ENVIRONMENTAL PROTECTION ACT 1990

ENVIRONMENT AGENCY

PART II WASTE ON LAND SECTION 37

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE CONDITIONS

TYPE OF SITE: CIVIC AMENITY LICENCE NUMBER: OCC 123

OUTGOING-1

To S I T A (PRODUCTS AND SERVICES) LTD
THE PICKERIDGE
STOKE COMMON ROAD
FULMER
BUCKINGHAMSHIRE
SL3 6HA

on land at ALKERTON QUARRY, BANBURY, OXFORDSHIRE

WHEREAS Oxfordshire County Council as Waste Regulation Authority on 8 September 1993 issued a Waste Disposal Licence No. OCC 123 (now to be treated as a waste management licence) relating to land at Waste Recycling and Reception Centre, Alkerton Quarry, Banbury, Oxfordshire OX15 6NL subject to the conditions set out therein, and modifications to those conditions dated 29 April 1994, 30 June 1997 and 30 March 1998

AND WHEREAS the licence was transferred to B F I Ltd on 29 March 1996

THE ENVIRONMENT AGENCY HEREBY GIVES YOU NOTICE modifying the said conditions as shown on the schedule attached;

the modification shall take effect immediately.

Signed.....C.Travis..... **Name**.....**C.Travis**.....
(for the Area Environment Planning Manager - Thames West)

Dated ....22 March.....**2001**

PERMIT

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED AT THE END OF THIS MODIFICATION

SCHEDULE

DELETE: Conditions 004, 101, 102, 103, 416, 417

INSERT: new Condition 004 **Notification of change of operator's or holder's details**

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

a) where the Licence Holder is a registered company:

i) any change in the Licence Holder's trading name, registered name or registered office address;

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

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

c) where the Licence Holder is a corporate body other than a registered company:

i) any change in the Licence Holder's name or address;

ii) any steps taken with a view to the dissolution of the Licence Holder;

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

INSERT: new condition 005 **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 days of the change of management. Technically competent management and technical competence shall be as defined under section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the 1994 Regulations

INSERT New Condition 006 **Relevant convictions**

006.1 *Notification of relevant convictions*

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency within 14 days following sentencing, whether or not the 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.

006.2 *Notifications of appeals against convictions*

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.

INSERT new condition 007 **Site Diary**

a 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:

i plant maintenance and breakdowns;
ii any site emergency;
iii sampling exercises;
iv site inspections by regulatory authorities;
v records despatched to the Agency;
vi weather, including severe conditions;
vii any environmental problems and remedial actions;
viii any complaints received;
ix attendance time of technically competent management

b The diary entry shall be made within 24 hours of the event.

INSERT: new Condition 101 **Specified waste management operations**

No waste management operations shall be authorised by this licence unless:
a specified in and undertaken in accordance with the limitations in Table 101; or
b otherwise required by the conditions of this licence as being an integral part of those operations;
and unless they are carried out on the site in accordance with the working plan.

Table 101 Specified waste management operations

Specified Waste Management Operation	Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
D15: Keeping of waste R2: Recycling or reclamation of organic substances which are not used as solvents R3: Recycling or reclamation of metals or metal compounds R13: Storage of waste intended for submission on this site to R2 or R3, or on any other site to any operation listed in Part IV of Schedule 4 of the 1994 Regulations	Inert wastes Category A Degradable wastes Categories B,C,D	Only within the waste reception areas shown in the working plan

INSERT new Condition 102 **Permitted wastes**

Permitted categories and types of wastes

102.a No wastes shall be accepted at the site other than those which are:

a categorised below in Table 102; and

b specified in the list of waste types for the site provided in Appendix 1

Table 102 Permitted categories and quantities of waste

Permitted Waste Categories	Maximum Permitted Quantity (tonnes/year)
Inert wastes Category A	2,600
Degradable waste Category B	10,400
Category C	7,800
Category D	520

102.b *Permitted quantities of wastes*

The quantities of wastes accepted shall not exceed those listed in Table 102 above.

INSERT: new Condition 416 **Waste quantity measurement systems**

Means of measurement

All wastes despatched from the site shall be measured in accordance with the following requirements:

The weight of all wastes despatched from the site shall be determined by means of either:

a a public weighbridge or a weighbridge located within the site and identified on the site layout plan, and the weighbridge used shall record quantities of waste in tonnes to an accuracy of 0.02 tonnes; or

b the conversion of volume to weight in tonnes using volume/weight conversion factors which have been agreed in writing by the Agency.

iNSERT: new Condition 417 **Site records**

Security and availability of records

Security of records

417.a All records which are required to be made under the other conditions of this licence and the working plan shall be maintained and kept secure from loss, damage or deterioration, and shall be kept at the location specified in the working plan and in accordance with the requirements specified in Table 417.a below.

Table 417.a Standards for keeping of site records

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

417.b *Availability of records*

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.

417.c *Records of waste movements*

Recording of wastes accepted and removed

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

Loads out :- Nature (solid or liquid), waste type as specified under condition 101 and in the working plan, quantity of waste removed (tonnes), date removed.

417.d *Summary records of wastes accepted and removed*
A summary record of the waste types 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.

INSERT: new Condition 418 **Removal of residual wastes from site**
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 waste 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 include, where required by the Agency, decontamination of plant, equipment and engineered containment system for the site.

INSERT: new Condition 419
Waste oil shall not be mixed with polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or any other type of waste.

INTERPRETATION

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

"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;

"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);

"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;

"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;

"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;

"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 operator"
means 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;

"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;

"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.

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:
Where, except in pursuance of a direction given by the Secretary of State,

(a) an application for a modification of the conditions to the licence is rejected,
(b) the conditions to a licence are modified,

the applicant may appeal from the decision to the Secretary of State.

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

The Planning Inspectorate,
Room 13/14,
Tollgate House,
Houlton Street
Bristol,
BS2 9DJ.

TEL 0117 987 8812
FAX 0117 987 6093

This notice of appeal should be accompanied by the following information:
a statement of the grounds of appeal;
a copy of the licence;
a copy of any correspondence relevant to the appeal;
a copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development and
a statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations.
You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.