

ENVIRONMENTAL PROTECTION ACT 1990 SECTION 37

WASTE MANAGEMENT LICENCE NOTICE OF MODIFICATION

LICENCE REF No: 201/1	FACILITY TYPE: Civic Amenity Site
LICENCE HOLDER: Leicestershire County Council County Hall Leicestershire County Council Dept of Highways, Transportation and Waste Management Glenfield Leicester Leicestershire LE3 8RJ	LICENSED FACILITY: Barwell Civic Amenity Site Stapleton Lane Barwell Hinckley LE9 8HD

WHEREAS on the 31 March 1993 the Leicestershire County Council issued a waste disposal licence (now to be treated as a waste management licence) in pursuance of its powers under Part 1 of the Control of Pollution Act 1974 for the above named facility to Paul Gunby and Karl Robert Dann

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Environment Agency ("the Agency") by virtue of section 2 of the Environment Act 1995

AND WHEREAS on the 29 April 1994 and the 4 December 2003 the said licence was modified

AND WHEREAS on the 31 March 1998 the said licence was transferred

NOTICE IS HEREBY GIVEN that the Agency modifies the conditions of the said licence in accordance with Section 37(1)(b) of the Environmental Protection Act 1990 and as set out in the Schedule attached to this notice.

Signed _____ Name Ian Brindley
Team Leader _____
Dated 10th November 2006

This modification shall take effect on 11th November 2006 at 00.01 hours

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

Environment Agency, Sentinel House, Wellington Crescent, Fradley Park, Lichfield, Staffs, WS13 8RR

SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION

Modification of conditions under section 37(1)(b) as follows:

Delete existing conditions 3, 27 and appendices A, B, C, D, E and F

Add new conditions 28, 29, 30 and appendix G

28 General considerations

28.1 Specified waste management operations

- 28.1.1 No waste management operations shall be authorised by this licence unless:
- a) specified in and undertaken in accordance with the limitations in section 1.1.1 of the working plan and in the following table; or
 - b) otherwise required by the conditions of this licence as being an integral part of those operations:

Table 28.1 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: Storage pending, on this site any of the category "D" operations authorised under this column, or elsewhere than on this site, any of the operations listed in Part III of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).	All wastes specified in Appendix G	Maximum storage capacity 305 tonnes, comprising no more than 10 tonnes of hazardous household waste for disposal and no more than 10 tonnes of waste oil. A site layout plan shall be maintained in accordance with condition 1.
R13: Storage of waste consisting of materials intended for submission, on this site to any of the category "R" operations authorised under this column, or elsewhere than on this site, to any of the operations listed in Part IV of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).		

Specified Waste Management Operations and Exempt Waste Management Operations

- 28.1.2 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.

28.2 Permitted wastes

Permitted categories and types of wastes

- 28.2.1 No wastes other than those, which are categorised below in Table 28.2A and specified in detail in Appendix G to these conditions shall be accepted at the site.

Table 28.2 A Permitted quantities of waste

Permitted Waste Categories	Maximum Permitted Quantities for each waste category (subject to maximum permitted total quantity in condition 28.2.2) (tonnes/year)
Inert Household wastes	19,000 tonnes/year
Metal Household wastes	19,000 tonnes/year
Hazardous Household wastes	19,000 tonnes/year
Degradable Household wastes	19,000 tonnes/year

Permitted quantities of wastes

- 28.2.2 The total quantity of waste accepted at the site per year shall not exceed 19,000 tonnes.

Exclusion of waste with specified hazard characteristics

- 28.2.3 Notwithstanding the specification of permitted waste types under condition 28.2.1 above, wastes shall not be accepted at the site which have any of the following characteristics:

Table 28.2B Excluded hazardous wastes with specified hazard codes

Hazard Code	Hazardous Properties
H1	Explosive
H3-A	Highly Flammable
H9	Infectious
H10	Teratogenic
H11	Mutagenic
H12	Substances or preparations which release toxic or very toxic gases in contact with water, air or an acid

29 Site operations

29.1 Waste acceptance and control procedures

Waste acceptance procedures

- 29.1.1 All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the standards specified in Table 29.1 below.

Waste control procedures

- 29.1.2 All wastes accepted at the site shall be handled, kept and recorded in accordance with the standards specified in Table 29.1 below.

Waste despatch procedures

- 29.1.3 All outgoing wastes shall be inspected, despatched and recorded in accordance with the standards specified in Table 29.1 below.

Table 29.1 Standards for waste acceptance and control procedures

Stage of Waste Handling	Specified standards
a) Waste inspection	Wastes stored at the site shall be regularly checked during the working day to ensure they comply with the permitted waste types detailed in condition 28.2.1 and that they are stored in the appropriate container and location within the site.
b) Waste control procedures: quarantine storage and rejection of wastes	i) Any items of non-permitted waste which are detected after acceptance at the site, shall be placed immediately in a designated quarantine container, and, where these are or appear to be hazardous wastes, the Agency shall be informed immediately; ii) In the quarantine area, wastes shall be kept segregated from other wastes which are or are likely to be incompatible; iii) Quarantined wastes shall be removed from site within 7 days; iv) The maximum quantity of wastes kept in the quarantine storage area shall be 4.6m³ at any one time. v) A record shall be kept in the site diary of all rejected wastes and all wastes kept in quarantine storage.
c) Identification of wastes	i) Areas, bays and containers shall be clearly defined and labelled to identify the wastes stored within them; ii) Containers for hazardous household waste shall be appropriately labelled.
d) Waste despatch procedures	All wastes despatched from the site shall be inspected prior to despatch to confirm their description and composition.
e) Incompatible wastes	Incompatible wastes that 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.

29.2 Storage of hazardous waste with specified hazardous properties or forms

29.2.1 Notwithstanding the specification of permitted waste types under condition 28.2, wastes displaying any of the hazardous properties or forms specified in Table 29.2 shall only be handled and/or stored on the site in accordance with the standards specified in Table 29.2 below or otherwise subsequently agreed with the Agency in writing.

Table 29.2 Standards for handling and/or storage of wastes with specified characteristics

Storage requirement	Specified standards
a) Solid wastes which when handled or stored are likely to generate significant quantities of dusts, fibres or particulates	These wastes only permitted if they are handled and stored either in: i) buildings or containers providing containment of aerial emissions of dusts and particulates; or ii) bays or roofed areas provided with a permanent water supply and water spraying or misting equipment, and with an impermeable pavement and a sealed drainage system; and the water spraying or misting equipment is used at all times when significant quantities of dusts, fibres or particulates are likely to be, or are being generated.
b) Odorous wastes, including wastes which are likely to be odour producing during storage	i) These wastes only permitted if: • stored in sealed containers and in areas provided with impermeable pavement and sealed drainage; or • stored in covered buildings providing containment of aerial emissions; or • stored in bays provided with an impermeable pavement and sealed drainage. ii) These wastes shall not be stored for longer than 48 hours, unless otherwise agreed in writing with the Agency.
c) Solid wastes which are likely to produce polluting or contaminating run-off	i) Inert wastes only permitted if stored in bays with either: • hardstanding and drainage that prevents run-off from the waste into adjacent surface water bodies or storm water drains; or • an impermeable pavement and sealed drainage. ii) Degradable Household wastes only permitted if stored in areas with impermeable pavement and sealed drainage and either: • stored in sealed containers; or • stored in covered shelters or roofed areas; or • stored in bays.
d) Wastes which are in a form which is either sludge or liquid	These wastes only permitted if: • stored in liquid-retaining, covered containers; and • stored in areas provided with impermeable pavement and sealed drainage.
e) Combustible wastes	These wastes only permitted if stored in bays provided with an impermeable pavement and sealed drainage, and with access to fire fighting equipment.
f) Wastes which are likely to attract pests	These wastes shall not be stored for longer than 48 hours, unless otherwise agreed in writing with the Agency.
g) Wastes which are likely to attract scavengers	These waste only permitted if: • stored in closed or secure containers; or • stored in covered buildings providing security against scavengers, or

	• stored in bays provided with netting or fencing providing security against scavengers.
h) Hazardous household waste	Shall only be stored in sealed containers within a secure hazardous waste store. • Lead acid batteries shall be stored in a covered area with an impermeable acid resistant base or acid resistant leak proof container with a close fitting lid.
i) Wastes which include light wastes or other wastes liable to give rise to litter	These wastes only permitted if: • stored in sealed containers and in areas provided with impermeable pavement and sealed drainage; or • stored in covered buildings providing containment of aerial emissions of litter; or • stored in bays provided with litter control netting or fencing.

30 Site records

30.1 **Security and availability of records**

Security of records

- 30.1.1 All records which are required to be made under the conditions of this licence shall be maintained and kept secure from loss, damage or deterioration, and shall be kept in accordance with the requirements specified in Table 30.1 below.

Availability of records

- 30.1.2 All records which are required to be made under the other conditions of this licence shall be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency.

Table 30.1 Standards for keeping of site records

Site records	Specified standards
Wastes stored at the site; Wastes rejected; Wastes 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 of hazardous household waste shall be kept throughout the subsistence of this licence. 3. All other waste records shall be kept for a minimum of two years.

30.2 **Records of waste movements**

Recording of hazardous household waste storage

- 30.2.1 At all times a record shall be maintained of the types and quantities of hazardous household waste stored on site.

Appendix G

Permitted Wastes (Condition 28.2.1)

EWC	Description
13	OIL WASTES AND WASTES OF LIQUID FUELS (EXCEPT EDIBLE OILS AND THOSE IN CHAPTERS 05, 12 AND 19)
13 02	waste engine, gear and lubricating oils
13 02 05*	mineral-based non chlorinated engine, gear and lubricating oils
13 02 06*	synthetic engine, gear and lubricating oils
13 02 07*	readily biodegradable engine, gear and lubricating oils
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 05	gases in pressure containers and discarded chemicals
16 05 05	gases in pressure containers other than those mentioned in 16 05 04
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	concrete, bricks, tiles and ceramics
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixture of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	separately collected fractions (except 15 01)
20 01 01	paper and cardboard
20 01 02	glass
20 01 08	biodegradable kitchen and canteen waste
20 01 10	clothes
20 01 11	textiles
20 01 13*	solvents
20 01 14*	acids
20 01 15*	alkalines
20 01 17*	photochemicals
20 01 19*	pesticides
20 01 21*	fluorescent tubes and other mercury containing waste
20 01 23*	discarded equipment containing chlorofluorocarbons
20 01 26	oil and fat other than those mentioned in 20 01 25
20 01 27*	paints, inks, adhesives and resins containing dangerous substances
20 01 28	paints, inks, adhesives and resins other than those mentioned in 20 01 27
20 01 29*	detergents containing dangerous substances
20 01 30	detergents other than those mentioned in 20 01 29
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 34	batteries and accumulators other than those mentioned in 20 01 33
20 01 35*	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components (°)
20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 37*	wood containing dangerous substances
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	plastics

20 01 40	metals
20 01 41	wastes from chimney sweepings
20 02	garden and park wastes (including cemetery waste)
20 02 01	biodegradable waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
20 03	other municipal wastes
20 03 01	mixed municipal waste
20 03 07	bulky waste

Any waste marked with an asterisk (*) is considered hazardous waste

(*) Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass etc

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, the conditions of a licence are modified, the licence holder may appeal from the decision to the Secretary of State.

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

The Planning Inspectorate
Environment Appeals Team
Room 4/12, Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

For Wales, the address is –
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0117 372 8726
Fax: 0117 372 8139

Tel: 02920 823859
Fax: 02920 825150

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

A statement of the grounds of appeal;

A copy of any application to modify the licence;

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 shown on the modification notice). 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.