



ENVIRONMENT
AGENCY

ENVIRONMENT PROTECTION ACT 1990
WASTE MANAGEMENT LICENCE

LICENCE No:- EA WML 40024

FACILITY TYPE :- WASTE TRANSFER
AND TREATMENT

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the keeping and treating of controlled waste on the land specified in schedule 1 to this licence to Process Chemicals Ltd of Lindon Road Brownhills, Walsall WS8 7BB (Company number 2559527); that person being in occupation of the said land, the said land being subject to the conditions specified in schedule 3 to this licence.

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

SCHEDULE 1. - SPECIFIED LAND

The licence relates to the land at Sneyd Hill, Burslem, Stoke on Trent ST6 2DZ (herein after called "the site") shown edged in red on Drawing titled "Further particulars related to section 4.1 Location of the Site" attached to this licence.

Signed D. M. Hudson

Name David Hudson
Area Environment Planning Manager

Dated 19th July 2000

SITE TRANSFERRED TO

FOR ENVIRONMENT AGENCY OFFICIAL USE ONLY

NAME RED INDUSTRIES LTD
ALEXANDER HOUSE

ADDRESS BETHESDA STREET
HANLEY
STOKE ON TRENT
STAFFORDSHIRE
ST6 2DE

Signed: D. M. Hudson 07/09/2006

SITE TRANSFERRED TO

NAME J & K OILS LTD

ADDRESS SNEYD HILL
BURSELEM
STOKE ON TRENT
STAFFORDSHIRE
ST6 2DZ

ON 27/7/2003

Signed C. M. Ashford

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.

I certify that this is a copy of the licence taken
from the Environment Agency records D. Whittard



SCHEDULE 2: 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 Site:	The land, structures, plant and equipment to which this licence relates.
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.
The operator:	A person who is in occupation of the site and has responsibility for carrying out day to day activities at the site.
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 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.
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.
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.
Engineering survey:	A survey carried out in accordance with recognised or approved standards by a suitably qualified competent person.
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.
Risk assessment:	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:	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 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.
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 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.
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.

SCHEDULE 3: CONDITIONS RELATING TO THIS LICENCE

SECTION 1 GENERAL CONSIDERATIONS

Condition 1.1 Specified Waste Management Operations

1.1.1 Specified Waste Management Operations

No waste management operations shall be authorised by this licence unless specified in and undertaken in accordance with the limitations in the following table:

Specified Waste Management Operation	Restrictions on otherwise Permitted Waste Types which shall be subject to the Specified Operation	Limits on Specified Waste Management Operations
Keeping of waste (Storage Bulking Segregation)	None	The total quantity of waste (including waste water from site drainage) on site at any one time should not exceed 786 cubic metres plus 500 empty drums.
Physical treatment (Separation and/or mixing of wastes and cleaning and crushing of empty drums)	Excluding asbestos	Empty containers to be stored only in the designated areas agreed in the working plan.
Chemical or physio-chemical treatment (in accordance with conditions 4.6.1 and 4.6.6)		Drums to be crushed only in the designated area agreed in the working plan. Drums are not to be stacked more than 2 high.

1.1.2 Exempt Waste Management Activities

Where wastes are being brought onto the site for waste management activities which are exempt from licensing under the Waste Management Licensing Regulations 1994 or any statutory provisions amending or replacing them, then those wastes shall be kept clearly segregated and identified from wastes which are being kept on the site for the specified waste management operations under these licence conditions.

Condition 1.2 Permitted Wastes

1.2.1 Permitted Waste Types And Quantities

No wastes other than those which are both categorised below and specified in detail in appendix IV of the working plan shall be accepted at the site.

Permitted Waste Categories	Maximum Permitted Quantities (tonnes/year)
Inert Wastes	Incidental to transfer of special and difficult wastes only
Scrap Metal	Incidental to transfer of special and difficult wastes only
Special and Difficult Wastes	24,999 tonnes per year
Degradable Commercial Wastes (excluding inert, scrap metal and special wastes)	Incidental to transfer of special and difficult wastes only
Degradable Industrial Wastes (excluding inert, scrap metal and special wastes)	Incidental to transfer of special and difficult wastes only
Degradable Household Wastes (excluding inert, scrap metal and special wastes)	Not permitted

1.2.2 Exclusion Of Waste Types With Specified Characteristics

Notwithstanding the specification of permitted waste types under condition 1.2.1, special wastes shall not be accepted which have any of the following specified characteristics:

Table 1.2.B Excluded special wastes with specified hazard codes

Hazard Code	Hazardous Properties
H1	Explosive
H9	Infectious

Notwithstanding the specification of permitted waste types under conditions 1.2.1 and 1.2.2 above, wastes shall not be accepted at the site which have any of the following characteristics:

Table 1.2.C Excluded wastes of specified form and type

Waste Characteristic	Type
Form of containers and degree of mixing within containers	Bulk, (ie loose, unpackaged) wastes other than in road tankers

1.2.2 Working Plan Amendments Requiring Prior Consent

- 3.1 The Licence Holder shall give the Agency prior notice in writing of any proposed changes to appendix IV of the working plan.
- 3.2 The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to appendix IV of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
- 3.3 Any proposed change to appendix IV of 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.

Condition 1.3 Hours Of Operation

The waste management operations authorised by this licence shall only be carried out within the times specified in the following table:

Specified Waste Management Operations	Permitted Hours
Receipt, storage and transfer of waste	24h/day; 365 days/year
Bulking and treatment of wastes	24h/day; 365 days/year
Crushing of drums	0700 to 1900 hours Monday to Friday 0700 to 1300 hours on Saturday No crushing Sundays or bank holidays

Condition 1.4 Minimum Staffing And Supervision

1.4.1 Minimum Staffing And Supervision

Whenever the site is open to receive waste 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 site for reference when required by all site staff carrying out work under the requirements of the licence.

1.4.3 Understanding Of Licence And Working Plan

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.

Condition 1.5 Changes In Technically Competent Persons

Any changes in the technically competent management of the site 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.

Condition 1.6 Relevant Convictions

1.6.1 Notification Of Convictions

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence (as defined in Regulation 3 of the Waste Management Licensing Regulations 1994 or any amendment to the aforementioned Regulation) and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency 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 Notification Of Appeals Against Convictions

In the event that the Licence Holder lodges an appeal against any such conviction, 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.

Condition 1.7 Maintenance Of Financial Provision

The financial provision for meeting the obligations under this Licence set out in the agreement made between Onyx UK Ltd trading as Onyx Total Waste Management and the Agency dated 19th July 2000 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.

Condition 1.8 Amendments To Working Plan Requiring Prior Notification

1.8.1 Amendments To Working Plan Requiring Prior Notification

Except where it is specified under the other conditions of this licence that the amendment of specified sections of the working plan requires the prior written consent of the Agency, the Licence Holder shall give the Agency prior written notice of any change to the working plan. 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.

1.8.2 Amendments To Supporting Information References In The Working Plan

- 2.1 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, and 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.
- 2.2 Supporting information which is referenced in any section of the working plan shall be deemed to be separate from that section if the reference is to the title and other identifier, but not to a specific dated version, and amendments to the referenced information shall be subject to the same requirement to give prior written notice to the Agency as specified in 1.11.1 above.

Condition 1.9 Notification Of Change Of Operator's Holder's Details

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

1. where the Licence Holder 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 operator's trading name, registered name or registered office address (if different from the Licence Holder);
2. where the Licence Holder is a registered company;

- 2.1 any change in the Licence Holder'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;
- 2.3 any change in the operator's trading name, registered name or registered office address (if different from the Licence Holder).

Condition 1.10 Cessation Of Waste Management Operations

In the event that the site ceases all waste management operations either permanently or for longer than 3 months 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. In the event that the site recommences waste management operations sooner than the notified date then the Licence Holder shall give the Agency at least 5 working days notice in writing.

Condition 1.11 Notifications And Submissions To Agency

Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions:

1. 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;
2. shall quote the licence reference number and the name of the Licence Holder.

SECTION 2 SITE ENGINEERING FOR POLLUTION PREVENTION AND CONTROL

Condition 2.1 Engineered Site Surface And Drainage System

2.1.1 Provision Of Site Surface Water Collection And Drainage System

No waste shall be deposited or handled in any area of the site until the engineered site surface and drainage system for that area has been constructed and completed in accordance with this condition and sections 7 and 8 of the working plan.

2.1.2 Design, Construction And Maintenance Procedures And Records

The engineered site surface and drainage system shall be maintained, and shall be fully documented and recorded, to the specified standards in accordance with the sections 7, 8.4.1, and 4 of the working plan.

2.1.3 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to sections 7, 4 and 8.4.1 of the working plan.
2. The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to sections 7, 4 and 8.4.1 of the working plan on the risk of the site to human health and the environment.
3. Any proposed change to sections 7, 4 and 8.4.1 of 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.

Condition 2.2 Engineered Containment For Storage Of Waste In Fixed Tanks

2.2.1 Provision Of Engineered Containment – Above Ground Tanks

All above ground tanks (and their associated inlet and outlet pipes) used for the storage of potentially polluting or hazardous wastes in liquid, sludge or powder form, shall be located within a bund and on an impermeable pavement, as specified in section 8.4 of the working plan.

2.2.2 Design, Construction And Maintenance Of Engineered Containment – Above Ground Tanks

These bunds and impermeable pavements shall be maintained, and shall be fully documented and recorded, in accordance with section 4.7 of the working plan.

2.2.3 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to sections 8.4 or 4.7 of the working plan.

2. The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section 8.4 or 4.7 of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
3. Any proposed change to sections 8.4 or 4.7 of the working plan shall not be implemented unless the Agency has given its written consent to it.
4. 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.

Condition 2.3 Engineered Containment For Wastes In Liquid, Sludge Or Powder Form

2.3.1 Provision Of Engineered Containment – Silled Storage Areas

All drums and other mobile tanks and containers which are used for the storage of potentially polluting or hazardous wastes in liquid, sludge or powder form, shall be stored within silled or bunded areas with impermeable pavement, as specified in sections 2.1.2, 8.1, 8.2.1 and 8.4 of the working plan.

2.3.2 Design, Construction And Maintenance Of Silled Areas

The design, construction and maintenance of the silled areas and impermeable pavement shall be in accordance with sections 8.4 and 4 of the working plan.

2.3.3 Working Plan Amendments Requiring Prior Consent

- 4.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to sections 2.1.2, 4, 8.1, 8.2.1 and 8.4 of the working plan.
- 4.2 The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to sections 2.1.2, 4, 8.2.1 and 8.4 of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
- 4.3 Any proposed change to sections 2.1.2, 4, 8.1, 8.2.1 and 8.4 of 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.

Condition 2.4 Removal Of Residual Wastes From Site

In the event that the permitted waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed, all wastes remaining on the site shall be removed by the date specified in writing by the Agency.

Condition 2.5 Control Of Emissions To Air

The mixing pit (TB1) and drum cleaning bay in front of tank G6 shall not be used until an amendment to the working plan has been submitted to the Agency and approved by the Agency in writing.

The amendment to the working plan shall give details of the pollution control measures to be used to control emissions to air from these parts of the site. The working plan amendment shall be accompanied by a risk assessment reviewing the possible emissions and showing that the control mechanisms are appropriate and will be effective.

SECTION 3 SITE INFRASTRUCTURE

Condition 3.1 Provision Of Site Identification Board

1. No wastes shall be received at the site unless an identification board has been provided at or near the site entrance.
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 outside the site entrance in daylight hours, and shall display the following information:

Site name and address;

Licence Holder name;

Operator name;

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: 0645 333111 and 0800 807060;

Days and hours site is open to receive waste.

Condition 3.2 Site Security

3.2.1 Provision And Maintenance Of Security

Site security systems shall be provided and maintained at all times during the subsistence of this licence, and shall be fully documented and recorded, in accordance with section 8.6.5 of the working plan. 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.

3.2.2 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 8.6.5 of the working plan.
2. Any proposed change to section 8.6.5 of 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.

SECTION 4 SITE OPERATIONS

Condition 4.1 Control Of Mud And Debris

4.1.1 Prevention Of Mud And Debris on Road

Whenever the site is receiving or despatching wastes, measures shall be provided, operated and maintained as specified in section 8.6.7 of the working plan, in order to prevent the deposit or tracking of mud, liquids, dust or other debris arising from the site onto public areas outside the site, which shall include public highways and areas of public access outside the site. If necessary these measures shall include cleaning of vehicle tyres before they leave the site.

4.1.2 Remediation Of Mud And Debris On Road

In the event that mud or debris arising from the site is deposited onto public areas outside the site, the remedial measures specified in section 8.6.7 shall be implemented immediately.

4.1.3 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 8.6.7 of the working plan.
2. Any proposed change to section 8.6.7 of the working plan shall not be implemented unless the Agency has given its written consent to it.
3. 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.

Condition 4.2 Potentially Polluting Leaks And Spillages Of Waste

4.2.1 Potentially Polluting Leaks And Spillages From Vehicles, Plant And Equipment

All vehicles used on the site which are under the operator's control, and all plant and all equipment used on the site in connection with waste management operations, shall be operated and maintained so as to prevent potentially polluting leaks and spillages of wastes.

4.2.2 Potentially Polluting Leaks And Spillages From Fixed Tanks

- 2.1 Each tank used to hold wastes which consist of or contain potentially polluting liquids, sludges or powders, shall be subject to the following, in accordance with section 2.3.5 of the working plan:
 - a) loaded and unloaded in accordance with the specified filling and emptying procedure;
 - b) clearly and unambiguously labelled regarding its contents;

- c) provided with means for measuring the quantity of material and the void space in the tank, which shall be maintained and calibrated as specified;
- d) monitored for quantity of material and void space and the monitoring measurements recorded;
- e) inspected and maintained according to the specified maintenance schedules and procedures, which shall be fully documented and recorded;
- f) in the event of damage or deterioration to a tank that is, or is likely to cause, a leak, that tank shall be repaired immediately.

4.2.3 Potentially Polluting Leaks And Spillages From Drums And Other Mobile Containers

Each drum or other mobile container used to hold wastes which consist of or contain potentially polluting liquids, sludges or powders, shall be subject to the following, in accordance with section 2.1.1 of the working plan:

- a) loaded and unloaded in accordance with the specified handling procedures;
- b) filled and emptied in accordance with the specified filling and emptying procedures;
- c) clearly and unambiguously labelled regarding its contents;
- d) inspected and maintained according to the specified maintenance schedules and procedures, which shall be fully documented and recorded;
- e) in the event of damage or deterioration to a container that is, or is likely to cause, a leak, that container shall be repaired or replaced immediately.

4.2.4 Control And Remediation Of Leaks And Spillages

In the event of any potentially polluting leak or spillage occurring on site the documented control and remediation procedures specified in appendix VII of the working plan shall be implemented immediately and recorded.

Condition 4.3 Waste Acceptance And Control Procedures

4.3.1 Waste Acceptance Procedures

All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the waste acceptance procedures specified in section 2 of the working plan. All incoming waste shall be kept in the drum offloading and sampling area until it has been confirmed for acceptance at the site or has been placed in the designated quarantine storage area pending removal from the site.

4.3.2 Waste Segregation

All wastes received at the site shall be sampled to confirm the waste type and transferred to the appropriate segregated waste tank or bay within 2 working days.

4.3.3 Waste Control Procedures

All wastes accepted at the site shall be handled, kept and recorded in accordance with the waste control procedures specified in section 2 of the working plan.

4.3.4 Waste Despatch Procedures

All outgoing wastes shall be inspected, despatched and recorded in accordance with the following requirements:

All wastes despatched from the site shall be inspected prior to despatch to confirm their description and composition and that they are suitably contained.

4.3.5 Incompatible Wastes

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 outside the site, shall be clearly identified and kept physically separate in designated areas, as specified in sections 2.1.2 and 2.2 of the working plan.

Condition 4.4 Waste Sampling And Testing

4.4.1 Sampling And Testing Of Wastes

All incoming wastes shall be sampled and tested in accordance with the quality assured schedules, methods and procedures specified in section 3 of the working plan to confirm their composition and characteristics.

4.4.2 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 3 of the working plan.
2. The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section 3 of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
3. Any proposed change to section 3 of 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.

Condition 4.5 Waste Quantity Measurement Systems

4.5.1 Means Of Measurement

All wastes accepted at and despatched from the site shall be measured in accordance with section 2.3.10 of the working plan.

4.5.2 Working Plan Amendments Requiring Prior Consent

2.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 2.3.10 of the working plan.

2.2 Any proposed change to section 2.3.10 of 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.

Condition 4.6 Waste Treatment Processes

4.6.1 Specified Waste Treatment Processes

pH correction, neutralisation, oxidation and reduction, precipitation, flocculation, phase separation filtration, centrifugation, consolidation and cementation shall only be carried out on the site in accordance with this condition and the working plan.

4.6.2 Design, Construction, Installation, Testing, Commissioning, Operation And Maintenance Of Plant And Equipment For Chemical Or Physio-Chemical Treatment

The plant and equipment used for chemical and/or physiochemical treatment shall be designed, constructed, installed, operated and maintained, which shall be fully documented and recorded, in accordance with the working plan.

4.6.3 Engineering Quality Assurance

The plant for chemical or physiochemical treatment shall not receive waste inputs, other than those required to carry out identified commissioning tests agreed in writing by the Agency, unless a Validation Report on the construction and commissioning of the plant and equipment for that process has been submitted in writing to the Agency, and the Agency has acknowledged its receipt in writing.

4.6.4 Process Quality Control

The chemical or physiochemical treatment of waste shall only be carried out in accordance with the fully documented and recorded quality control and quality assurance programme specified in the working plan.

4.6.5 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to the working plan with regards to chemical or physiochemical treatment of waste.
2. 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 site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
3. Any proposed change to this section of 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.

4.6.6 Submission Of Working Plan

No chemical or physiochemical processes for the treatment of waste shall take place on site until a modification to the working plan has been submitted to the Agency and approved in writing by the Agency. The modification to the working plan shall detail the design, construction, operation, maintenance and quality control procedures to be used and address the requirements of conditions 4.6.1, 4.6.2, 4.6.3, 4.6.4 and 4.6.5 above.

Condition 4.7 Asbestos Bearing Wastes

4.7.1 Special Requirements For Handling Asbestos Bearing Wastes

Notwithstanding the other conditions in this licence, all asbestos bearing wastes shall be kept in accordance with the measures specified in section 2.3.8 of the working plan.

4.7.2 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 2.3.8 of the working plan.
2. The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section 2.3.8 of the working plan on the risk of the site to land, to groundwater, to surface water, and to humans dwelling or working in the vicinity of the site.
3. Any proposed change to section 2.3.8 of 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.

Condition 4.8 Fires On The Site

4.8.1 Fires On The Site

1. No wastes shall be burned on the site other than through a specified waste management operation authorised under the other conditions of this licence.
2. In the event of a fire on the site (except those which are specified waste management operations under these conditions), the fire action plan specified in appendix VII of the working plan shall be implemented immediately.

4.8.2 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to appendix VII of the working plan.
2. The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section appendix VII of the working plan on the risk of the site to humans dwelling or working in the vicinity of the site.
3. Any proposed change to section appendix VII of 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.

SECTION 6 AMENITY MANAGEMENT AND MONITORING

Condition 6.1 Containment And Control Of Litter

- 1.1 The following measures shall be taken throughout the operational life of the site, to contain and control litter within the site:

The site shall be inspected daily for litter and any loose litter shall be collected before the end of the working day.

- 1.2 In the event that litter does escape from the site, it shall be retrieved immediately.

Condition 6.2 Control, Monitoring And Reporting Of Dusts, Fibres And Particulates

6.2.1 Prevention Of Releases Of Dusts, Fibres And Particulates

Measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section 2.3.7 of the working plan, to prevent and minimise the release of airborne dusts, fibres and particulates arising from the site beyond the site boundary.

6.2.2 Working Plan Amendments Requiring Prior Consent

1. The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 2.3.7 of the working plan.
2. Any proposed change to section 2.3.7 of 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.

Condition 6.3 Control Of Odours

6.3.1 Prevention Of Odours

Measures shall be implemented throughout the life of the site, in accordance with this condition and section 2.3.6 of the working plan, to prevent and minimise the release of offensive odours from the site beyond the site boundary.

6.3.2 Working Plan Amendments Requiring Prior Consent

- 3.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 2.3.6 of the working plan.
- 3.2 The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section 2.3.6 of the working plan on the risk of the site to human health and the environment.

- 3.3 Any proposed change to section 2.3.6 of 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.

6.3.3 Control Of Odours

1. All emissions to air from the specified waste management operations on the site shall be free from offensive odours outside the site boundary, as perceived by an authorised officer of the Agency.
2. In the event that any offensive odours arising from the site are released or are likely to be released outside the site boundary in such quantities or concentrations that they are likely to cause pollution of the environment, harm to human health and/or serious detriment to the local amenity, the actions specified in section 2.3.6 will be implemented immediately.

6.3.4 Working Plan Amendments Requiring Prior Consent

- 3.1 The Licence Holder shall give the Agency prior notice in writing of any proposed change to section 2.3.6 of the working plan.
- 3.2 The written notice shall be supported by a written risk assessment of the effect of implementing the proposed change to section 2.3.6 of the working plan on the risk of the site to human health and the environment.
- 3.3 Any proposed change to section 2.3.6 of 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.

SECTION 7 MAINTAINING AND SUBMITTING RECORDS

Condition 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 secure in the site office.

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.

Condition 7.2 Recording Of Wastes Accepted And Removed

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:

- 1.1 Loads in: Nature (solid, sludge or liquid), waste type as specified in appendix IV of the working plan, quantity (tonnes), date received, date accepted.
- 1.2 Loads out: Nature (solid, liquid or sludge), waste type as specified in appendix IV of the working plan, quantity of waste removed (tonnes), date removed.

Condition 7.3 Summary Records Of Wastes Accepted And Removed

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.

Condition 7.4 Site Records

1. Site records 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:

Start and finish of construction or major maintenance works.

Break down of plant and details of repairs.

Environmental problems and remedial action taken.

Incidents of non-conforming waste being received and action taken.

Site inspections, their findings and any necessary action taken as a result.

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

EXPLANATORY NOTES – including rights of appeal

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

Appeals

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

Notice of an Appeal must be given within 6 months of the date of issue of this licence. The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of an appeal.

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

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

Tel: 0117 987 8812
Fax: 0117 987 8406

Waste Management Licensing

This licence relates only to the 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 Section 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 and 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