



**ENVIRONMENTAL PROTECTION ACT 1990.
WASTE MANAGEMENT LICENCE.**

LICENCE No: - SL 2021

TYPE OF FACILITY: - TRANSFER STATION

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a Waste Management Licence authorising the keeping and treatment of controlled waste on the land specified in Schedule 1 to this licence to 'Enablelink Ltd, The Pitch Budden Road, Coseley, West Midlands, WV14 8JN those persons being in occupation of the said land, the said licence being subject to the Conditions specified in Schedule 3 to this licence.

In this licence the words and expressions contained in Schedule 2 shall have the meaning assigned to them therein.

Signed *V.G. Wilkinson* Name V.G. WILKINSON
(For The Area Waste Regulation Manager – Upper Trent)

Dated **25.2.97**

SCHEDULE 1 – SPECIFIED LAND

The licence relates to the land at Budden Road, Coseley, West Midlands (hereinafter called "the facility") shown edged red on Drawing Reference Number 1/WM1100/1 dated June 1996, and attached to this licence.

FOR ENVIRONMENT AGENCY OFFICIAL USE ONLY.

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE END OF THIS LICENCE.

SCHEDULE 2 – INTERPRETATION

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 life or health, or cause damage to property or pollution of the environment.
2. In this licence a representative of the Environment Agency refers to any persons authorised under Section 108(1) of the Environment Act 1995 or any subsequent revision.

These definitions apply only for the purpose of this licence in the interests of ensuring clarity.

SCHEDULE 3 – CONDITIONS RELATING TO THIS LICENCE

WORKING PLAN

1. (a) A working plan shall be prepared by the licence holder. The working plan shall detail how the facility is to be prepared and developed and shall describe at all times how the facility is to be operated and how the licence holder will meet all the requirements of the licence conditions.
- (b) No waste shall be deposited at the facility until the working plan has been approved by the Environment Agency (the Agency) insofar as it relates to matters where any change to the working plan requires approval in accordance with Condition 1(c) of this Schedule.
- (c) Where required by this licence, full details of any proposed change to the working plan shall be notified in writing to the Agency. Any such change shall not be implemented without the prior written approval of Agency.
- (d) Full details of any other changes to the working plan shall be notified in writing to the Agency immediately.
- (e) Subject to the terms of this licence facility shall be operated in accordance with the most recent version of the working plan.

WASTE TYPES AND QUANTITIES

Condition 2 amended on 06.02.2002 to Condition 36. Condition 36 amended on 10.08.2006 to condition 41 and table 41.

Condition 41 Specified Waste Management Operations

41.1 No waste management operations shall be authorised by this licence unless:

- (a) specified in and undertaken in accordance with the limitations in the following table;
or
- (b) otherwise required by the conditions of this licence as being an integral part of those operations:

Table 41 Specified waste management operations

Specified Waste Management Operation	Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
<p>D9: Physio-chemical treatment of waste not listed elsewhere in this table which results in final compounds or mixtures which are disposed of on this site by means of any of the category D operations authorised under this column, or elsewhere than on this site, by means of any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.</p>	<p>Scrap metal Degradable Household wastes Degradable Commercial wastes Degradable Industrial wastes Inert wastes</p>	<p>Area of site where operation may take place: The operations can only take place within the areas of impermeable pavement and sealed drainage, provided at the locations shown on drawing references PPF1.</p> <p>Physical treatment of waste: Treatment consisting only of physical sorting of waste of the same types, where there are no resulting changes in chemical composition of the wastes or its different components. There shall be no mixing or dilution of different types of wastes in liquid and sludges. No more than 50 tonnes of non-hazardous wastes to be treated per day.</p>
<p>D15: Storage pending, on this site any of the D operations authorised under this column, or elsewhere than on this site, any of the operations listed in Part III of Schedule 4 of the 1994 Regulations (excluding temporary storage, pending collection, on the site where it is produced)</p>	<p>All wastes permitted by condition 42 of this licence.</p>	<p>Area of site where operation may take place: The operation can only take place within areas of impermeable pavement and sealed drainage, provided at the locations shown on drawing reference PPF1.</p> <p>Maximum storage capacity: No more than 100 tonnes of waste shall be kept at the facility at any one time.</p> <p>Maximum storage heights: Storage of waste in the bunkers shown on the drawing reference PPF1 shall be to a height no greater than 0.5 metres below the top of the appropriate bunker and this height shall be clearly marked on the walls of each bunker.</p> <p>Maximum storage times: No biodegradable waste shall remain at the facility for a period longer than 48 hours. If required by the Agency any waste kept at</p>

		the facility shall be removed forthwith.
R3: recycling or reclamation of metals and metal compounds	Scrap metal only	Area of site where operation may take place: The operation can only take place within the areas of impermeable pavement and sealed drainage, provided at the locations shown on drawing reference PPF1.
R4: Recycling or reclamation of other inorganic materials	16 02 13* 20 01 21* 20 01 35* 20 01 36* 16 01 07* Inert wastes	Area of site where operation may take place: Operation can only take place in an enclosed building as specified in sections 4.9, 4.10, 4.11 and 4.14 of the working plan, within areas of impermeable pavement and sealed drainage, provided at the locations shown on drawing reference PPF1. Specified waste treatment process: No treatment of wastes, other than inert wastes, shall be carried out until full details of treatment process(s) and validation report has been submitted and agreed in writing by the Agency. In addition, full details of measures to control and monitor dusts, fibres and particulates from the specified waste treatment process shall be submitted and agreed by the Agency prior to commencement of operations.
R13: Storage of waste consisting of materials intended for submission, on this site to any of the category R operations authorised under this column, or elsewhere than on this site, to any of the operations listed in Part IV of Schedule 4 of the 1994 Regulations (excluding temporary storage, pending collection, on the site where it is produced).	Scrap metal 16 02 13* 20 01 21* 20 01 35* 20 01 36* 16 01 07* Inert wastes Degradable household, commercial and industrial wastes.	Area of site where operation may take place: The operation can only take place within areas of impermeable pavement and sealed drainage, provided at the locations shown on drawing reference PPF1.

Condition 3 amended on 06.02.2002 to Condition 37. Condition 37 amended on 12.10.2004 to condition 40 and tables 5 & 6. Condition 40 and tables 5 & 6 amended 10.05.2006 to Condition 42 with Appendix A. Annex A added to Appendix A on 09.11.2012.

Condition 42 Permitted wastes

42.1 Permitted categories and types of wastes

No wastes other than those which are both categorised below in Table 42.2 and specified in detail in Section 1.2 and Table 1-1 of the working plan shall be accepted at the site.

42.2 Permitted quantities of wastes (Appendix A plus Annex A)

The quantities of wastes accepted shall not exceed those listed in Table 42.2 and specified in detail in section 1.2 and Table 1.1 of the working plan. Whilst complying with the minimum quantities specified for each type of waste, the total quantity of waste accepted at the site per year shall not exceed 24,500 tonnes.

Table 42.2 Permitted Quantities of Waste		
Permitted Waste Categories	European Waste Catalogue Chapter	Maximum Permitted Quantities for each waste category (subject to maximum permitted total quantity in condition 42.2) (tonnes/year)
Inert Waste	As specified in Appendix A attached to these conditions	No limit subject to maximum storage capacities
Metal Wastes	As specified in Appendix A attached to these conditions.	No limit subject to maximum storage capabilities
Hazardous Wastes	15 02 02* Absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances 15 01 10* Packaging containing residues of or contaminated by dangerous substances 16 01 07* Oil Filters	Maximum input 10 tonnes per day. Maximum annual throughput 2,500 tonnes

	<p>16 02 13* Discarded equipment containing hazardous components other than those mentioned in 16 02 09 to 16 02 12</p> <p>20 01 21* Fluorescent tubes and other mercury containing waste</p> <p>20 01 35* Discarded electrical and electronic equipment containing hazardous components</p>	
<p>Degradable Household Wastes Degradable Commercial Wastes Degradable Industrial Wastes</p>	As specified in Appendix A attached to these conditions.	No limits subject to maximum storage capacities.

42.3 *Exclusion of wastes with other specified characteristics*

Notwithstanding the specification of permitted waste types under conditions 42.1 and 42.2 above, wastes shall not be accepted at the site which have any of the following characteristics:

Table 42.3 Excluded wastes of specified form and type

Waste Characteristics	Type
Form and Type	<p>Foundry wastes</p> <p>Sludges</p> <p>Liquids (except that contained in oil filters)</p>

OPERATIONAL HOURS

4. (a) The receipt and/or removal of waste shall take place at the facility only between 0730 and 1730 hours daily Mondays to Fridays and 0830 and 1330 hours on Saturdays. Except in circumstances of emergency no receipt and/or removal of waste shall take place outside these hours, or on Sundays, Bank Holidays, Christmas Day or any other public holidays without the prior written approval of the Agency. All circumstances of emergency shall be reported to the Agency immediately and confirmed in writing within 3 working days.
- (b) Notwithstanding the above, the receipt and/or removal of waste shall not take place during the hours of darkness, as defined by the Science and Engineering

Research Council, unless a scheme of lighting is installed and used to illuminate the facility.

38 Waste acceptance and control procedures

Condition 5 amended on 06.02.2002 to Condition 38

Waste control procedures

- 38.1 All wastes accepted at the site shall be handled, kept and recorded in accordance with the standards specified in Table 4 below.

Table 4 Standards for waste acceptance and control procedures	
Stage of Waste Handling	Specified Standards
a) Quarantine storage and rejection of wastes	<ul style="list-style-type: none"> i) Any items of non-permitted waste which are detected after acceptance at the site of the wastes in which they were included, shall be placed immediately in a designated quarantine storage area, bay or container, and, where these are or appear to be special wastes, the Agency shall be informed immediately; ii) In the quarantine area, wastes shall be kept segregated from other wastes which are or are likely to be incompatible; iii) Quarantined wastes shall be removed from site within 1 working day of receipt; iv) The maximum capacity of the quarantine storage facility shall be 5m³. v) A record shall be kept in the diary of all rejected wastes.
b) Waste handling	<ul style="list-style-type: none"> i) Waste handling shall be carried out at a facility using the plant and equipment detailed in the working plan.

Condition 6 amended on 06.02.2002 to Condition 39

39 Waste quantity measurement systems

Means of measurement

- 39.1 All wastes accepted at and despatched from the site shall be measured in accordance with the following requirements:

- a The weight of all wastes accepted at and despatched from the site shall be determined by means of either:
 - i a public weighbridge designated in the working plan, or a weighbridge or scales located within the site and designated in the working plan site layout plan; and
 - ii the weighbridge or scales used shall record quantities of wastes in tonnes to an accuracy of 0.01 tonnes; or
- b the conversion of volume to weight in tonnes, using appropriate volume/weight conversion factors.

SITE INFRASTRUCTURE, SECURITY AND PRECAUTIONS

- 7. (a) Lighting shall be provided and used to illuminate adequately any waste handling operations carried out during the hours of darkness, as defined by the Science and Engineering Research Council.
- (b) The lighting required by paragraph (a) of this Condition shall be maintained in good repair at all times.
- 8. Parking and queuing facilities shall be provided such that it is not necessary for wait to enter the facility, and such that all loading and unloading of vehicles takes place within the confines of the facility.
- 9. Provision shall be made for the storage of any plant or equipment which is required to facilitate compliance with any Condition in this Schedule. Such plant and equipment shall be maintained in good working order at all times.
- 10. (a) Secure boundary treatment, comprising walls, fencing and gates, all at least 1.8m high, shall be provided at the facility such that, as far as is reasonably practical, members of the public are not able to gain unauthorised access to the facility. The boundary treatment shall be of brick or chain link construction or of an alternative construction which offers an equivalent level of security.
- (b) The entire length of walls/fencing and the gates shall be inspected each working day. Any damage or defect shall be repaired temporarily on the day it is identified. Full repairs shall be effected within 7 days of the damage or defect being identified, or within such longer period as may be agreed in writing by the Agency.

- (c) Any proposed change to the specifications of the boundary treatment shall be accordance with the Condition 1(c) only.
 - (d) The works require by paragraph (a) of this Condition shall be completed before any Waste is deposited at the facility.
- 11.
 - (a) An identification board of durable material and finish shall be displayed Permanently at the entrance to the facility. This shall show the name, address, and licence number of the facility, the name, address and telephone number of the Agency and a telephone number through which a responsible person may be contacted in the event of an emergency occurring at the facility when it is unattended.
 - (b) The identification board referred to in paragraph (a) of this Condition shall be provided within 3 months of the date of effect of the licence.
- 12. A site control office shall be provided at the facility and shall be equipped with a means of contacting the Agency without delay.
- 13. Yard/roadway and wheel cleaning equipment shall be provided at the facility and used to keep the access/egress route and manoeuvring area clean and clear of obstructions so as to prevent the deposit of mud and/or debris on the public highway.
- 14.
 - (a) Each bunker used for the keeping of waste shall be enclosed on three sides and shall be impermeably surfaced. The walls of each bunker shall be constructed from railway sleepers slotted between vertical RSJs or from reinforced concrete, or any other construction approved in writing by the Agency. An area not less than 1 metre wide shall be maintained between the bunker walls and any adjacent structure or building. The bunkers shall be inspected at intervals no greater than 7 days. Any bunker found to be damaged shall be repaired temporarily on the day it is identified. Full repairs shall be effected within 7 days of the damage or defect being identified, or within such longer period as may be agreed in writing by the Agency.
 - (b) Any proposed change to any bunker construction shall be in accordance with Condition 1(c) only.

Condition 15 amended on 10.05.2006 to Condition 43 and table 43.1.

43 Engineered site containment and drainage systems

43.1 No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been constructed and completed in accordance with condition 43.2.

43.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in Table 43.1 below.

Table 43.1 Site containment and drainage standards		
Type of Site Containment and Drainage		Minimum Specified Standards of Design, Construction and Maintenance
Hardstanding		Areas of hardstanding shall be constructed of granular material (e.g. crushed stone, aggregate, road planings or other similar material) and maintained such that the working surface:
	i)	Shall remain even
	ii)	Shall not be subject to settlement or differential settlement
	iii)	Shall not be subject to rutting by vehicles even when wet
	iv)	Shall have sufficient durability to allow cleaning for example by scraping
	v)	Shall remain free of standing water
Impermeable pavement, bunding and sills		Areas of impermeable pavement, bunding and sills shall be constructed and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavements or joints. Where there is a risk of chemical corrosion, areas of impermeable pavement, kerbs, bunds and sills shall be provided with suitable resistance to minimise such corrosion.
Sealed drainage systems		Drainage to areas of impermeable pavement shall be provided by a sealed drainage system, that is comprised of a drainage system with impermeable components which does not leak and which will ensure that :- * no liquid will run off the pavement other than via the system; and * except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump. * Where the discharge is to surface water and is permitted as part of this waste management licence the discharge shall pass through a Class 1 oil interceptor which shall be operated and maintained in accordance with good operational practice.

	<p>i) Sealed sumps shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 80% of the capacity of the sump as measured using a dipstick or equivalent gauge, and constructed and maintained so as to collect and contain all liquids which run off the pavement;</p> <p>ii) Inspection and emptying of sealed sumps shall be recorded in the site diary. Uncontaminated drainage from clean yard areas shall be kept separate and discharged to either surface water or sewer or watercourse or soakaway.</p>
Covered buildings or roofed areas	<p>i) Where wastes are stored in a building: the building shall be designed, constructed and maintained to prevent ingress of rain and surface water.</p> <p>ii) roof water shall be kept separate from contaminated water and other liquids and shall be discharged to either surface water or a sewer or a water course or a soakaway.</p>
a) Fixed bays	Fixed bays and other fixed containers used for the storage and treatment of wastes must be constructed and maintained to a standard which is fit for purpose.
b) Storage areas for tanks, skips, drums and other containers	<p>All tanks, skips, drums and other containers which are used for the storage or treatment of wastes shall be constructed and maintained so that they do not leak any liquids contained in them.</p> <p>All tanks (and their associated inlet and outlet pipes and valves) which are used for the storage or treatment of wastes shall be stored within a bunded or silled area with impermeable pavement, which shall be isolated from the drainage system and shall meet the following specifications:</p> <ul style="list-style-type: none"> * The bunded or silled area shall be designed and constructed to contain 110% of the volume of the largest container or tank. * The bunded or silled area shall be inspected no less frequently than weekly and after rain and shall be emptied so as to maintain a capacity of 110% of the volume of the largest container or tank. * Rainwater shall be removed by bailing or pumping and shall be treated as contaminated water and disposed of to either an approved discharge or a suitably licensed or permitted facility.
c) Inspection and maintenance of engineered containment	<p>All areas of hardstanding, impermeable pavement, sealed drainage systems, covered buildings, roofed areas, fixed bays and storage areas for tanks, skips, drums and other containers</p> <p>i) shall be inspected no less frequently than monthly, to ensure the continuing integrity and fitness for purpose of their construction, and the inspection and any necessary maintenance shall be recorded in the site diary; and</p> <p>ii) in the event of any damage occurring which breaches the integrity of the engineered containment so that it no</p>

	longer meets the specified standards, the Licence Holder shall cease importing waste into or treating waste in the affected area until it has been repaired to a standard at least as good as the original specification
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43.3 *Construction quality assurance of new site containment and drainage systems*

No waste shall be deposited, stored, treated or otherwise handled in any area or fixed tank for which an engineered site containment and drainage system is to be newly constructed to meet the requirements of this condition until:

- a) Details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;
- b) The engineered site containment and drainage system has been constructed in accordance with the other requirements of condition 43.1;
- c) The Validation Report on the construction of the engineered site containment and drainage system has been submitted in writing to the Agency, and the Agency has confirmed in writing that it has no objection to the placement of wastes on that containment area.

43.4 *Construction quality assurance of existing site containment & drainage systems*

No waste shall be deposited, stored, treated or otherwise handled in any area or any fixed tank for which a previously constructed and existing engineered site containment and drainage system is being used to meet the requirements of this condition unless:

- a) Details of the identities, relevant experience and relevant qualifications of the suitably qualified Engineer who will be providing inspection and validation of the existing engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;
- b) The engineered site containment and drainage system for that area has been inspected by the designated Engineer and has been maintained or improved, in accordance with their record advice, to be fit for purpose in that:

areas of impermeable pavement are laid to take weight of relevant plant and equipment without cracking or braking; and

areas of impermeable pavement are free from cracks which could increase permeability; and
areas of impermeable pavement are resistant to mechanical, physical and chemical stresses to which they may be subjected; and
areas of impermeable pavement fall towards the drainage system preventing ponding; and
no liquid will run off areas of impermeable pavement other than via the drainage systems; and
the drainage system is sealed so that it does not leak and is capable of collecting and containing liquids draining from the impermeable pavement; and
liquid from the drainage system is disposed of to an approved discharge.

- c) The existing engineered site containment and drainage system shall be maintained in accordance with the recommendations of the designated engineer and the requirements of Table 43.1.
16. (a) The areas of the facility used for keeping of waste shall be surfaced with concrete or other impermeable material and laid to falls that direct surface run-off to the drainage system. The surfacing shall be inspected for damage and/or defects at least once every 7 days. Any damage or defect shall be repaired temporarily on the day it is identified. Full repairs shall be effected within 7 days of the damage or defect being identified, or within such longer period as may be agreed in writing by the Agency.
- (b) Any proposed change to the areas of the facility used for the keeping of waste shall be in accordance with Condition 1(c) only.
17. (a) No waste shall be deposited or kept at the facility until the bunkers required By Condition 14 of this Schedule are available, and the drainage required by Condition 15 of this Schedule and the surfacing required by Condition 16 of this Schedule are constructed at the facility.
- (b) Notwithstanding paragraph (a) of this Condition no waste shall be deposited at the facility until the Agency has acknowledged receipt of a report prepared by an appropriately qualified independent engineer confirming that all infrastructure works have been completed to the standard required by the licence.

18. (a) The facility shall be staffed by a minimum of 2 persons, including a supervisor, when open for the receipt of waste.
- (b) Supervisors shall be capable of ensuring compliance with this licence and shall be fully conversant with all safety and emergency procedures required by this licence.
- (c) Any change to the details of the technically competent management in control of the facility, as previously notified to the Agency, shall be notified to the Agency immediately and confirmed in writing within 14 working days.
- (d) 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) then full details shall be provided to the Agency within 14 days of conviction. Such details shall include, in respect of each relevant person, the nature of the offence, the place where the conviction was heard and any sentence, fine or other penalty imposed.

ENVIRONMENTAL CONTROL MEASURES

19. (a) All sumps installed at the facility shall be emptied whenever necessary and shall not be allowed to overflow.
- (b) Any interceptors installed at the facility shall be cleaned whenever necessary so as to maintain the quality of the discharge.
20. (a) No waste shall be disposed of by fire within the confines of the facility. Any Fire occurring at the facility shall be regarded as an emergency and immediate steps shall be taken to extinguish it. All such fires shall be reported to the Fire Service and the Agency immediately.
- (b) Firefighting equipment shall be provided at the facility and maintained in good repair at all times.
21. (a) Liquids used for the operation and maintenance of plant and equipment shall

Be stored at the facility only in containers of a type and construction suitable for the liquids they contain, and these containers shall be labelled to show their contents.

- (b) Containers referred to in paragraph (a) of this Condition shall be contained within a bunded compound or compounds. Each compound shall have an impermeable internal surface and a minimum available capacity equal to 110% of the largest container within it. Spillages in bunded compounds shall be removed forthwith and rainwater shall not be allowed to accumulate. All inlet/outlet/vent pipes and gauges shall be within the appropriate bunded compound.
22. (a) A supply of chemical and absorbent materials shall be maintained at the facility. Spillages of liquid shall be contained and removed immediately.
- (b) Spillages of solid waste shall be collected up and removed to the storage area, or an appropriate container, or removed to a suitable alternative facility.
23. Noise abatement, measures, including the provision of silencers for plant and equipment, shall be implemented at the facility.
24. Measures, including water sprays, shall be implemented so as to prevent dust generation at the facility.
25. Odour control measures, including the use of deodorants, and the immediate removal of waste which is giving rise to odours, shall be implemented at the facility.
26. Preventative measures shall be taken to reduce the likelihood of insect or vermin infestation at the facility and remedial action shall be taken to deal effectively with any insect or vermin infestation occurring at the facility.
27. Litter control and collection measures shall be implemented at the facility, such that there is no free litter within the facility and so as to prevent any litter escaping from the facility.

RECORD KEEPING

28. (a) A record shall be kept of the quantity, nature, origin and destination of any waste which is deposited at the facility.
- (b) A record summarising the quantities of waste delivered to and materials removed from the facility shall be kept in the form specified by the Agency. Copies shall be sent to the Agency once per month or any other frequency specified by the Agency.
- (c) The records required by paragraph (a) and (b) of this condition, and those detailed in the working plan, shall be made available to any representative of the Agency at the facility at any reasonable time.
29. (a) A site diary shall be kept at the facility and the following information shall be recorded:-
- (i) Plant maintenance and breakdown;
 - (ii) Emergencies;
 - (iii) Incidents involving unacceptable waste;
 - (iv) Inspections of drainage, fencing or infrastructure and services, and any resultant action;
 - (v) Inspections for litter, vermin and insects, and any resultant action; and
 - (vi) The date and details of any other significant events which affect the waste handling activities at the facility.
- (b) All records for the preceding two months shall be made available to any representative of the Agency at the facility at any reasonable time.

ADDITIONAL REQUIREMENTS ARISING FROM THE AUTHORISED ACTIVITIES

30. The Agency shall be informed forthwith of any plant or vehicle breakdown or emergency at the facility which requires the implementation of standby operating and disposal arrangements, and this shall be confirmed in writing within 3 working days.

31. In the event of the licence holder ceasing to occupy the facility all deposited waste and all contamination arising from the deposit and/or keeping of such waste shall be removed from the facility.

Condition 32 deleted – amended 04.12.2003

33. Any actual or anticipated cessation of operations for a period in excess of 3 months shall be notified to the Agency forthwith. Not less than 14 days' notice shall be given to the Agency of the date on which operations are due to re-commence.
34. A copy of any notice or instruction received from any authority other than the Agency, which in any way relates to the use of the facility, shall be given to the Agency within 3 working days of receipt.
35. The terms of this licence, the working plan and any change to either document shall be made known to any person who is given responsibility for the management or control of the facility. A copy of each of these documents shall be available at the facility at all times.

Notes

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

Appeals

If a licence holder is aggrieved by the decision of the Agency to grant a waste management licence subject to conditions he may appeal to the Secretary of State in accordance with Section 43 of the Environmental Protection Act 1990.

Notice of an Appeal must be given within 6 months of the date of issue of this licence. 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 that excuse the delay in giving notice of an appeal.

A copy of the form on which notice of Appeal may be given is available from:-

The Planning Inspectorate,
Room 10/13,
Tollgate House,
Houlton Street,
Bristol,
BS2 9DJ

Tel: 0117 987 8812
Fax: 0117 987 8406

Waste Management Licensing

This licence relates only to the requirement of the Environment Protection Act 1990 in respect of the deposit, treatment, keeping and disposal of waste. This licence does not constitute a consent required by any other legislation.

Your attention is drawn to the provisions of Sections 33-35, 37-43, 59, and 64-66 of the Environmental Protection Act 1990.

Section 33

Prohibits under penalty the deposit, treatment, keeping or disposal of controlled waste in or on any land otherwise than in accordance with the terms of a Waste Management Licence.

Non compliance with any licence condition may lead to prosecution under this Section. A person who contravenes Section 33 subsection (1) shall, subject to subsection (7), be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding £20,000 (at the date of issue of this licence) or both, or on a conviction on indictment to imprisonment for a term not exceeding 2 years or a fine or both, or in relation to special waste for a term not exceeding 5 years or a fine or both.

Section 34

Places a duty of care on any person who imports, produces, carries, keeps, treats or disposes of controlled waste to take all such measures applicable to him as are reasonable in the circumstances to prevent any other person contravening Section 33, and to prevent the escape of waste from his control or that of any other person and, on the transfer of the waste, to ensure that it is only to an authorised person, or to a person for authorised transport purposes, and that a written description is transferred with it.

A person who contravenes Section 34 subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £5,000 (at the date of issue of this licence) or on conviction on indictment to a fine.

Section 35

A licence may be granted by the Agency authorising the treatment, keeping, or disposal of specified wastes on specified land, to the occupier of that land. The licence may be granted subject to such conditions that the Agency considers appropriate, in accordance with direction and guidance issued by the Secretary of State.

Section 37

The Agency may modify the conditions of a licence on its own initiative, on the application of the licence holder (accompanied by the appropriate fee), and on the direction of the secretary of State. The licence holder may appeal to the Secretary of State if he is aggrieved by the decision of the Agency in modifying the conditions of a licence.

Section 38

Provides for the Agency to revoke or suspend all or part of a licence if the licence holder has ceased to be a 'fit and proper person' or activities authorised by the licence have caused or are about to cause pollution of the environment or harm to human health or become seriously detrimental to the amenities of the locality, and the pollution, harm or detriment cannot be avoided by modifying the conditions.

A person who contravenes Section 38 subsection (9) without reasonable excuse shall be guilty of an offence and liable on summary conviction to a fine not exceeding £5,000 (at the date of issue of this licence), or on conviction on indictment to imprisonment for a term not exceeding 2 years or a fine or both, or in relation to special waste to, respectively imprisonment for a term not exceeding 6 months or a fine of an amount not exceeding £5,000 (at the date of issue of this licence), or imprisonment for a term not exceeding 5 years or a fine or both.

Section 39

If a licence holder wishes to surrender his licence, he must apply to the Agency (enclosing the prescribed fee) which will only accept the surrender if it is satisfied that the condition of the land is such that it is unlikely to cause pollution of the environment or harm to human health as a result of the use of the land for the treatment, keeping or disposal of waste.

Section 40

If a licence holder wishes to transfer the licence to another person (“the transfer”) the licence holder and the transferee shall make a joint application to the Agency (enclosing the prescribed fee) which will not affect the transfer unless it is satisfied that the transferee is a Fit and Proper Person.

Section 41

Provides for a scheme of charges which are payable in respect of the subsistence of a licence and, on application, for modification, transfer or surrender of the licence. Non payment of subsistence charge may lead to partial revocation of the licence.

Section 42

Places a duty on the Agency to ensure that activities authorised by a licence do not cause pollution, harm to health, or serious detriment to the amenities of the locality, and that the conditions of the licence are complied with. If it appears to the Agency that a condition in a licence is not being complied with, the authority may serve notice on the licence holder to comply with the condition, and if he fails to do so revoke or suspend all or part of the licence.

Section 43

Provides for the applicant for a licence or modification to appeal against all or any of the conditions in his licence or modification to the Secretary of State, or in certain circumstances, for a licence holder to appeal against any revocation or suspension of all or any part of his licence or modification to the Secretary of State.

Section 59

The Agency is empowered to require the removal of any controlled waste deposited in breach of Section 33(1), or to require the undertaking of such works as are required to reduce or eliminate the consequences of such deposits.

Section 64

The Agency is required to maintain a register of current or recently current waste management licences granted by the Agency, the associated working plans, and matters relating to the transfer, modification, revocation, suspension and supervision of licences. Members of the public have free access to this register and may obtain copies of entries in the register.

Section 65

The Secretary of State may direct the Agency to exclude certain information from the public register in the interests of national security.

Section 66

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Provides for a licence holder to identify information submitted to the Agency as being commercially confidential and to apply for that information to be excluded from the register. The Agency will determine whether the information is commercially confidential and notify the licence holder accordingly. The licence holder has a right of appeal to the Secretary of State if the Agency refuses to exclude the information from the public register.