence, the site shall be operated in accordance with the working plan.

A:-Preparation Works

- A1. Lighting in accordance with the working plan shall be provided at the facility for those operations which are to be carried out during the hours of darkness as defined by the statutory lighting up times published by the Science and Engineering Research Council.
- A2. 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 name, address and telephone number of the operator and of the Waste Disposal Authority, the hours of operation and the telephone numbers of personnel to contact in the event of an emergency.
- A3. 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 in accordance with the Working Plan and any damage observed shall be temporarily repaired within 24 hours of the damage being identified, and permanently repaired within 7 working days.

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- A4. Site drainage facilities shall be constructed and maintained in accordance with the working plan so that water does not accumulate at the facility. These shall include interception of contaminated surface waters and spillages, to prevent contamination of the drainage systems.
- A5. The yard area at the facility shall be surfaced and maintained in accordance with the working plan. Hard surfaces shall be steam cleaned as necessary and when requested by the Waste Disposal Authority.
- A6. Measures in accordance with the working plan shall be taken to prevent damage to all pipework, valves, pumps and storage tanks which may result in pollution of water, danger to public health or be seriously detrimental to the amenities of the locality.
- A7. Storage containers for liquids which may be polluting shall be contained in a bunded compound and shall be of a type and construction suitable for the liquids they contain and labelled to show their contents. They shall conform, where necessary, to all relevant safety and construction standards and shall be installed at a location and to specification in accordance with the working plan.
- A8. In accordance with the working plan, a site office, equipped with a telephone, shall be provided and maintained at the facility.
- A9. Provisions shall be made within the confines of the facility for the parking, loading and unloading of vehicles transporting wastes to and from the facility in accordance with the working plan.
- A10. Arrangements shall be provided on site for the storing and maintenance of equipment used at the facility in accordance with the working plan.
- A11. Fire fighting equipment of the types specified in the working plan shall be kept available at the locations specified in the working plan.

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SCHEDULE C OPERATIONAL CONDITIONS(continued)

B:-Operations

B1. The types of waste accepted and maximum quantities stored at the facility shall consist of those specified in Schedule B (1) of this licence.

B2. The operational hours of the facility shall be those stated below and wastes or other materials shall be delivered to and removed from the facility only on

Mondays to Fridays between the hours of 0800 and 1700

Saturdays between the hours of 0800 and 1200

except in cases of emergency, no delivery or removal of wastes shall take place outside these hours ,or on Sundays or Bank Holidays, without the prior approval of the Waste Disposal Authority. All circumstances of emergency shall be reported forthwith in writing to the Waste Disposal Authority.

B3. The site shall be manned and supervised during operating hours when waste is being received , processed or removed by a minimum of[3] persons, [1] of whom shall be either the competent person or the proficient person

B4. A diary/log book shall be provided and retained in the site office. The diary/log book shall be available for the licence holder, his agent or employees, and for officers and the Waste Disposal Authority and other officials to read or record comments pertaining to the activities at the facility.

B5. a) Provisions shall be made in accordance with the working plan to deal with waste which is believed or suspected not to conform to Schedule B delivered to or left at the facility .

b) Such waste shall be removed from the facility as soon as practicable and in any case within such times as agreed with the Waste Disposal Authority, and taken to a suitable alternative site for disposal.

B6. Operational instructions, including safe systems of working for the facility shall be kept at the facility, and the management shall ensure that all personnel are fully instructed in the operational procedures they are to undertake, including all emergency procedures, and that all personnel receive regular training and updating on the operational procedures, taking into account any amendments of such procedures in accordance with the working plan.

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- B7. Waste arriving at the facility shall be checked on its arrival in accordance with the Working Plan, having regard to information supplied on the duty of care transfer note to ensure the waste is acceptable within the terms of the Licence.
- B8. 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 as agreed with the Waste Disposal Authority, and copies shall be sent to the Waste Disposal Authority at a frequency as may be requested by the Waste Disposal Authority. These records must be made immediately available to any authorised officer of the Waste Disposal Authority for inspection at the facility at any reasonable time.
- B9. No more than [25] empty skips and [5] empty Rollonoff containers shall be stored at the facility at any one time, these shall only be stored within the area indicated in the working plan .
- B10. No more than [10] full skips and [2] Rollonoff containers shall be stored at the facility at any one time, these shall only be stored within the area indicated in the working plan .
- B11. No more than [1] full , sealed Clinical Waste containers shall be stored at the facility at any one time, these shall only be stored within the area indicated in the working plan , and shall be kept on site no longer than 24 hours.
- B12. Permitted putrescible waste shall only be brought to the facility in sealed containers and shall not be deposited on the hardstanding. Such waste will be removed from site in the same sealed containers within 24 hours.
- B13. If required by the Waste Disposal Authority, any waste or other material segregated for reuse or resale shall be removed forthwith, if according to the Waste Disposal Authority, it is seriously detrimental to the amenities of the neighbourhood.
- B14. Waste materials, and other materials, segregated for resale or reuse, shall be loaded, unloaded, sorted and stored only in the areas indicated in the working plan.

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- B15. No deposit of waste shall take place within 7 metres of the top of the bank of any open water courses on the site unless such water courses have been diverted, culverted or otherwise protected in accordance with the working plan.
- B16. No waste material shall be burnt within the boundaries of the facility. Any fire occurring within the confines of the facility shall be treated as an emergency and immediate action shall be taken to extinguish it. All outbreaks of fire shall be reported immediately to the Waste Disposal Authority. Fire fighting equipment and emergency water supplies shall be provided and regularly maintained.
- B17. Standby operating and disposal arrangements shall be implemented in the case of an emergency at the facility. The Waste Disposal Authority shall be informed whenever these arrangements are implemented.
- B18. Litter shall not be allowed to accumulate at the facility, or within the immediate vicinity. Litter shall be removed from the facility not less frequently than in accordance with Category 3 Zone of The Code of Practice of Litter and Refuse .
- B19. Measures shall be taken in accordance with the working plan to ensure that oil, grease or any other material is not deposited on any roadway by vehicles leaving the facility. These measures shall include the steam cleaning of the yard entrance and public highway leading from the facility when reasonably required by the Waste Disposal Authority.
- B20. The site shall be inspected weekly for the presence of vermin and insects , and control measures shall be taken as detailed in the working plan to deal with any vermin or insects found. Records of these inspections and any control measures undertaken , including types and quantities of pesticides used shall be kept permanently on site.
- B21. Surface water shall be removed and disposed from bunded areas whenever necessary and at the reasonable request of the Waste Disposal Authority. Spillages in bunded areas shall be removed forthwith.
- B22. Measures, including proper maintenance and use, shall be undertaken to control the noise of machinery and vehicles operating at the facility.
- B23. Any cessation of operations for a period in excess of 3 months shall be notified to the Waste Disposal Authority. Not less than 14 days notice shall be given to the Waste Disposal Authority of the date on which operations are to recommence in the event of such a cessation.

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- B24. In the event of cessation of operations, whereby waste delivered to the facility is required to be transferred or diverted elsewhere, the Waste Disposal Authority shall be notified forthwith.
- B25. A copy of any notice or instruction received in respect of the facility from any authority, other than the Waste Disposal Authority, which in any way relates to the use of the facility, shall be given to the Waste Disposal Authority within three days of the receipt of such notice or instruction.
- B26. 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 shall be displayed at a prominent point within the facility.