



ENVIRONMENT
AGENCY

ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

LICENCE REF No :-EAWML/40053

FACILITY TYPE :-MOBILE PLANT

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the treatment of waste soils by mobile plant to Onyx U.K. Limited, Onyx House, 401 Mile End Road, London, E3 4PB, Company Registration Number: 02481991, the said licence being subject to the conditions specified in schedule 1 to this licence.

In this licence the words and expressions contained in schedule 1 shall have the meaning assigned to them therein.

Signed D.M. Hudson Name DR. DAVID HUDSON
Dr David Hudson – Area Environment Planning Manager

Dated 7 JANUARY 2002

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 1 – CONDITIONS RELATING TO THIS LICENCE

DEFINITIONS OF TERMS WITHIN THE CONDITIONS

DEFINITIONS AND INTERPRETATIONS

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

The 1990 Act:	The Environmental Protection Act 1990.
The 1995 Act:	The Environment Act 1995.
The Agency:	The Environment Agency.
The Licence Holder:	The Licence Holder specified in this licence or other person to whom the licence has been transferred in accordance with section 40 of the 1990 Act and section 120 of the 1995 Act. Where there is more than one Licence Holder, the reference shall be to each and every one of them.
The operator:	A person who is in charge of the licensed mobile plant and has responsibility for carrying out day to day activities with the plant.
Mobile plant:	Plant for the treatment of waste soil, as defined in r.12, Waste Management Licensing (Amendment) Regulations 1995 or subsequent amendments to that legislation; and as specified under these licence conditions.
Specified mobile plant operations:	The plant and process authorised under licence condition 1.1.
Operating site:	The area specified in section MPWP/1.110.4 of the working plan, including operational storage areas, engineered containment, operational controls and monitoring.
Operational storage:	Storage which is an inherent and integral part of the mobile plant treatment process, so as to provide a reasonable working capacity for inputs to and or outputs from the mobile plant treatment process.
Relevant offences:	Offences within the meaning of regulation 3 of the Waste Management Licensing Regulations 1994 or any statutory provisions or regulations amending or replacing them.
Received:	For waste being delivered to the mobile plant, shall mean delivered to the plant and undergoing the waste acceptance procedures specified in the working plan, including operational storage of those wastes during those procedures prior to acceptance of the waste.
Accepted:	Shall mean accepted as waste input to the mobile plant for processing and/or disposal under the specified mobile plant operations.
Preparatory works:	Works required prior to the carrying out of the activities authorised by this licence

Authorised officer of the Agency:	A person authorised in writing by the Agency pursuant to section 108(1) of the 1995 Act to exercise any of the powers specified in subsection (4) of that section.
Engineered:	For works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions.
Engineering:	For engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions.
Engineer:	For engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional.
Maintenance:	For engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions.
Working Plan	The working plan approved by the Agency at the time of issue of this licence and any subsequent amendments to it made in accordance with the conditions of this licence.
Immediately	For carrying out of actions under the conditions, shall mean without delay and within a reasonable time, taking into account any more immediate direct action necessary to prevent or minimise risk to human health and the environment. For carrying out notifications to the Agency, shall also mean by the fastest effective means available (for example, telephone) and confirmed in writing within 1 working day (or such other time as may be agreed by the Agency within the conditions).
Waste:	Controlled waste as defined in section 75(4) of the 1990 Act and the Controlled Waste Regulations 1992 or any statutory provisions or regulations amending or replacing them.
Clinical waste:	As defined in regulation 1(2) of the Controlled Waste Regulations 1992 or any statutory provisions amending or replacing them.
Special waste:	As defined by regulation 2 of the Special Waste Regulations 1996 or any statutory provisions or regulations amending or replacing them.
Waste soil:	For the purpose of these licence conditions <u>ONLY</u> , waste soil is to be interpreted as including all types of material in or on the ground at contaminated sites.
Risk assessment:	<p>The systematic identification, analysis, estimation and evaluation within a defined scope of the defined risks of a particular activity, operation, process or design, carried out and reported by suitably qualified or competent persons, using recognised quantified or semi-quantified methods and techniques.</p> <p>Unless otherwise agreed by the Agency within these conditions, a risk assessment shall include and record the following:</p> <ul style="list-style-type: none"> • definition of the hazards associated with an activity, operation, process or design;

- assessment of the **probability** of those **hazards** occurring;
- determination of the potential **consequences** of those hazards for defined **environmental targets or receptors**, taking into account defined **release pathways** and defined protective measures
- evaluation of the potential **magnitude** of those consequences and the **probability** of their occurrence.

Scope of risk assessment:

The boundaries of the **risk assessment** and the **risks** to be assessed within those boundaries, as defined in the conditions or otherwise agreed by the Agency within the conditions.

Risk:

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

Hazard:

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

Probability:

The quantified expression of chance, denoted either as:

the ratio or percentage of the occurrence of a particular event as one among a number of possible events; or as

the frequency of occurrence of a particular event in a given period of time.

Consequences:

For **risk assessments** carried out within these conditions, the adverse effects of harm as a result of realising a **hazard** which cause the quality of human health (other than health and safety of plant staff or visitors to the plant covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term.

Release pathways:

For **risk assessments** carried out within these conditions, the routes by which defined **hazards** may potentially realise their **consequences**, defined in terms of releases or emissions from the plant that go beyond the plant and process containment or boundary via one or more of the following routes, either directly or indirectly: **Land; Groundwater; Surface water; Atmosphere**.

Environmental targets or receptors:

For **risk assessments** carried out within these conditions, shall mean identified human and environmental populations or components, as specified in these conditions or otherwise agreed by the Agency within these conditions.

Groundwater:

Any water contained in underground strata.

Surface water:

Any lake, pond, river or watercourse whether natural or artificial.

Agency Issuing Office:

The Agency office issuing this licence, or as subsequently specified by written notification by the Agency to the Licence Holder.

Agency Local Office:

The local Agency Area office for the operating site where the mobile plant is to be operated, or such other address as may be specified in writing by the Agency.

1.1: SPECIFIED WASTE MANAGEMENT OPERATIONS - MOBILE PLANT

1.1.1: SPECIFIED MOBILE PLANT AND TREATMENT PROCESS

This licence only authorises the use of the following specified mobile plant for the specified waste treatment operations, as further detailed in section MPWP/1.110 of the working plan and in accordance with the other conditions of this licence. The authorised mobile plant shall only be used on one operating site at any one time.

Plant item

Bioremediation Mobile Unit (Tank Farm)
Mobile Trailer
Soil Screen and Hammer Mill with Nutrient Spray Bar & Biosolids Spray Bar
Loading Shovel
Leachate Collection System

Uses in treatment process

Cultivation of microorganisms
Soil screening and spraying of microorganisms and nutrients
Operation of windrows

1.1.2: SPECIFIED OPERATING SITE

The plant and equipment authorised by this licence shall only be used on the operating site specified in section MPWP/1.110.4 of the working plan.

1.2: PERMITTED WASTES

1.2.1: PERMITTED WASTE TYPES AND QUANTITIES:

No wastes other than those waste soils which are specified in detail in section MPWP/1.120 of the working plan shall be accepted for process. The quantities of waste types treated shall not exceed those specified in MPWP/1.110.4 of the working plan.

The total quantity of wastes treated per year shall not exceed 149,999 tonnes.

1.2.2: EXCLUSION OF WASTE TYPES WITH SPECIFIED HAZARD CHARACTERISTICS

Notwithstanding the specification of permitted waste soils within section MPWP/1.120 of the working plan, waste soils shall not be accepted which have any of the following specified characteristics:

- 1. Special Wastes which display any of the hazardous properties defined by the following Hazard Codes (as defined in Part II of Schedule 2 of The Special Waste Regulations 1996):**

Hazard Code	Hazardous Properties
<i>H1</i>	<i>Explosive</i>
<i>H2</i>	<i>Oxidizing</i>
<i>H3-A</i>	<i>Highly Flammable</i>
<i>H3-B</i>	<i>Flammable</i>
<i>H8</i>	<i>Corrosive</i>
<i>H9</i>	<i>Infectious</i>
<i>H10</i>	<i>Teratogenic</i>
<i>H11</i>	<i>Mutagenic</i>
<i>H12</i>	<i>Substances and preparations which release toxic or very toxic gases in contact with water, air or an acid.</i>
<i>H13</i>	<i>Substances and preparations capable by any means, after disposal, of yielding another substance, eg. a leachate, which possess any of the characteristics listed above – H1, H2, H3-A, H3-B, H8, H9, H10, H11, H12..</i>

2. Waste soils which are of the following form and type:

Waste Form	Type
<i>Powders</i>	<i>Non-Special Special</i>
<i>Sludges</i>	<i>Non-Special Special</i>
<i>Liquid wastes</i>	<i>Non-Special Special</i>
<i>Waste containers</i>	<i>Skip wastes Packaged wastes - unmixed Packaged wastes - mixed</i>

1.3: HOURS OF OPERATION

1.3.1: HOURS OF OPERATION

The specified waste management operations authorised by this licence shall only be carried out within the times specified in section MPWP/1.130 of the working plan.

1.4: STAFFING AND UNDERSTANDING OF LICENCE CONDITIONS AND WORKING PLAN

1.4.1: MINIMUM STAFFING AND SUPERVISION

Whenever the mobile plant is being used for the specified mobile plant operations, it shall be supervised by at least one member of staff who is fully conversant with the requirements of the licence and the working plan regarding:

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

1.4.2: AVAILABILITY OF LICENCE AND WORKING PLAN

A copy of this licence and the working plan shall be kept available on the operating site with the mobile plant for reference when required by all staff carrying out work under the requirements of the licence.

1.4.3: UNDERSTANDING OF LICENCE AND WORKING PLAN

All staff shall be, or shall work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.

1.5: CHANGES IN TECHNICALLY COMPETENT PERSONS

1.5.1: CHANGES IN TECHNICALLY COMPETENT PERSONS

Any changes in the technically competent management of the mobile plant and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Agency issuing office in writing within 5 working days of the change in management.

1.6: RELEVANT CONVICTIONS

1.6.1: NOTIFICATION OF RELEVANT CONVICTIONS

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency issuing office within 14 days of conviction, whether or not the conviction is subsequently appealed. Such details shall include, in respect of each relevant person (as defined in section 74(7) of the Environmental Protection Act 1990 or any subsequent amendments to that section), the nature of the offence, the place and date of conviction, any sentence, and any fine or other penalty imposed.

1.6.2 NOTIFICATIONS OF APPEALS AGAINST CONVICTIONS

In the event that the Licence Holder or relevant person lodges an appeal against any such conviction, the Licence Holder shall notify the Agency issuing office of this within 14 days of the lodging. The Licence Holder shall notify the Agency issuing office of the results of that appeal, within 14 days of the appeal being decided.

1.7: MAINTENANCE OF FINANCIAL PROVISION

1.7.1: MAINTENANCE OF FINANCIAL PROVISION

No activities authorised by this Licence shall be commenced until the Licence Holder has secured a bond in compliance with the Agreement made between the Licence Holder and the Agency dated 07/01/02 and the Licence Holder has given prior written notice to the Agency of the intention to commence operations at the site.

The financial provision for meeting the obligations under this Licence set out in the Agreement referred to in the previous paragraph shall be maintained by the Licence Holder from the date that the bond was secured throughout the subsistence of this Licence and the Licence Holder shall produce evidence of such provision whenever required by the Agency.

1.8: AMENDMENTS TO WORKING PLANS AND SUPPORTING INFORMATION

1.8.1: AMENDMENTS TO THE WORKING PLAN

1. Amendments for changes in specified operations or operating sites:

There shall be no changes to those parts of the working plan relating to the specified mobile plant operations or the specified operating site, unless and until the operator:

- a) has submitted in writing to the Agency local office for the proposed operating site:
 - i) a written review and assessment of the risk to human health and the environment of using the specified mobile plant for the specified treatment of the specified waste soils on the specified operating site; and
 - ii) a proposed amendment of the working plan providing the specific details for the such specified use;
- and
- b) has received written consent to the proposed amendment to the working plan, from the Agency local office for the operating site where the mobile plant is to be used;
- c) has submitted prior written notification to the Agency local office for the operating site where the mobile plant is to be operated, of the date from which the mobile plant is to be used on that operating site.

2. Other Amendments:

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

3. Amendments To Supporting Information Referenced In The Working Plan

Supporting information which is referenced in any section of the working plan shall be deemed to be part of that section if the reference is to a specific dated version of the information. Amendments to the referenced information shall be subject to the same requirements as the specified section of the working plan under the other conditions of this licence.

1.9: NOTIFICATION OF CHANGE OF OPERATORS/HOLDERS DETAILS

1.9.1: NOTIFICATION OF CHANGE OF OPERATOR'S OR HOLDER'S DETAILS

The following information shall be notified in writing within 5 working days to the Agency issuing office:

- 1. where the Licence Holder or operator is an individual or named individuals in a partnership:
 - 1.1 the death of the Licence Holder;
 - 1.2 any steps taken with a view to the Licence Holder going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of a partnership, dissolving the partnership;
 - 1.3 any change in the Licence Holder's or operator's name, trading name, registered name or registered office address;
- 2. where the Licence Holder or operator is a registered company:
 - 2.1 any change in the Licence Holder's or operator's trading name, registered name or registered office address;
 - 2.2 any steps taken with a view to the Licence Holder going into administration, entering into a company voluntary arrangement or being wound up.

1.10: NOTIFICATION OF PREPARATORY WORKS

1.10.1: NOTIFICATION OF PREPARATORY WORKS

No preparatory works shall be undertaken unless at least 7 days notice in writing have been given of the intention to do so, to the Agency local office for the operating site where the mobile plant is to be operated. The notification shall include details of what work is being done and when.

1.11: NOTIFICATION OF CESSATION AND RECOMMENCEMENT OF WASTE HANDLING OPERATIONS

1.11.1: CESSATION OF WASTE MANAGEMENT OPERATIONS

1. In the event that the mobile plant ceases waste treatment operations on an operating site either permanently or for longer than 1 month then no later than 5 working days following the cessation of waste management activities the Licence Holder shall inform the Agency in writing of the date of cessation and the planned date of recommencement.
2. In the event that the plant recommences waste treatment operations sooner than the notified date then the Licence Holder shall give the Agency at least 10 working days notice in writing.

1.12: NOTIFICATIONS TO THE AGENCY

1.12.1: NOTIFICATIONS AND SUBMISSIONS TO AGENCY

Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions, shall quote the licence reference number and the name of the Licence Holder, and the location of the Agency issuing office.

2.1: ENGINEERED PLANT AND PROCESS CONTAINMENT SYSTEMS

2.1.1: PROVISION OF ENGINEERED PLANT AND PROCESS CONTAINMENT SYSTEM

The mobile plant covered by this licence shall not be used to treat waste on or arising from any operating site with a view to the treated waste or remediated end-product being deposited or used elsewhere, unless and until:

- a) engineered containment for the plant and process, including for operational storage, has been provided in accordance with sections MPWP/2.210, MPWP/2.210.1.1, MPWP/2.210.1.2 , 4.1 and MPWP/4.520 of the working plan;
- b) the containment has been inspected and validated by a suitably qualified engineer, and the Validation Report has been submitted in writing to the Agency and has been acknowledged in writing by the Agency.

2.1.2: OPERATION AND MAINTENANCE OF THE ENGINEERED PLANT AND PROCESS CONTAINMENT SYSTEM

The engineered containment for the plant and process, including for operational storage, shall be operated and maintained, and records shall be kept, in accordance with section MPWP/2.210.1.3 and MPWP/2.210.1.4 of the working plan.

2.2: REMOVAL OF PLANT AND RESIDUAL WASTES FROM OPERATING SITE

2.2.1: DECONTAMINATION OF PLANT AND REMOVAL OF MOBILE PLANT AND RESIDUAL WASTES FROM OPERATING SITE

In the event that the treatment operations on an operating site cease and they are not resumed within 6 months, all mobile plant on the site shall be decontaminated and removed. All residual wastes produced by the specified mobile plant and treatment processes authorised under the other conditions of this licence, other than wastes remaining in operational storage on the operating site shall be removed by the date specified by the Agency in writing.

3.1: PROVISION OF MOBILE PLANT IDENTIFICATION BOARD

3.1.1: PROVISION OF MOBILE PLANT IDENTIFICATION BOARD

1. Mobile plant shall not be used on the operating site unless an identification board has been provided on or near to the plant.
2. The identification board shall be inspected once each working day. In the event of damage or defect, the board shall be repaired or replaced within 3 working days.
3. The board shall be easily readable from the operating site access point for the mobile plant, and shall display the following information:

Licence Holder name (company name, not individual name unless justified as necessary);

Operator name (company name, not individual name unless justified as necessary);

Licence number;

Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);

Agency national numbers: 0845 933 3111 and 0800 807060;

Days and hours the plant is open to receive waste.

3.2: MOBILE PLANT SECURITY

3.2.1: PROVISION AND MAINTENANCE OF SECURITY

Security systems shall be provided and maintained at all times during the use and storage of the mobile plant on operating site, and shall be fully documented and recorded, in accordance with section MPWP/3.500 of the working plan and the following requirements. These shall be installed, operated and maintained to prevent access by humans and livestock which is not authorised either by the Licence Holder or under legal powers of entry.

Site security system standards

Site security system	Specified standards
Design standards	Unless otherwise agreed in writing by the Agency, this shall consist of a chainlink security fence at least 1.8 metres high at or within the operating site boundary, and shall have a lockable gate of at least the same height and standard at the operating site access point.
Operational standards	The operating site shall be kept closed and secure at all times when unattended.
Maintenance standards	The site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by the end of the working day, and shall be repaired within 7 working days of the damage being detected.

4.1: CONTROL OF MUD AND DEBRIS ARISING FROM USE OF THE MOBILE PLANT

4.1.1: PREVENTION OF MUD AND DEBRIS ON ROAD

Measures shall be provided, operated and maintained as specified in section MPWP/4.140 of the working plan, in order to prevent the deposit or tracking of mud or debris arising from the plant onto public areas outside the operating site, which shall include public highways and areas of public access outside the operating site.

4.1.2: REMEDIATION OF MUD AND DEBRIS ON ROAD

In the event that mud or debris arising from the use of the plant is deposited onto public areas outside the operating site where the plant is situated, the remedial measures specified in section MPWP/4.140 shall be implemented immediately.

4.2: POTENTIALLY POLLUTING LEAKS, SPILLAGES AND AERIAL EMISSIONS FROM MOBILE PLANT

4.2.1: POTENTIALLY POLLUTING LEAKS, SPILLAGES AND AERIAL EMISSIONS FROM MOBILE PLANT AND EQUIPMENT

1. The mobile plant and all associated items of plant and equipment shall be operated and maintained so as to prevent aerial emissions and potentially polluting leaks and spillages of wastes.
2. Each container, including tanks and drums, used to hold wastes or other materials involved in the treatment process, and which consist of or contain potentially polluting liquids, sludges or powders, shall be subject to the following, in accordance with section MPWP/4.151 of the working plan:
 - a) loaded and unloaded in accordance with the specified filling and emptying procedures;
 - b) clearly and unambiguously labelled regarding its contents;
 - c) inspected and maintained according to the specified maintenance schedules and procedures, which shall be fully documented and recorded;
 - d) in the event of damage or deterioration to the container shall be repaired immediately.
 - e) and, for tanks and closed containers larger than 1,000 litres, shall be:
 - i) provided with means for measuring the quantity of material and the void space in the tank, which shall be maintained and calibrated as specified; and

- ii) monitored for quantity of material and void space and the monitoring measurements recorded.

4.2.2: CONTROL AND REMEDIATION OF LEAKS, SPILLAGES AND AERIAL EMISSIONS:

1. In the event of any potentially polluting leak, spillage or aerial emission occurring on the operating site the documented control and remediation procedures specified in section MPWP/4.151 of the working plan shall be implemented immediately and recorded.
2. In the event of any leak or spillage which may compromise the effectiveness of the pollution control regime and which either is leading or may imminently lead to pollution of the environment, harm to human health or serious detriment of the amenities of the locality, the Leak and Spillage Action Plan specified below shall be implemented immediately.

Leak and Spillage Action Plan

Action	Specified standards
Control and remediation of leaks and spillages	<ul style="list-style-type: none">• immediate action shall be taken to contain the spillage and prevent liquid from entering surface water drains, water course and unsurfaced ground;• the spillage shall be cleared immediately and placed in alternative sealed containers;• the Agency shall be informed immediately.

4.3: FIRES ON OPERATING SITE

4.3.1: FIRES ON THE OPERATING SITE

1. No wastes shall be burned on the operating site within the operational area where the mobile plant is being used, other than through a specified waste treatment operation authorised under the other conditions of this licence.
2. In the event of a fire on the operating site where the mobile plant is being used (except those which are specified waste treatment operations under these conditions), the fire action plan specified in section MPWP/4.153 shall be implemented immediately.

4.4: WASTE ACCEPTANCE, CONTROL, TREATMENT AND DESPATCH - PROCESS, PLANT AND EQUIPMENT, AND PROCEDURES

4.4.1: WASTE ACCEPTANCE, CONTROL AND DESPATCH

1. All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the waste acceptance procedures specified in section MPWP/4.210 and MPWP/4.210.1 of the working plan.
2. All wastes accepted at the operating site shall be handled, kept and recorded in accordance with the waste control procedures specified in section 4.2, MPWP/4.210.1, MPWP/4.410 and MPWP/4.520 of the working plan.
3. All outgoing wastes shall be inspected, despatched and recorded in accordance with the waste despatch procedures specified in section MPWP/4.220 of the working plan.
4. Incompatible wastes which are likely, in combination with each other or with other material involved in the treatment, shall not be combined in the plant or in operational storage to give rise to pollution of the environment or harm to human health.

4.4.2: PROCESS PLANT AND EQUIPMENT

1. All process plant and equipment used in the mobile plant shall be commissioned, operated and maintained, and shall be fully documented and recorded, in accordance with section MPWP/2.210.1.2, MPWP/2.210.1.3 and MPWP/2.210.4 of the working plan.
2. No mobile plant covered by this licence shall be used to treat wastes, other than those required to carry out the commissioning tests specified in section MPWP/2.210.1.2 of the working plan, unless and until a Validation Report prepared by a suitably qualified engineer on the commissioning has been submitted in writing to the Agency.

4.4.3: PROCESS QUALITY CONTROL

The mobile plant waste treatment process shall only be carried out in accordance with the fully documented and recorded quality control and quality assurance programme specified in section 4.4 and 4.210.4 of the working plan.

4.5: WASTE SAMPLING AND TESTING

4.5.1: SAMPLING AND TESTING OF WASTES

1. All wastes delivered to the mobile plant shall be sampled and tested in accordance with the quality assured schedules, methods and procedures specified in MPWP/4.220 to confirm their composition and characteristics.
2. All wastes and remediated materials output from the mobile plant treatment process shall be sampled and tested in accordance with the quality assured schedules, methods and procedures specified in MPWP/4.220 to confirm their composition and characteristics.

4.6: WASTE QUANTITY MEASUREMENT SYSTEMS

4.6.1: MEANS OF MEASUREMENT

All wastes accepted at and despatched from the mobile plant shall be measured in accordance with section MPWP/4.230 of the working plan.

4.7: WASTE OILS AND OIL BEARING WASTES

4.7.1: SPECIAL REQUIREMENTS FOR HANDLING WASTE OILS AND OIL-BEARING WASTES

Notwithstanding the other conditions in this licence:

1. waste oils and oil-bearing wastes shall not be mixed with toxic and dangerous waste or PCB's and PCT's, and shall be treated separately from other wastes.
2. all waste oils and oil-bearing wastes shall be treated in accordance with the measures specified in section MPWP/4.210, MPWP/4.210.1 and MPWP/4.702 of the working plan.

4.8: PCB BEARING WASTES

4.8.1: SPECIAL REQUIREMENTS FOR HANDLING PCB BEARING WASTES

Notwithstanding the other conditions in this licence, all PCB bearing wastes shall be treated in accordance with the measures specified in section MPWP/4.210, MPWP/4.210.1 and MPWP/4.705 of the working plan.

5.1: MONITORING AND REPORTING FOR GASES, VAPOURS AND AEROSOLS (INCLUDING PATHOGENS)

5.1.1: MONITORING AND SAMPLING OF GASES, VAPOURS AND AEROSOLS

Monitoring and sampling of gases, vapours and aerosols beyond the operating site boundary shall be carried out and recorded in accordance with this condition and the monitoring programme specified in MPWP/5.103 of the working plan.

5.1.2: MONITORING AND SAMPLING RECORDS:

- 1 A record of the gases, vapours and aerosols monitoring and sampling results shall be kept and maintained in accordance with the format specified in section MPWP/5.103 of the working plan.
- 2 The records shall be quality assured in accordance with the gases, vapours and aerosols monitoring and sampling quality assurance programme specified in section MPWP/5.103 of the working plan.
- 3 A copy of the quality assured records of each monitoring and sampling result, with an interpretation of the results against background and trigger levels, shall be submitted to the Agency on a monthly basis, within 1 month of its being carried out, in the format specified in section MPWP/5.103 of the working plan.
- 4 No wastes shall be treated until the results of background monitoring as specified in section MPWP/5.103 of the working plan, have been submitted to the Agency local office and their receipt has been acknowledged in writing by the Agency.

5.1.3: MONITORING AND SAMPLING ACTION PLAN:

In the event that any results exceed the trigger levels specified in section MPWP/5.103 of the working plan, the action plan specified in section MPWP/5.103 of the working plan shall be implemented immediately.

5.2: MONITORING AND REPORTING OF SURFACE WATER

SURFACE WATER MONITORING SYSTEM

5.2.1: PROVISION OF SURFACE WATER MONITORING SYSTEM

Surface water monitoring points shall be identified to enable monitoring the quality of surface water, as specified in section MPWP/5.500 of the working plan.

5.2.2: SURFACE WATER MONITORING AND SAMPLING PROGRAMME

Monitoring and sampling of surface water shall be carried out and recorded in accordance with the monitoring programme specified in MPWP/5.500 of the working plan.

5.2.3: SURFACE WATER MONITORING AND SAMPLING RECORDS:

1: Keeping and maintenance of records:

A record of the surface water monitoring and sampling results shall be kept and maintained in accordance with the format specified in section MPWP/5.500 of the working plan.

2: Quality assurance of monitoring and sampling:

The records shall be quality assured in accordance with the surface water monitoring quality assurance programme specified in section MPWP/5.500 of the working plan.

3: Submission of records:

A copy of the quality assured records of each monitoring and sampling result, with an interpretation of the results against background and trigger levels, shall be submitted to the Agency on a monthly basis, within 1 month of its being carried out, in the format specified in section MPWP/5.500 of the working plan.

4: Baseline Monitoring Results:

No wastes shall be accepted at the operating site until the results of background monitoring as specified in section MPWP/5.500 of the working plan, have been submitted to the Agency and their receipt has been acknowledged in writing by the Agency.

5.2.4: SURFACE WATER MONITORING ACTION PLAN

In the event that any results exceed the trigger levels specified in section MPWP/5.500 of the working plan:

1. the results shall be notified to the Agency immediately and confirmed in writing immediately;
2. the surface water monitoring action plan specified in section MPWP/5.500 of the working plan shall be implemented immediately.

6.1: CONTROL, MONITORING AND REPORTING OF DUSTS, FIBRES AND PARTICULATES

6.1.1: PREVENTION AND CONTROL OF RELEASES OF DUSTS, FIBRES AND PARTICULATES

1. Measures shall be implemented and maintained throughout the use of the plant on the operating site, in accordance with this condition and section MPWP/6.010 of the working plan, to prevent and minimise the release of airborne dusts, fibres and particulates arising from the plant and process beyond the operating site boundary.
2. All emissions to air from the use of the plant on the operating site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment outside the operating site boundary, as perceived by an authorised officer of the Agency.
3. In the event that any dusts, fibres or particulates arising from the operating site are released or are likely to be released onto public areas outside the operating site boundary in such quantities or concentrations that they are likely to cause pollution of the environment, the actions specified in section MPWP/6.010 shall be implemented immediately.

6.2: CONTROL OF ODOURS

6.2.1: PREVENTION AND CONTROL OF ODOURS

1. Measures shall be implemented whenever the mobile plant is being used or waste is in operational storage, in accordance with this condition and section MPWP/6.020 of the working plan, to prevent and minimise the release of offensive odours from the operations beyond the operating site boundary, so that no offensive odour can be perceived by an authorised officer of the Agency beyond the operating site boundary.
2. In the event that any offensive odours arising from the mobile plant operations are released or are likely to be released onto public areas outside the operating site boundary in such quantities or concentrations that they are likely to cause pollution of the environment, the actions specified in section MPWP/6.010 shall be implemented immediately.

6.3: CONTROL AND MONITORING OF NOISE

6.3.1: CONTROL OF NOISE

Measures shall be implemented whenever the mobile plant is in operation, in accordance with this condition and section MPWP/6.030 of the working plan, to control and minimise the levels of noise from the plant beyond the operating site boundary.

6.4: CONTROL OF PESTS

6.4.1: PREVENTION OF PEST INFESTATIONS ARISING ON THE OPERATING SITE

Measures shall be taken, in accordance with this condition and section MPWP/6.040 of the working plan, whenever the mobile plant is in operation or waste is in operational storage, to prevent pest infestations arising on the operating site.

6.5: CONTROL OF BIRDS AND OTHER SCAVENGERS

6.5.1: PREVENTION AND CONTROL OF BIRDS AND OTHER SCAVENGERS

Measures shall be taken, in accordance with this condition and section MPWP/6.041 of the working plan, whenever the mobile plant is in operation or waste is in operational storage, to prevent birds with a propensity to scavenge and other scavengers from outside the operating site gathering on operational areas or scavenging wastes.

6.6: CONTROL OF LITTER

6.6.1: CONTROL OF LITTER

1. Litter control and collection measures shall be implemented whenever the mobile plant is in operation or waste is in operational storage, such that any litter arising from the mobile plant or the waste in operational storage, is collected, so as to prevent any litter escaping from the confines of the operating site.
2. In the event that litter does escape from the operating site, it shall be retrieved immediately.

7.1: SECURITY AND AVAILABILITY OF RECORDS

7.1.1: SECURITY AND AVAILABILITY OF RECORDS

All records which are required to be made under the other conditions of this licence and the working plan shall be maintained and kept secure from loss, damage or deterioration, and shall be kept at the locations and in the manner specified in section MPWP/7.100 of the working plan and the following requirements:

1. All records shall be stored on paper in a secure cabinet or cupboard, or on computer disc with a back up copy
2. Records shall be kept for a minimum of 2 years.

7.1.2: SECURITY OF STORAGE MEDIUM AND DATA

Records which are required to be made under the other conditions of this licence and the working plan shall be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency.

7.2: RECORDS OF WASTE AND REMEDIATED MATERIALS MOVEMENTS

7.2.1: RECORDING OF WASTES ACCEPTED/REMOVED AND MATERIALS REMEDIATED

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

1. Waste treated:- Nature (solid), waste type as specified under section MPWP/1.120 of the working plan and condition MPLC/1.120, quantity (tonnes), date accepted.
2. Waste out:- Nature (solid), waste type as specified under section MPWP/1.120 of the working plan and condition MPWP/1.120, quantity of waste removed (tonnes), date removed.
3. Remediated materials:- quantity of materials removed (tonnes), date removed.

7.2.2: SUMMARY RECORDS OF WASTES ACCEPTED AND REMOVED

A summary record of the waste types accepted on and removed from the operating site and materials remediated shall be made for each quarter of the financial year, and shall be submitted to the Agency within 1 month following the end of the quarter. The summary record shall be in a format specified in Appendix A and shall include the specified information.

7.3: PLANT DIARY

7.3.1: PLANT DIARY

1. A plant diary shall be kept secure and shall be available for inspection with the mobile plant on the operating site when required by an authorised officer of the Agency. This shall include a record of the following events:

- Construction work
- Maintenance
- Breakdowns
- Emergencies
- Problems with waste treated, received and action taken
- Operating site inspections and consequent actions carried out by the operator
- Technically competent management attendance on the operating site; the date and time onto the operating site and the time left operating site
- Despatch of records to the Agency
- Severe weather conditions
- Complaints about mobile plant operations and actions taken
- Environmental problems and remedial actions

2. Each record shall be completed within 24 hours of the relevant event.

Appendix A: **Format for summary records of wastes accepted and removed (Condition 7.2.2)**

Form WM.PS Waste return

For Environment
Agency use only

Date received

Date processed

Local site licence number

EA/WML number



ENVIRONMENT
AGENCY

Waste return

Environmental Protection Act 1990

- Use this form to tell us the type and quantity of controlled waste you have processed at your site over the last month.
- Please read through the whole form and guidance notes before you start filling anything in.
- Please send the completed form back to us within 14 days of the end of the returns period to the address on the left.

1 The period the return covers

1 Please tell us the month and give the year

Month

Year

2 Operator and site details

2.1 Site Operator

Site name

Site Address

Postcode

Phone

2.2 Type of Facility

Mobile Plant

2.3 Was a weighbridge used?

No ☐

Yes ☐ Please tell us the proportion weighed
Percentage

2.4 Are you operating a landfill site?

No ☐ go to section '3' Waste received on site' on page 2

Yes ☐ go to section 'Landfill sites only', question 2.5

Landfill Sites only

Please give details of remaining void space as at 31 March 1999

2.5 Remaining void space covered by licence

cubic metres

2 Landfill sites only continued

2.6 Was the site fully surveyed before 31 March 1999?

No ☐ go to question 2.7

Yes ☐ Please tell us how the void space was calculated

Now go to question 2.8

2.7 How have you estimated the remaining void space?

For example visually or other method

2.8 Remaining life of site

Years

Now go to sections 3 and 4

5 Declaration

Please make sure you have filled in all the sections that apply to you before signing this declaration.

I certify that the information in this return is correct to the best of my knowledge and belief.

I enclose ☐ continuation sheets

Signature

Name

Position

Phone

Date

6 Disclosure and data protection

The information you give us will be placed on the relevant public registers. It will be used by us and may be disclosed to third parties in connection with our statutory functions.

In the language used in data protection law, the information you provide on this form is 'voluntary'. You do not have to provide it

3 Waste material received on site

Please read guidance notes 'How to fill in the form'. Please use the continuation sheet provided, or a copy of it, if you need to.
In the last column D = final disposal U = used on site S = special waste* F = from another facility, for example a transfer station

* A consignment note is needed for special waste

Origin by district	Description of waste	UK Waste Classification code	State solid, powder, sludge, liquid, gas	Weight in tonnes	Additional information			
					D	U	S	F

4 Waste material removed from site

Please read guidance notes 'How to fill in the form'. Please use the continuation sheet provided, or a copy of it, if you need to.
In the last column facility types could include 'incinerator, transfer station, landfill, treatment, reprocessing, recycling'.

Destination by district	Description of waste	UK Waste Classification code	State solid, powder, sludge, liquid, gas	Weight in tonnes	Destination facility type

3 Waste material received on site continued

Continuation Sheet Local site licence number: Sheet of

Sheet

of

Please read guidance notes 'How to fill in the form'. Please use the continuation sheet provided, or a copy of it, if you need to.
In the last column D = final disposal U = used on site S = special waste* F = from another facility, for example a transfer station

* A consignment note is needed for special waste

[illegible]

4 Waste material removed from site continued

Continuation Sheet Local site licence number: Sheet of

Sheet

of

Please read guidance notes 'How to fill in the form'. Please use the continuation sheet provided, or a copy of it, if you need to. In the last column facility types could include 'incinerator, transfer station, landfill, treatment, reprocessing, recycling'

[illegible]

EXPLANATORY NOTES - including rights of appeal.

Waste Management Licensing

This licence relates only to the requirements of the Environmental 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, 34, 35, 37, 38, 39, 40, 42, 43, 59, 64, 65, and 66 of the Environmental Protection Act 1990 and Section 41 of the Environment Act 1995.

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 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 facility licence may be granted by a Waste Regulation Authority 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 Authority considers appropriate, in accordance with directions and guidance issued by the Secretary of State.

Section 37

A Waste Regulation Authority 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 Authority in modifying the conditions of a licence.

Section 38

Provides for the Waste Regulation Authority 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 the licence holder wishes to surrender this licence, he must apply to the Waste Regulation Authority (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 the licence holder wishes to transfer the licence to another person ("the transferee") the licence holder and the transferee shall jointly make an application to the Waste Regulation Authority (enclosing the prescribed fee) which will not effect the transfer unless it is satisfied that the transferee is a Fit and Proper Person.

Section 42

Places a duty on the Waste Regulation Authority to ensure that activities authorised by the 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 Waste Regulation Authority 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 a 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 a licence or modification to the Secretary of State.

Section 59

The licensing authority 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 licensing authority is required to maintain a register of current or recently current waste management licences granted by the authority, 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 licensing authority to exclude certain information from the public register in the interests of national security.

Section 66

Provides for a licence holder to identify information submitted to the licensing authority as being commercially confidential and to apply for that information to be excluded from the public register. The authority 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 authority refuses to exclude the information from the public register.

Environment Act 1995

Section 41

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

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the Secretary of State, a licence is granted subject to conditions, the applicant may appeal from the decision to the Secretary of State.

Therefore, if you feel aggrieved by the decision detailed on the attached notice, you may obtain the appropriate form on which to give written notice of an appeal from:-

Environment Appeals Administration
The Planning Inspectorate
Room 4/19 – Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0117 987 8812
Fax: 0117 987 6093

This notice of appeal should be accompanied by the following information:

- a statement of the grounds of appeal;

- a copy of the licence;

- a copy of any correspondence relevant to the appeal;

- 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

- a statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations.

You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.