



ENVIRONMENT
AGENCY

ENVIRONMENT PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

LICENCE No: - EA WML 40059

FACILITY TYPE :- INERT LANDFILL

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the disposal of controlled waste on the land specified in schedule 1 to this licence to **Tarmac Limited, P O Box 8, Millfields Road, Ettingshall, Wolverhampton, WV4 6JP; the Registered Company Number being 00453791** that person being in occupation of the said land, the said land being subject to the conditions specified in schedule 2 to this licence.

In this licence the words and expressions contained in section 8 to schedule 2 shall have the meaning assigned to them therein.

SCHEDULE 1. - SPECIFIED LAND

The licence relates to the land at **Shire Oak Quarry, Lichfield Road, Walsall, Staffordshire. Grid Reference SK 0610 0410** (herein after called "the site") shown edged in red on Drawing Reference Number CE/SHRK/01a dated 16/04/02, and attached to this licence.

Signed Emily Finney
Team Leader - Waste Licensing

Name Emily Finney

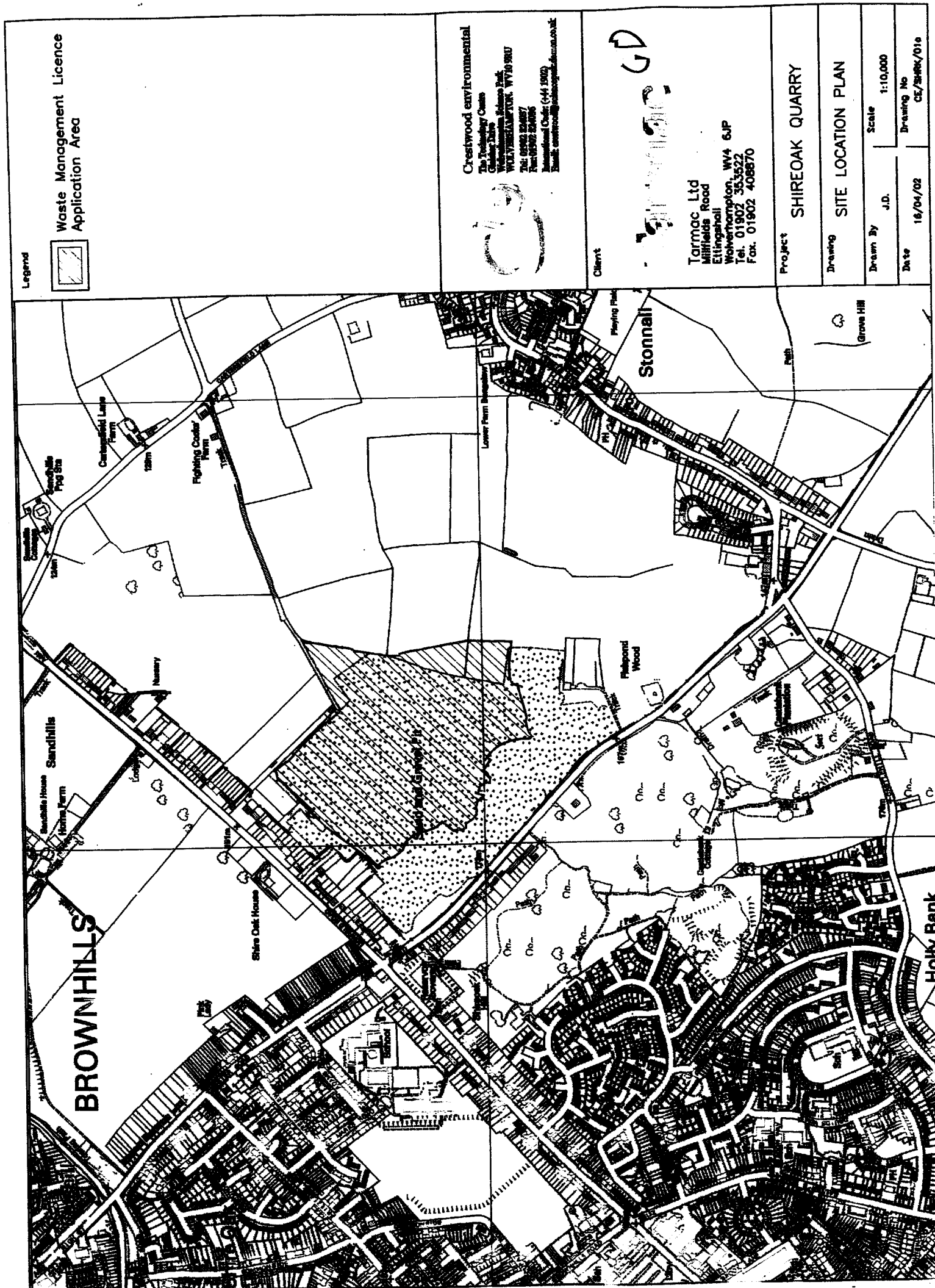
Dated 14 June 2002

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.

Environment Agency, Upper Trent Area, Sentinel House, Wellington Crescent, Fradley Park, Lichfield, WS13 8RR





Schedule 2: Conditions contained within this Licence

General considerations

1.1

Specified waste management operations

1.1.1

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

- a** specified in and undertaken in accordance with the limitations in sections 1.2, 1.3, 1.5, 1.6, 1.7, 1.8 and 1.10 of the working plan and in table 1.1; or
- b** otherwise required by the conditions of this licence as being an integral part of those operations:

Table 1.1 Specified waste management operations

Operation	Description of specified operation	Limits of specified operation
<u>Disposal of waste by landfill</u> Tipping of waste above or underground (disposal classification D1 under Annex IIA of Waste Framework Directive)	Landfill for inert waste (landfill classification under Article 4 of the Landfill Directive)	Receipt, handling, storage and disposal of inert wastes, consisting of the types and quantities specified in condition 1.2, as an integral part of landfilling.

1.2

Permitted wastes

1.2.1

The total quantity of waste which shall be deposited in the landfill shall not exceed 3,700,000 tonnes.

1.2.2

The quantities of wastes accepted shall not exceed those shown in Table 1.2.1 and specified in detail in section 1.8 of the working plan. Whilst limited to the maximum quantities specified for each type of waste, the quantity of waste which is deposited in the landfill shall not exceed 346,000 tonnes in any year.

1.2.3

Subject to the conditions of this licence wastes shall only be accepted on the site if they are:

- a** specified in the list of defined types of waste in Table 1.2.1; and
- b** not listed in Table 1.2.2 as an excluded waste; and
- c** accepted in accordance with the list of waste types and quantities, in accordance with section 2.1 and Appendix 1 of the working plan.

Table 1.2.1 Permitted Quantities of Waste

Index	Description	Maximum permitted Quantities (tonnes /year)
21 00 00	Inert	346,000 tonnes per year
22 00 00	General and Biodegradable	Not permitted
23 00 00	Metals and discarded (scrap) composite equipment	Not permitted
24 00 00	Contaminated general	Not permitted
25 00 00	Healthcare risk wastes	Not permitted
26 00 00	Asbestos	Not permitted
27 00 00	Mineral wastes and residues from thermal processes not listed elsewhere	Not permitted
28 00 00	Inorganic chemical	Not permitted
29 00 00	Organic chemical	Not permitted
30 00 00	Mixed chemical "smalls"	Not permitted
31 00 00	Radioactive	Not permitted
32 00 00	Explosives	Not permitted

Table 1.2.2: Defined types of waste which may not be accepted on the site

Liquid waste.

Waste which, in the conditions of landfill, is explosive, corrosive, oxidising, highly flammable or flammable.

Hospital and other clinical wastes arising from medical or veterinary establishments, which are infectious

Whole used tyres from 16 July 2003, excluding tyres used as engineering material, bicycle tyres and tyres with an outside diameter above 1400 mm.

Shredded used tyres from 16 July 2006, excluding bicycle tyres and tyres with an outside diameter above 1400 mm.

Any other type of waste which does not fulfil the acceptance criteria specified in condition 1.2.3.c.

Wastes which have not been treated, except for:

- inert wastes for which treatment is not technically feasible; and
- wastes for which such treatment does not contribute to preventing or reducing as far as possible negative effects on the environment, in particular the pollution of surface water, groundwater, soil and air, and on the global environment including the greenhouse effect, as well as any resulting risk to human health, from landfilling of waste, during the whole lifecycle of the landfill

Hazardous wastes which exhibit total contents or leachability of potentially hazardous components that are high enough to constitute a short-term occupational or environmental risk or to prevent sufficient waste stabilisation within the projected lifetime of the landfill.

Specified Waste Management Operations and Exempt Waste Management Operations

- 1.2.4 Where wastes are being brought onto the site for waste management operations which are exempt from licensing under the 1994 Regulations, then the wastes which are subject to the specified waste management operations shall be kept clearly segregated and identified from those wastes which are being kept on the site for the exempt waste management operations.

1.3 **Staffing and understanding of requirements of licence conditions and working plan**

1.3.1 *Management techniques and control*

- a The landfill site shall, subject to the conditions of this licence, be managed and controlled in accordance with section A1.1 of the working plan.
- b All staff shall be provided with professional and technical development and training to enable them to carry out their duties

Minimum staffing and supervision

- 1.3.2 Whenever the site is open to receive or despatch waste, or is carrying out any of the specified waste management treatment or disposal operations, it shall be supervised in accordance with section A1.1 of the working plan by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan regarding:
- a** waste acceptance and control procedures;
 - b** operational controls and environmental monitoring;
 - c** maintenance;
 - d** record-keeping;
 - e** emergency action plans;
 - f** notifications to the Agency.

Availability of licence and working plan

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

Understanding of licence and working plan

- 1.3.4 All site 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.

Attendance of Technically Competent Persons

- 1.3.5 Attendance of the technically competent person(s) at the site shall be recorded in the site diary on arrival and departure. At all times during operational hours a technically competent person shall be capable of attending the site within one hour, or two hours where the site has been notified to the Agency as being either non-operational or closed, in accordance with condition 1.10.2.

1.4 Changes in technically competent persons

- 1.4.1 Any changes in technically competent management and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as prescribed under Section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the 1994 Regulations.

1.5 Relevant convictions

Notification of relevant convictions

- 1.5.1 In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which has not already been notified to the Agency, then full details shall be provided to the Agency within 14 days following sentencing, whether or not the conviction or sentence 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, and any fine or other penalty imposed.

Notifications of appeals against convictions

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

1.6 Maintenance of financial provision

- 1.6.1 The financial provision for meeting the obligations under this Licence set out in the Agreement made between the Licence Holder and the Agency dated 14/06/02 shall be maintained by the Licence Holder throughout the subsistence of this Licence and the Licence Holder shall produce evidence of such provision whenever required by the Agency.

1.7 Amendments to working plan and supporting information

Amendments to working plan requiring prior consent from the Agency

- 1.7.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to those sections of the working plan which are specified in Table 1.7 below, and to any appendices, drawings and figures which are referenced in those sections.

Table 1.7 Sections of working plan requiring prior consent for amendments

Number and Heading of Working Plan Sections and Appendices	Sections, Subsections and Appendices requiring Prior Consent for Amendments
WP1 Specified Site and Waste Management Operations	1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.10
WP2 Permitted Wastes	2.1
WP3 Engineered Surface Water Management Systems	3.2, 3.3
WP4 Control of Mud and Debris	WP4
WP5 Waste Acceptance and Control Systems and Procedures	5.2, 5.3, 5.4, 5.5, 5.7
WP 6 Waste Quantity Measurement Systems	WP6
WP8 Landfill Gas Monitoring and Reporting within the Waste	WP8
WP8a Landfill gas Monitoring and Reporting External to the Waste/Site	8a.2, 8a.3, 8a.4
WP8b Groundwater Monitoring and Reporting Systems	8b.1, 8b.2, 8b.3, 8b.4, 8b.5, 8b.6
WP9 Control , Monitoring and Reporting of Aerial Emissions of Powders, Dusts, Fibres and Particulates	9.1, 9.3, 9.5
WP10 Control of Litter	WP10
WP11 Security and Availability of Records	11.3
A1 Management and Staffing of Site	A1.1
A2 Site Completion and Final Landform	A2
A3 Site Security	A3.1, A3.2, A3.3
A4 Waste Discharge and Emplacement	A4.7, A4.8
A5 Control of Pest Infestations, Scavenging Birds and Other Scavengers	A5
A9 Fires on site	A9
A11 Control and Monitoring of Noise	A11, A11.4
Appendices	1, 3, 5, 6, 7, 9, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22
Drawings	S57/82; Jan 2000, SH266-D1, dated December 99

- 1.7.2 The notice shall be accompanied by a copy of the proposed changes, and by a written assessment of the effect that implementing the proposed change to the working plan would have on the risk posed by the site to human health and the environment.
- 1.7.3 The Licence Holder shall provide up to 6 additional copies of the proposed change and supporting risk assessment to the Agency, when required by the Agency in writing.
- 1.7.4 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.

Amendments to the working plan requiring prior notification to the Agency

1.7.5 Except where it is specified under condition 1.7.1 above that the amendment of specified sections of the working plan requires the prior consent of the Agency, the Licence Holder shall give the Agency not less than 7 days prior written notice of any change to the working plan and to any appendices, drawings and figures which are referenced from those sections.

1.7.6 The notice shall be accompanied by a copy of the specified changes.

1.7.7 The Licence Holder shall provide up to 6 additional copies of the proposed change to the Agency, when required by the Agency in writing.

1.7.8 Such changes to the working plan shall be deemed to be incorporated in the working plan and implemented on the date specified to the Agency in the amendment notification.

1.8 **Notification of change of operator's or holder's details**

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

- a** where the Licence Holder is an individual or named individuals:
 - i** where the Licence Holder consists of more than one named individual, the death of any of those individuals;
 - ii** any change in the Licence Holder's name(s) or address(es);
 - iii** any steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership;
 - iv** the Licence Holder at the time of issue of the licence and of any change in the Licence Holder or in the Licence Holder's trading name, address, registered name or registered office address (if different from the Licence Holder); or
- b** where the Licence Holder is a registered company:
 - i** i) any change in the Licence Holder's trading name, registered name or registered office address;
 - ii** ii) any steps taken with a view to the Licence Holder going into administration, entering into a company voluntary arrangement or being wound up;
 - iii** the Licence Holder at the time of issue of the licence and of any change in the Licence Holder or in the Licence Holder's trading name, address, registered name or registered office address (if different from the Licence Holder); or
- c** where the Licence Holder is a corporate body other than a registered company:
 - i** i) any change in the Licence Holder's name or address;
 - ii** ii) any steps taken with a view to the dissolution of the Licence Holder;

- iii) the Licence Holder at the time of issue of the licence and of any change in the Licence Holder or in the Licence Holder's trading name, address, registered name or registered office address (if different from the Licence Holder)

1.9 Notification of preparatory works

- 1.9.1 No preparatory works shall be undertaken unless at least 7 days prior notice in writing has been given to the Agency of the intention to do so. The notification shall include details of what work is being done and when.

1.10 Notification of commencement, cessation and resumption of waste handling operations

Specified waste management operations

- 1.10.1 No specified waste management operation shall be carried out unless at least 7 days prior notice in writing has been given to the Agency of the intention to commence carrying out the specified waste management operation.

Cessation and resumption of receiving wastes

- 1.10.2 In the event that the site ceases receiving wastes for longer than 21 days then within 7 days following the elapse of that time, the Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of resumption. In the event that the site recommences receiving wastes sooner than the notified date then the Licence Holder shall give the Agency not less than 7 days prior notice in writing.

1.11 Notifications and submissions to Agency

- 1.11.1 Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions:
- a) shall be made in writing to the address specified by the Agency in writing at the time of issue of this licence, or as subsequently specified by written notification to the Licence Holder;
 - b) shall quote the licence reference number and the name of the Licence Holder.

Site engineering for pollution prevention and control

2.1 Engineering surveys

- 2.1.1 A network of stable, permanent survey control stations [minimum four] shall be established and maintained for the control of all survey work around the site. The stations shall be referenced to Ordnance Survey National Grid co-ordinates, the grid alignment to be within ± 1 metre and Levels referenced to Ordnance Datum. The accuracy of horizontal control shall not be less than 1:20 000. The level values of adjacent stations shall agree to less than or equal to 0.005 metres. No waste shall be accepted at the site unless a schedule of descriptions, co-ordinates and level values of all control stations, together with details of Bench Marks used, has been submitted in writing to the Agency.
- 2.1.2 A topographic survey shall be carried out immediately before the start of filling of each phase or cell, at annual intervals (unless otherwise agreed in writing by the Agency), and at the completion of restoration. The scale shall adequately show surveyed features and be at least 1:1250. The surveys shall be sufficient to produce plans that include all roads, structures, boundaries, monitoring points and all other relevant site features. The results of the survey shall be presented as a plan, including the immediate neighbouring landform or an indication of that landform. Plan positions of ground features to be shown to within 1 metre. Spot levels to 0.01m shall be shown at significant landform changes to a density to adequately indicate the true landform, no greater than 50 metre interval in open areas of even gradient, closer when indicating embankments, stockpiles, etc. A calculation of void space in cubic metres, taking account of settlement, shall be carried out at start and at each annual survey. The results of the survey and the calculation shall be submitted to the Environment Agency within 1 month of the survey being carried out.

2.2 Landfill gas management systems

Provision of landfill gas management system

- 2.2.1 Each phase in which waste is deposited shall have an engineered landfill gas management system constructed, completed, documented and recorded in accordance with section 8.2 of the working plan.
- 2.2.2 The engineered landfill gas management system provided for each phase shall be operated and maintained, and fully documented and recorded, in accordance with sections 8.2 and 8.7 of the working plan.

Construction quality assurance of landfill gas management systems

- 2.2.3 No wastes shall be deposited in any phase unless:
- a** prior to construction, a Construction Quality Assurance Plan covering all elements of the engineered landfill gas management system for that phase has been submitted in writing to the Agency and the Agency has given its written consent to it;
 - b** prior to construction, details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the construction have been submitted in writing to the Agency and acknowledged in writing by the Agency.
- 2.2.4 The engineered landfill gas management system for that phase shall be constructed and recorded in accordance with the Construction Quality Assurance Plan, and the construction shall be completed within 6 months following completion of waste deposits in that phase or temporary cessation of waste deposits in that phase for a period of time longer than 3 months.
- 2.2.5 Changes to the Construction Quality Assurance Plan, quality assurance, and detailed method statements required under condition 2.2.3 of this licence shall not be implemented unless they have been notified in writing to the Agency, and the Agency has given its written consent to those changes.
- 2.2.6 Within 1 calendar month following completion of the specified engineering works for each phase, the Validation Report on the construction of the engineered landfill gas collection and extraction system for that phase shall be submitted in writing to the Agency.

2.3 Engineered surface water management systems

Provision of engineered surface water management systems

- 2.3.1 Engineered surface water management systems for each phase shall be provided, which shall have been constructed, completed, documented and recorded in accordance with section 3.2 and 3.3 of the working plan.
- 2.3.2 The engineered surface water management system provided for each phase shall be operated and maintained, and fully documented and recorded in accordance with section 3.2 of the working plan and the standards specified in Table 2.1 below.

Table 2.1 Surface water management system standards

Surface water management system	Specified standards
Design of surface water containment system	The surface water management system shall be designed to; - prevent surface water entering the landfilled waste. - prevent surface water damage to final landforms on the the site.
Inspection and maintenance of surface water management systems	All peripheral ditches or drains constructed shall be inspected on a weekly basis for blockages, defects or damage. Blockages shall be remedied the same working day they are detected, damage and other defects shall be remedied as soon as practicable.
Records	A record shall be made in the site diary of all inspections of the surface water management system together with details of any blockages, damages or defects, and of the remedial action taken.

Construction quality assurance of engineered surface water management systems

- 2.3.3 No wastes shall be deposited in any phase unless:
- prior to construction, a Construction Quality Assurance Plan covering all elements of the engineered surface water management system for that phase has been submitted in writing to the Agency and the Agency has given its written consent to it;
 - prior to construction, details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the construction have been submitted in writing to the Agency and acknowledged in writing by the Agency.
- 2.3.4 The engineered surface water management system for that phase shall be constructed and recorded in accordance with the Construction Quality Assurance Plan, and the construction shall be completed within 3 months following the completion of waste deposits in that phase.
- 2.3.5 Changes to the Construction Quality Assurance Plan, and to the quality assurance procedures and detailed method statements as referenced in section 3.2 of the working plan shall not be implemented unless they have been notified in writing to the Agency, and the Agency has given its written consent to those changes.
- 2.3.6 Within 1 calendar month following completion of the specified engineering works for each phase, the Validation Report on the construction of the engineered surface water management system for that phase shall be submitted in writing to the Agency.

2.4 Final landform and engineering

2.4.1 In the event that the specified waste management operations on the site cease and it is confirmed to the Agency that they will not be resumed, the Licence Holder shall ensure that any uncompleted phases are provided with the protection required under the other conditions of this licence, so as to achieve a landform that meets the following standards:

- a** maximum gradient of 1 in 6;
- b** minimum gradient of 1 in 25;
- c** surface water is drained from the phase to a surface water drainage system provided in accordance with condition 2.3.

2.5 Site closure and aftercare

2.5.1 The Licence Holder shall, subject to the conditions of this licence, close the landfill in accordance with section A2 and drawing SH266-D1 of the Working Plan and the standards specified in Table 2.5 below.

Table 2.5 Site Closure and Aftercare Standards

Prior to completion of the landfill, a site closure and aftercare plan shall be submitted to and agreed in writing with the Agency.

The plan shall include:

- procedures for ensuring final waste levels are achieved;
- access and site security issues once the site is closed;
- aftercare monitoring plan;
- aftercare maintenance plan;
- decommissioning plan.

Post-closure aftercare and restoration of the landfill

2.5.2 The Licence Holder shall, subject to the conditions of this licence, carry out post-closure aftercare and restoration of the landfill in accordance with section A2 and drawing SH266-D1 of the Working Plan and the site closure and aftercare plan required under condition 2.5.1.

Site infrastructure

3.1 **Provision of site identification board**

- 3.1.1 No wastes shall be received at the site unless an identification board has been provided at or near the site entrance.
- 3.1.2 The identification board shall be inspected at least once per week. In the event of damage or defect, the board shall be temporarily repaired or replaced within 3 working days and permanently repaired or replaced within 1 month.
- 3.1.3 The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:
- a** Site name and address;
 - b** Licence Holder name (company name, not individual name unless justified as necessary);
 - c** Licence number;
 - d** 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);
 - e** Statement that the site is licensed by the Environment Agency;
 - f** Agency national numbers, for General Enquiries (0845 933 3111) and Emergencies (0800 807060), or as subsequently notified in writing by the Agency;
 - g** Days and hours site is open to receive waste, which information shall be in accordance with the relevant planning permission.
- 3.1.4 The location of the notice board should be such that it is clear that it does not designate areas outside the licensed site and does not encourage illegal tipping.

3.2 **Accident prevention**

- 3.2.1 The Licence Holder shall provide and implement accident prevention plans, including contingency measures using the techniques and in the manner described in Appendices 17, 18, 19 and 20 of the working plan.

3.3 **Site security**

- 3.3.1 Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans and livestock which is not authorised either by the Licence Holder or under legal powers of entry, and to discourage illegal dumping at the facility. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with sections A3.1, A3.2 and A3.3 and Appendix 16 of the working plan and the following requirements:

Table 3.1 Site security system standards

Site security system	Specified standards
Illegal dumping	Measures shall be taken to detect and discourage illegal dumping in the facility

Site operations

4.1 Control of mud and debris

Prevention of mud and debris on road

- 4.1.1 Whenever the site is receiving or despatching wastes measures shall be provided, operated and maintained in accordance with section WP4 of the working plan, with the objective of preventing the deposit or tracking of mud or debris arising from the site onto public areas outside the site, which shall include public highways and areas of public access outside the site.

- 4.1.2 All vehicles leaving areas of the site which are operational or upon which engineering works are being carried out shall, before leaving the site, be cleaned as necessary using the specified equipment and shall be checked to ensure that they are clear of loose waste and that any waste is secure.

Remediation of mud and debris on road

- 4.1.3 In the event that mud or debris arising from the site is deposited onto public areas outside the site, remedial measures shall be implemented immediately, in accordance with section WP4 of the working plan and the following requirements:
- a The affected public areas outside shall be cleaned.
 - b Traffic shall be isolated from sources of mud and debris within the site to prevent further tracking of mud and debris, and measures shall be taken to clear any such sources as soon as practicable.

4.2 Fires on the site

Prohibition of unauthorised fires on site

- 4.2.1 No wastes shall be burned on the site.

Fire action plan

- 4.2.2 In the event of a fire on the site, notwithstanding any actions taken to suppress or extinguish the fire, a fire action plan shall be implemented immediately and recorded, in accordance with section A9 and Appendix 21 of the working plan.

4.3 **Waste acceptance and control procedures**

Waste acceptance procedures

- 4.3.1 All wastes shall be accepted in accordance with the waste acceptance procedures specified in sections 5.2, 5.3, 5.4 and 5.7 of WP5 and Appendix 3 of the working plan and the standards specified in Table 4.1 below.

Waste control procedures

- 4.3.2 All wastes accepted at the site shall be handled, kept and recorded in accordance with section 5.3, 5.4 and 5.7 of WP5 and Appendix 5 and Appendix 6 of the working plan and the standards specified in Table 4.1 below.

Waste despatch procedures

- 4.3.3 All outgoing wastes shall be inspected, despatched and recorded in accordance with section 5.5 of WP5 and Appendix 7 of the working plan.

Incompatible wastes

- 4.3.4 Incompatible wastes which are likely, in combination with each other or with other material at the facility, to give rise to pollution of the environment or harm to human health or serious detriment to the amenity of the locality, shall be clearly identified and kept physically separate in designated areas, in accordance with the standards specified in Table 4.1 below.

Table 4.1 Standards for waste acceptance and control procedures

Stage of Waste Handling	Specified standards
Pre-delivery and delivery of wastes	Before or at the time of delivery, or of the first of a series of deliveries, provided that the type of waste remains unchanged, the Licence Holder shall ensure that the waste in question can be accepted at the site according to the other conditions of this licence, and that this is recorded in accordance with condition 4.3.1
Waste reception	Wastes shall only be received at the site through the site entrance as designated on Plan CE/SHRK/WML/03 dated 16/02/01. On acceptance of each delivery the Licence Holder shall provide a written receipt to the person delivering it. All incoming waste shall be kept in the waste reception area designated on Plan CE/SHRK/WML/06 dated 16/02/01, unless it has been confirmed for acceptance at the site [or has been placed in the designated quarantine storage area pending removal from the site].
Waste inspection	All wastes received at the site shall be inspected at the site entrance and within 48 hours at the point of deposit to confirm their description and composition.
Waste rejection	Wastes which are not permitted by this licence shall be rejected and the Agency must be informed as soon as possible and in any event within seven days. Quantities and types of all wastes which are not accepted at the landfill, including origin, date of delivery and non-acceptance, identity of the producer or collector in the case of municipal waste shall be recorded in a log maintained for that purpose.
Incompatible wastes [or other potentially polluting materials which are to be used in combination with those wastes in the specified waste management operations]	Incompatible wastes [or other potentially polluting materials which are to be used in combination with those wastes in the specified waste management operations], which are likely, in combination with each other or with other material at the facility, to give rise to pollution of the environment or harm to human health outside the site, shall be clearly identified and kept physically separate in designated areas.

4.4 Waste sampling and testing

- 4.4.1** Waste shall be sampled and tested to confirm their composition and characteristics, in accordance with Appendix 3 of the working plan. Samples taken shall be retained for a minimum period of one month.

4.5 **Waste quantity measurement systems**

Means of measurement

- 4.5.1 All wastes accepted at and despatched from the site shall be measured in accordance with section WP6 of the working plan and the following requirements:

- a The weighbridge shall record quantities of wastes in tonnes to an accuracy of 0.01 tonnes.

4.6 **Waste discharge and emplacement**

- 4.6.1 Wastes shall be emplaced in each cell in such a way as to ensure stability and to avoid slippages of the mass of waste and the associated engineering and infrastructure for that cell.

Methods and procedures of waste discharge and emplacement

- 4.6.2 No wastes shall be deposited in any phase of the landfill other than in accordance with sections A4.7 and A4.8 of the working plan and the methods, procedures and standards specified in Table 4.2 below.

Table 4.2 Standards for waste discharge and emplacement

Waste discharge and emplacement	Specified standards
Methods	Waste shall be spread into a layer immediately following deposit and levelled using suitable compaction equipment.
Working areas	Tipping faces and flanks shall not exceed 2 metres in height.

4.7 **Removal of residual wastes from site**

- 4.7.1 In the event that the specified waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed within 2 months, then, notwithstanding the operational limits on storage times of wastes specified in the other conditions of this licence, the licence holder shall ensure that all wastes remaining on the site shall be removed by the date specified by the Agency in writing. This shall not apply to any wastes which have been disposed of on the site in accordance with the other conditions of this licence or prior to the issue of this licence.

5.1 Landfill gas monitoring and reporting within the waste

Landfill gas monitoring and sampling programme

- 5.1.1 Monitoring and sampling of landfill gas within the waste body of each phase shall be carried out and recorded in accordance with this condition and section WP8 and Appendix 9 of the working plan and the standards specified in Table 5.1A below.

Table 5.1A Standards for landfill gas monitoring and sampling programme

Landfill gas monitoring determinands	Monitoring frequencies	Units and accuracies	Trigger levels
Methane	Six Monthly from starting input of waste	% v/v and to 0.1%	> 1%
Carbon dioxide	Six Monthly, with methane monitoring	% v/v and to 0.1%	> 1.5%
Oxygen	Six Monthly, with methane monitoring	% v/v and to 0.1%	< 18%
Atmospheric pressure	Six Monthly, with methane monitoring	Mbar to 1 mbar and whether rising or falling	None

Baseline monitoring results (internal)

- 5.1.2 No wastes shall be accepted in any phase unless:
- a** internal background monitoring, has been carried out in accordance with this condition;
 - b** such monitoring has been carried out on 3 separate occasions at least 2 weeks apart prior to the deposit of waste in that phase;
 - c** the results of the background monitoring have been collected, interpreted and a report compiled and submitted to the Agency and receipt of the report has been acknowledged in writing by the Agency

Landfill gas monitoring and sampling records

- 5.1.3 A record of the landfill gas monitoring and sampling results shall be made and submitted to the Agency in accordance with section 8.8 of WP8 and Appendix 9 of the working plan and the standards specified in Table 5.1B below.

Table 5.1B Standards for landfill gas monitoring and sampling records

Landfill gas monitoring and sampling records	Specified standards
Making of records	Records shall include the following: i) Determinands monitored/sampled; ii) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters; iii) Results of measurements/sample analyses, with error limits; iv) Interpretation and review of results against site design lifetime and projected waste stabilisation curve; v) Validation of accuracy and validity of results, by designated quality assurer.
Submission of records	A copy of the quality assured records of each monitoring and sampling result shall be submitted to the Agency within 1 month of its being carried out.

Landfill gas generation action plan

- 5.1.4 In the event that any results exceed the trigger level specified in Table 5.1A above:
- a** the results shall be notified to the Agency in writing within 24 hours.
 - b** the landfill gas generation action plan specified in Appendix 9 of the working plan shall be implemented immediately.

5.2 Landfill gas monitoring and reporting external to the waste

Provision of engineered external landfill gas monitoring system

- 5.2.1 Engineered landfill gas monitoring systems shall be provided to enable monitoring of the gases in the ground outside the waste body, in accordance with this condition and sections 8a.2 and 8a.3 of the working plan.
- 5.2.2 The engineered external landfill gas monitoring system provided for each phase shall be:
- a** designed, constructed, completed, and shall be fully documented and recorded; and
 - b** inspected and maintained, and fully documented and recorded;
- in accordance with section 8.2 of the working plan.

Construction quality assurance of landfill gas monitoring systems

- 5.2.3 No wastes shall be deposited in any phase unless:

- a** a Construction Quality Assurance Plan covering all elements of the engineered external landfill gas monitoring system for that phase has been submitted in writing to the Agency and the Agency has given its written consent to it;
- b** details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the construction have been submitted in writing to the Agency and acknowledged in writing by the Agency.

5.2.4 The engineered external landfill gas monitoring system for that phase shall be constructed and recorded in accordance with the Construction Quality Assurance Plan, and the construction shall be completed prior to the initial deposit of waste in that phase.

5.2.5 Changes to the Construction Quality Assurance Plan, quality assurance, and detailed method statements as referenced in section 8.2 of the working plan shall not be implemented unless they have been notified in writing to the Agency, and the Agency has given its written consent to those changes.

5.2.6 Within 1 calendar month following completion of the specified engineering works for each cell or phase, the Validation Report on the construction of the engineered external landfill gas monitoring system for that phase shall be submitted in writing to the Agency.

External Landfill gas monitoring and sampling programme

5.2.7 Monitoring and sampling of landfill gas external to the waste body of each phase shall be carried out and recorded in accordance with the standards specified in Table 5.2A below.

Table 5.2A Standards for landfill gas monitoring and sampling programme (external to the site)

Landfill gas monitoring determinands	Monitoring frequencies	Units and accuracies	Trigger levels
Methane	Six Monthly, from starting input of waste	% v/v and to 0.1%	> 1%
Carbon dioxide	Six Monthly, with methane monitoring	% v/v and to 0.1%	1.5%
Oxygen	Six Monthly, with methane monitoring	% v/v and to 0.1%	< 18%
Differential pressure	Six Monthly, with methane monitoring	mbar to 1 mbar	Not applicable.
Atmospheric pressure	Six Monthly, with methane monitoring	mbar to 1 mbar	Not applicable.

Baseline monitoring results (External)

- 5.2.8 No wastes shall be deposited in a phase unless the results of background monitoring, obtained in accordance with section 8a.2 and 8a.4 of WP8a of the working plan, and covering a period of 3 consecutive months prior to the programmed date for commencing deposit in such phase, have been collected, interpreted and a report compiled and submitted to the Agency and their receipt has been acknowledged in writing by the Agency.

Monitoring and sampling records

- 5.2.9 A record of the landfill gas monitoring and sampling results shall be made and submitted to the Agency in accordance with section 8.8 of WP8 and Appendix 9 of the working plan and the standards specified in Table 5.2B below.

Table 5.2B Standards for landfill gas monitoring and sampling records

Landfill gas monitoring and sampling records	Specified standards
Making of records	Records shall include the following: i) Determinands monitored/sampled; ii) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters; iii) Results of measurements/sample analyses, with error limits; iv) Interpretation and review of results against site design lifetime and projected waste stabilisation curve; v) Validation of accuracy and validity of results, by designated quality assurer.
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 within 1 month of its being carried out.

Landfill gas monitoring action plan

- 5.2.10 In the event that any results exceed the trigger level specified in Table 5.2A above:
- a** the results shall be notified to the Agency immediately and confirmed in writing immediately;
 - b** the landfill gas generation action plan specified in Appendix 9 and Appendix 11 of the working plan shall be implemented immediately.

5.3 Groundwater monitoring and reporting systems

Provision of engineered groundwater monitoring system

- 5.3.1 Engineered groundwater monitoring systems shall be provided to enable monitoring of the groundwater outside the waste body, in accordance with this condition and section 8b.1, 8b.2 and 8b.4 of the working plan.
- 5.3.2 The engineered external groundwater monitoring system provided for each cell shall be:
- a** designed, constructed, completed, and shall be fully documented and recorded; and
 - b** inspected and maintained, and fully documented and recorded;
- in accordance with sections 8.2, 8b.3 and 8b.5 and as shown on drawing S57/82 dated Jan 2000 of the working plan.

Construction quality assurance of groundwater management systems

5.3.3

No wastes shall be deposited in any phase unless:

- a** Construction Quality Assurance Plan covering all elements of the engineered groundwater monitoring system for that phase has been submitted in writing to the Agency, and the Agency has given its written consent to it;
- b** details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the construction have been submitted in writing to the Agency and acknowledged in writing by the Agency;
- c** the engineered external groundwater monitoring system has been constructed and recorded in accordance with the Construction Quality Assurance Plan;
- d** changes to the Construction Quality Assurance Plan, quality assurance, and detailed method statements have been notified in writing to the Agency, and the Agency has given its written consent to those changes prior to their implementation;
- e** the Validation Report on the construction of the engineered groundwater monitoring system has been submitted in writing to the Agency and acknowledged in writing by the Agency.

Groundwater monitoring and sampling programme

5.3.4

Monitoring and sampling of groundwater external to the waste body of each phase shall be carried out and recorded in accordance with section 8b.2 and 8b.4 of the working plan.

Baseline monitoring results

5.3.5

No wastes shall be deposited in a phase unless the results of baseline monitoring, obtained in accordance with section 8b.2 of the working plan and covering a period of 3 consecutive months prior to the programmed date for commencing deposit in such phase, have been collected, interpreted and a report compiled and submitted to the Agency and their receipt has been acknowledged in writing by the Agency.

Groundwater monitoring and sampling records

5.3.6

A record of the groundwater monitoring and sampling results shall be made and submitted to the Agency in accordance with section 8b.6 and Appendix 12 of the working plan and the standards specified in Table 5.3B below.

Table 5.3B Standards for groundwater monitoring and sampling records

Groundwater Monitoring and Sampling Records Specified Standards

Making of records	Records shall include the following: i) Determinands monitored/sampled; ii) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters; iii) Results of measurements/sample analyses, with error limits; iv) Interpretation and review of results against trigger levels; v) Validation of accuracy and validity of results, by designated quality assurer.
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 within 1 month of its being carried out.

Reference elevations for groundwater monitoring points

- 5.3.7 On installation of each groundwater level monitoring point, a reference elevation mark shall be permanently inscribed on the groundwater level monitoring point and levelled-in to Ordnance Datum.
- 5.3.8 If the value of the reference elevation mark is changed as a result of damage, alteration, extension or movement to a monitoring point, the mark shall be re-levelled. Re-levelling shall take place before the next monitoring round or within 2 weeks, whichever is the sooner.

6 **Amenity management and reporting**

6.1 **Control, monitoring and reporting of dusts, fibres and particulates**

6.1.1 Measures shall be implemented and maintained throughout the operational life of the site to control and monitor emissions of dusts, fibres and particulates from the site, in accordance with this condition and sections 9.1, 9.3 and 9.5 and Appendix 13 of the working plan.

6.1.2 All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency.

6.2 **Control of noise and vibration**

6.2.1 Measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and sections A11 and Appendix 22 of the working plan, to control and minimise the levels of noise and vibration from operations on the site beyond the site boundary.

Noise monitoring standards

6.2.2 Noise levels arising from operations on the site shall not exceed the levels specified in A11.4 of the working plan.

6.3 **Control of pest infestations**

6.3.1 Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the presence of pests on the site, in accordance with section A5 of the working plan.

6.4 **Control of litter**

6.4.1 Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the escape of litter from the confines of the site, in accordance with section WP10 of the working plan.

6.4.2 In the event that litter does escape from the site, it shall be retrieved as soon as practicable.

7 Site records

7.1 7.1 Security and availability of records

Security of records

- 7.1.1 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 in accordance with section 11.3 of the working plan and the requirements specified in Table 7.1 below.

Availability of records

- 7.1.2 All 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.

Table 7.1 Standards for keeping of site records

Site records	Specified standards
Wastes accepted at the site; Wastes rejected and/or despatched from the site; Environmental monitoring records; Site diaries.	1. All records shall be stored either: a. on paper in a secure cabinet or cupboard; or b. on computer disc with back up copy. 2. Records shall be kept for a minimum of two years.

7.2 7.2 Records of waste movements

Recording of wastes accepted and removed

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

Loads in

- waste type as specified under condition 1.2 and in WP2.1 and Appendix 1 of the working plan
- Quantities of waste deposited or removed (tonnes)
- Its characteristics
- Origin
- Dates of its delivery and acceptance or dates of removal
- Identity of producer or in the case of municipal waste, the collector

Summary records of wastes accepted and removed

- 7.2.2 A summary record of the waste types accepted and removed from the site 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 agreed by the Agency in writing.

7.3 **Site diary**

- 7.3.1 A site diary shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events:

- a. Start and finish of site preparatory works
- b. Start and finish of daily waste management activities on site
- c. Plant maintenance and breakdown
- d. Emergencies and actions taken
- e. Problems with wastes received and actions taken
- f. Site inspections including environmental monitoring by the operator, their findings and remedial responses
- g. Despatch of records to the Agency
- h. Severe weather conditions.
- i. Technically competent management attendance on site; time onto site and time left site
- j. Complaints about site operations and actions taken.
- k. Environmental problems and remedial actions

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

7.4 **Periodic reporting of environmental performance**

- 7.4.1 The Licence Holder shall provide the Agency on an annual basis by 1 April each year, or such other time as is agreed in writing with the Agency, a report on the environmental performance of the site, which shall include the following information:

- a an analysis and review of the environmental monitoring results recorded for the site under these conditions, with an interpretation of the trend of the results against background and trigger levels;
- b a review of the risk assessment for the site, taking account of the findings under (a);
- c where changes to the risk assessment are identified under (b), a review of the risk management systems provided for the site.

Interpretation

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

"accepted"

for waste being delivered to the site, shall mean accepted as waste input to the site for storage and/or processing and/or disposal under the specified waste management operations;

"authorised officer of the Agency"

means any person(s) 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;

"clinical waste"

has the meaning as defined in regulation 1(2) of the Controlled Waste Regulations 1992 or any statutory provisions amending or replacing them;

"consequences"

for **risk assessments** carried out within these conditions, means 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 site staff or visitors to the site covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term;

"engineer"

for engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional;

"engineered"

for works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions;

"engineered landfill containment system"

means all elements (other than leachate and landfill gas management systems, and intermediate and final caps), relating to engineered liners for final disposal to land, and incorporating liners for individual cells and the site as a whole, and including methods of liner protection and leakage detection;

"engineered site containment and drainage system"

means all elements relating to engineered containment of activities on the site, other than final disposal to land, and incorporating site surfacing, bunding and drainage systems, buildings and fixed tanks;

“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;

“engineering survey”

means a survey carried out in accordance with recognised or approved standards by a suitably qualified competent person;

“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;

“Excluded wastes”

“corrosive waste”

means substances or preparations which may destroy living tissue on contact as defined by Annex III to Directive 91/689.EEC, or subsequent legislation

“explosive waste”

means waste substances or preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene as defined by Annex III to Directive 91/689.EEC, or subsequent legislation

“flammable waste”

means liquid substances and preparations having a flashpoint equal to or greater than 21°C and less than or equal to 55°C as defined by Annex III to Directive 91/689.EEC, or subsequent legislation.

“Highly flammable”

- means substances and preparations having a flashpoint below 21°C (including extremely flammable liquids) or
- substances and preparations which may become hot and finally catch fire in contact with air at ambient temperatures without any application of energy, or
- solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or
- gaseous substances and preparations which are flammable in air at normal pressures, or
- substances or preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities

as defined by Annex III to Directive 91/689.EEC, or subsequent legislation.

"Infectious waste"

substances containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms as defined by Annex III to Directive 91/689.EEC, or subsequent legislation.

"oxidising waste"

means substances or preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances as defined by Annex III to Directive 91/689.EEC, or subsequent legislation

"groundwater"

means any water contained in underground strata;

"hazard"

means a property or situation that in particular circumstances could lead to harm;

"Hazardous waste" – see "waste type"

"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);

"inert waste" – see "waste types"

"landfill gas management system"

means all elements relating to landfill gas extraction from individual landfill cells and the landfill mass as a whole, and incorporating methods of landfill gas drainage, containment and the subsequent disposal system, whether it be a methane oxidation system, landfill gas flare, landfill gas engine(s) or otherwise, either on or off the site;

"leachate management system"

means all elements relating to leachate extraction from individual landfill cells and the landfill mass as a whole, and incorporating methods of leachate drainage, containment and the subsequent treatment and/or disposal system, either on or off the site;

"liquid waste"

means any waste in liquid form including waste waters but excluding sludges

“maintenance”

for engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions;

“preparatory works”

means engineering works required prior to the carrying out of the activities authorised by this licence;

“probability”

means 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;

“received”

for waste being delivered to the site, shall mean delivered to the site and undergoing the waste acceptance procedures specified in the working plan, including storage of those wastes during those procedures prior to acceptance of the waste;

“release pathways”

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

“relevant offences”

are offences within the meaning of regulation 3 of the Waste Management Licensing Regulations 1994 or any statutory provisions or regulations amending or replacing them;

“risk”

means a combination of the **probability** and **consequences** of occurrence of a defined **hazard**;

“risk assessment”

means 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.

Unless otherwise agreed by the Agency within these conditions, a risk assessment shall include and record the following:

- 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"

means 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;

"special waste"

has the meaning as defined by regulation 2 of the Special Waste Regulations 1996 or any statutory provisions or regulations amending or replacing them;

"specified waste management operations"

means the waste management operations authorised by condition 1.1 of this licence;

"Stable, non-reactive hazardous wastes"

as defined by Article 6(c)(iii) of Council Directive 1999/31/EC means wastes (e.g. solidified, vitrified), with leaching behaviour equivalent to those of the non-hazardous wastes referred to in point (ii), which fulfil the relevant acceptance criteria set out in accordance with Annex II.

"surface water management system"

means all elements relating to collection of rain water or surface water from individual landfill phases and the landfill site as a whole, and incorporating methods of water collection, containment and the subsequent treatment and/or disposal system, either on or off the site;

"surface water"

means any lake, pond, river or watercourse whether natural or artificial;

"the 1990 Act"

means the Environmental Protection Act 1990

"the 1994 Regulations"

means the Waste Management Licensing Regulations 1994 and any statutory provisions or regulations amending or replacing them.

"the Agency"

means the Environment Agency;

"the Licence Holder"

means the Licence Holder specified in this licence or other person to whom the licence has been transferred in accordance with section 40 of the Environmental Protection Act 1990; the licence holder is a person who is in occupation of the site and has responsibility for carrying out day to day activities at the site;

"the site"

means the land, structures, plant and equipment to which this licence relates;

"time periods, e.g. annually, quarterly, monthly, per year, etc. "

Where periods are referred to in conditions, they shall be calculated in the following way:

- annually or per year: 1 April to 31 March;
- quarterly: 1 April to 30 June, 1 July to 30 September, 1 October to 31 December, 1 January to 31 March;
- monthly: calendar month;
- weekly: Monday to Sunday.

Where the issue of the licence does not coincide with the start of any of these periods, then any relevant limits for the first period shall apply pro rata;

"treatment"

means the physical, thermal, chemical or biological processes, including sorting, that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery

"waste"

means 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;

"waste types"

"hazardous waste"

means any waste which is covered by Article 1(4) of Directive 91/689/EEC or subsequent legislation

"inert waste"

means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater as defined by Article 2(e) of Council Directive 1999/31/EC, or subsequent legislation;

"Non-hazardous waste"

means any waste which is **not** covered by Article 1(4) of Directive 91/689/EEC or subsequent legislation

"working day(s)"

means the day(s) the site is open.

"working plan"

means the working plan identified in writing 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.

Explanatory notes - including rights of appeal.

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, an application for a licence or a modification of the conditions to the licence is rejected,

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 or any of the conditions to the licence as granted, you may obtain the appropriate form on which to give written notice of an appeal from:-

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

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.