

FILE



ENVIRONMENT AGENCY



THE ENVIRONMENTAL PROTECTION ACT 1990 WASTE MANAGEMENT LICENCE

LICENCE REF NO:- 2/97/472/56SW SITE TYPE:- TRANSFER/ RECYCLERS

The Environment Agency, in pursuance of part II of the Environmental Protection Act 1990, hereby grant a Waste Management Licence authorising the **keeping and treatment** of controlled waste in or on the land specified in Schedule 1 to this licence to **John Edward Adkins and Geoffry Alan Adkins** those persons being in occupation of the said land, the said licence being subject to the conditions specified in Schedule 3 of 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 **Land off Hallam Way, Old Mill Lane Industrial Estate, Mansfield Woodhouse Nottinghamshire** (hereinafter called "the site") shown edged red on Drawing Reference: **ABW 1 dated 10 June 1997** and attached to this licence.

Signed John Palmer Name [REDACTED]
(Team Leader Waste Licensing)

Dated 8 JUNE 1998

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, Lower Trent Area, Trentside Offices, Scarmington Road, West Bridgford, Nottinghamshire, NG2 5FA

I John Palmer Team Leader Waste Licensing hereby certify this page to be a true copy of the original.

Dated this 8 day of JUNE 1998



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SCHEDULE 2 - INTERPRETATION

IN ORDER TO GIVE MORE CLARITY TO THIS LICENCE, THE TERMS LISTED BELOW SHALL BE DEFINED IN ACCORDANCE WITH THIS GLOSSARY

"**Appropriate**" shall mean suitable for the intended act or purpose.

"**Authorised**" shall mean lawful, as permitted by law, or with a consent(s) in accordance with the law.

"**Adequate**" shall mean the minimum required to achieve or provide the requirement(s) of the licence condition.

"**Controlled waste**" is defined in Section 75 of the Environmental Protection Act 1990, the Controlled Waste Regulations 1992 and the Waste Management Licensing Regulations 1994. For the purpose of this licence, "waste" shall be used as the term which encompasses all of those materials brought to the site as permitted and may therefore, subject to the limitations of Condition 1.2.3 include wastes other than controlled wastes.

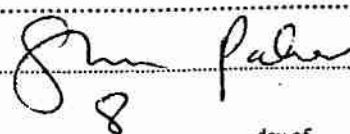
"**Impermeable**" shall mean a material which is made so as to be able to contain the liquid intended to be stored within it.

"**Quarter Day**" shall mean the first day of each quarter of a calendar year, that is 1st January, 1st April, 1st July and 1st October inclusive.

"**Relevant offences**" are prescribed in Regulation 3 of the Waste Management Licensing Regulations 1994.

"**Relevant person**" is defined in Chapter 3 of the Department of the Environment's Waste Management Paper No. 4.

"**Working Plan**" shall be all of the information, including written statements, plans and drawings submitted by the applicant for a waste management licence in support of the application for a licence and shall also include all modifications permitted by the licence to be made to it. It shall also include, as a minimum, all of the factors required by the Environment Agency in the application form, such that if a Working Plan is fully modified, all of the factors first required to be addressed at the application stage will be readdressed in the modification.

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SCHEDULE 3 - CONDITIONS RELATING TO THIS LICENCE

1. GENERAL CONSIDERATIONS

1.1 SITE LICENCE

1.1.1 This licence permits only those waste management operations defined in **Condition 1.1.2** to be carried out within the boundaries of the site.

1.1.2 This licence shall only authorise the following waste management activities:

- a) depositing;
- b) keeping;
- c) sorting; and
- d) transferring.

of the controlled waste identified in **Condition Number 1.2.1** of this licence.

1.2 WASTE CATEGORIES AND RESTRICTIONS

1.2.1 Only those categories of controlled waste detailed below, subject to the identified maximum quantities of each category of that waste not being exceeded, are permitted to be handled only in accordance with **Condition 1.1.2**:-

Types of Waste Solid Only	Maximum Quantities (Tonnes/Annum)	(Tonnes-Storage)
Waste from Category A }	24,999	800
Waste from Category B }		
Waste from Category C }		
Waste from Category D }		

Waste types with categories A, B, C and D are included within Annex 1 of this licence.

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1.2.2 Notwithstanding Condition 1.2.1, the following wastes shall not be permitted to be deposited in or on the site :-

- i) Metal in the form of dusts or powders;
- ii) Sludge of any type;
- iii) Waste which contains putrescible or biodegradable matter
- iv) Malodorous wastes

1.2.3 The deposit of waste other than controlled waste is not permitted unless the other waste is chemically and physically the same as the types of controlled waste permitted to be deposited in accordance with Condition 1.2.1 of this licence.

1.3 OPERATING TIMES

1.3.1 The site shall not be operated outside the following hours:-

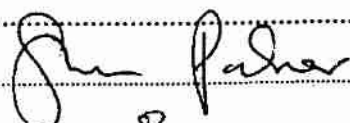
Monday - Friday	06.00 to 20.00
Saturday	06.00 to 20.00
Sunday	06.00 to 12.00
Bank Holidays	06.00 to 12.00

1.4 LIGHTING

1.4.1 Notwithstanding Condition 1.3.1 of this licence the site shall not be operated during the hours of darkness unless a scheme of lighting is installed and in operation. Details of any such scheme shall be submitted, in writing, to the Environment Agency prior to its use for incorporation into the Working Plan.

For the purpose of this licence, lighting-up times are those published by the Particle Physics and Astronomy Research Council.

During periods of darkness other than those covered by those published, the site shall be illuminated so that the checks required by the Conditions of this licence can be carried out.

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1.5 CESSATION OF OPERATIONS

- 1.5.1 Not less than 14 (fourteen) days notice shall be given to the Environment Agency of the date on which operations at the site are to commence or recommence in the event of a temporary cessation for a period in excess of 1 (one) month, unless a lesser period of notice is agreed, in writing, by the Environment Agency.
- 1.5.2 If any cessation of operations for a period in excess of 2 (two) months is planned at the site the Environment Agency shall be notified in writing prior to the cessation. Should any unplanned temporary cessation of operations at the site last for a period in excess of 2 (two) months, the Environment Agency must be notified in writing within 2 (two) months and 2 (two) working days of the time and date of the cessation.
- 1.5.3 Any temporary cessation of operations which requires diversion of waste arriving at the site to facilities elsewhere shall be notified to the Environment Agency within 2 (two) days of any such diversion taking place.

1.6 SITE SUPERVISION AND STAFFING

1.6.1 Within seven days of the issue of this licence the licence holder shall submit to the Environment Agency a list of the names and Job Titles of those persons given responsibility for carrying out operations, including management, at the site.

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Any changes to the details included in the list shall be notified to the Environment Agency in writing, where possible, prior to but in any case not more than 2 (two) working days after such changes have taken place.

1.6.2 Within seven days of the issue of this licence the licence holder shall submit to the Environment Agency a list of the names and Job Titles of those persons given responsibility for carrying out operation, other than management activities (see condition 1.6.1) at the site.

1.6.3 Operation of the site shall not occur unless at least one of the persons listed as responsible for management in accordance with Condition 1.6.1 is managing the site operations.

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1.7 EMERGENCY CONTACT DETAILS

1.7.1 Before operations commence the licence holder shall forward, in writing, to the Environment Agency, the name and telephone number of a representative of the licence holder who may be contacted out of normal working hours in the event of an emergency at the site.

Any change to these details shall be notified to the Environment Agency in writing before such changes take place.

1.8 RELEVANT OFFENCES

1.8.1 The licence holder shall inform the Environment Agency in writing of any convictions for relevant offences by relevant persons within 28 (twenty-eight) days, or other period which has been agreed in writing with the Environment Agency, of a Court conviction, whether an appeal is to be lodged against the conviction or not.

Details of any appeal made shall be forwarded to the Environment Agency as soon as possible, but in any case, the decision to make an appeal shall be notified to the Authority within the time period of 6 (six) months and 14 (fourteen) days from the date of the Court conviction.

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1.9 FINANCIAL PROVISIONS

1.9.1 The financial provision for meeting the obligations under this licence set out in the Agreement made between the licence holder and the Agency dated 8 June 1998 shall be maintained by the licence holder throughout the subsistence of the licence. The licence holder shall produce evidence of such financial provision whenever required by the Agency.

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1.10 WORKING PLAN

- 1.10.1 The site shall be operated in accordance with the methods of operation described in the Working Plan. However, in the event of any proposals or details in the Working Plan being in conflict with the licence conditions, the licence conditions shall prevail.
- 1.10.2 Those parts of the Working Plan which have been incorporated into the conditions of this licence shall not be revised, altered or otherwise modified unless an application for a modification has been made in writing to the Environment Agency.
- 1.10.3 Those parts of the Working Plan which have not been incorporated into specific conditions of this licence shall not be revised, altered or otherwise modified unless a copy of the proposed revision, alteration or other modification has been submitted to the Environment Agency in writing at least 1 (one) month, or other period of time as agreed in writing with the Environment Agency, prior to the modification being made.
- 1.10.4 Unless agreed otherwise, in writing, with the Environment Agency, a full revision or modification of the Working Plan shall include at least all of the areas covered in the original Working Plan which was submitted with the licence application.
- 1.10.5 A copy of this licence, the conditions and any modification thereto (herein referred to as "the licence") and a copy of the current issue of the Working Plan shall be available for inspection at the site control office at all times to:
 - a) Any site operatives; and
 - b) Any authorised representative of the Environment Agency.

The site manager shall be fully aware of the requirements of both the said licence and Working Plan and any other site operatives shall be similarly aware of the requirements thereof which are relevant to the operations they perform.

Additionally, users of the site shall be made aware of

- a) any requirement of the licence and
- b) those sections of the Working Plan which form part of the Conditions of this licence

which is/are relevant to them.

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1.11 EMERGENCY PROCEDURES

1.11.1 A fire at the site shall be regarded as an emergency and immediate action shall be taken to extinguish it. All outbreaks of fire shall be notified forthwith to the Nottinghamshire Fire and Rescue Service and indication given of the measures being taken to control the fire. All such occurrences shall also be notified to the Environment Agency within 24 (twenty four) hours of the fire's discovery. A record shall be kept in the site log book of all such incidents, which identifies the area of the site affected and any action taken.

(see Condition 7.3.1)

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2. SITE INFRASTRUCTURE

2.1 SITE BUILDINGS AND INFRASTRUCTURE

2.1.1 A site control office shall be provided. The location of the office shall be as in Drawing no ABW 1 dated 10 June 1997.

2.2 ACCESS

2.2.1 The site access road shall be kept clean and in a good state of repair, sufficient to allow access to the site at all times. Areas of cracking, pot holes and other damage, shall be made good no later than 10 (ten) working days after the damage has been brought to the attention of the Licence Holder in writing by the Environment Agency. A record of any repair shall be kept in the site log book (see Condition 7.3.1).

2.3 SECURITY

2.3.1 No deposit of waste shall be made at the site unless gates and fencing have been provided, as described in the working plan, in order to prevent unauthorised access to the site. Gates shall be installed at the entrance to the site and shall be of a similar strength in terms of their construction to the fence at the frontage of the site.

2.3.2 Gates shall be locked whenever the site is not staffed.

2.3.3 Gates and fences shall be inspected daily for any damage which impairs their integrity. Details of any damage found shall be recorded in the site log book. (see Condition 7.3.1).

2.3.4 Once damage to the gates and/or fencing has been detected, every effort shall be made to make any repairs within 24 (twenty four) hours of the discovery of the damage. However, in the event of damage to the gates or fences which cannot be fully repaired within this time limit the licence holder shall carry out temporary repairs, which are sufficient to assure the security of the site, by the end of the working day and ensure that the gates and/or fencing are/is fully repaired within 7 (seven) working days.

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2.4 IDENTIFICATION BOARD

2.4.1 An identification board of durable material and finish and minimum dimensions of 750 (seven hundred and fifty) millimetres by 750 (seven hundred and fifty) millimetres shall be displayed at the entrance of the site. This shall show:

- a) The name of the site
- b) The telephone number of the site
- c) The hours of operation
- d) The name, address and telephone number of the Environment Agency
- e) The Waste Management Licence reference number

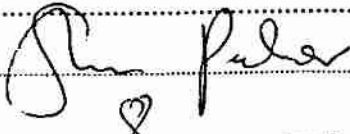
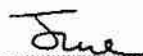
The identification board shall be kept up to date and in a good state of repair. Any damage to the identification board or changes to the details displayed on it shall be rectified no later than 14 (fourteen) working days after any change to the details has occurred or after the damage the has been noted and logged in the Site Log Book (see Condition 7.3.1). The identification board shall be maintained in a legible condition.

2.5 INTERNAL ROADS AND AREAS OF HARDSTANDING

2.5.1 Areas of hard standing constructed for the operation of the site shall be kept clean and in a good state of repair. Areas of cracking, pot holes and other damage, which can or may cause damage to the vehicles using the site, shall be made good no later than 10 (ten) working days after the damage has been identified by the licence holder or has been brought to the attention of the Licence Holder in writing by the Environment Agency. A record of any repair shall be kept in the site log book (see Condition 7.3.1).

2.6 WHEEL CLEANING

2.6.1 Precautions shall be taken to prevent the deposition of mud, waste and other debris outside the site. Any material so deposited should be removed as soon as practicable and in any event before the end of the working day upon which the deposit has taken place. Records shall be kept of remedial action undertaken to comply with this condition in the site log book. (see Condition 7.3.1).

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2.7 STORAGE TANKS/VESSELS

- 2.7.1** All oils, liquid fuels and liquid chemicals used or present at the site shall be stored in bunded areas, as described by **Condition 2.7.2** of this licence, at all times except when being used for their intended purpose.
- 2.7.2** Any facilities for the storage of oils, liquid fuels or liquid chemicals shall be constructed as specified below:
- i) they have an impermeable hard base, such as an appropriate concrete, and are surrounded by an impermeable hard bund walls.
 - ii) the size of the bunded compound is at least equivalent to the maximum total volume of oil, fuel or chemicals stored therein plus 10%;
 - iii) every part of the storage tank or vessel is within the bunded area;
 - iv) all taps or valves fixed to the tank or vessel through which the stored liquid may be discharged shall be locked whenever the tank or vessel is/are not in use and shall be retained within the bund and constructed such that discharge can only be vertically downwards;
 - v) any pipe which is fitted to the tank or vessel permanently through which the stored liquid may flow shall be fitted with a tap or valve at its end which closes automatically when not in use and shall be locked in such a way that it is kept within the bund when not in use; and
 - vi) The impermeable bund wall shall not be fitted with any drainage valves or outlet pipes.
- 2.7.2** No part of the type of storage area specified in **Condition 2.7.1** shall be situated within 10 (ten) metres of any surface waters.
- 2.7.3** Any liquid or other debris which gathers within the bunded area shall be considered to be contaminated and shall be removed and disposed of at suitably authorised waste handling facilities, to ensure that the required capacity (see **Condition 2.7.1(ii)**) is provided continually. A pump or a suitable absorbent material shall be used for any such removal. A record shall be made in the site log book of the contaminated water removed from the bunded area and shall include the date, quantity and name and address of the person who removed the waste.
- 2.7.4** All storage tanks and vessels on the site (including bunds) shall be inspected daily for any leaks or damage. Details of damage found shall be recorded in the site log book (see **Condition 7.3.1**)

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3. WATER DRAINAGE AND MONITORING

3.1.1 The waste tipping and sorting area shall have an impervious surface and be constructed in such a way as to prevent:

1. Any escape of contaminated liquid from the site.
2. Contamination of land beneath the site surface.

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4. SITE OPERATION

4.1 WASTE RECEPTION

- 4.1.1 Personnel, plant and/or equipment shall be made available during the working day to ensure that all of the checks required by **Conditions 4.1.2 and 4.1.4** of this licence are carried out.
- 4.1.2 A visual check shall be made of the contents of all incoming loads of waste, to ensure their suitability for deposit at the site. Any cover shall be removed from the load being inspected prior to this check being carried out.
- 4.1.3 Any vehicle found to contain any amount of waste(s) not permitted by **Condition 1.2.1.** of this licence after this visual check shall not be permitted to deposit its load at the site.
- 4.1.4 All wastes deposited at the site shall be checked immediately following deposit, to ensure that the waste deposited is permitted by **Condition 1.2.1.** of the licence. This check shall be made before the vehicle delivering the load leaves the site.
- 4.1.5 All non-permitted waste type(s) identified while undergoing any or all of the checks specified in **Conditions 4.1.2 and 4.1.4** of this licence shall be immediately removed from the site and disposed of in accordance with the Environmental Protection Act 1990, Section 34, the Duty of Care and only where this is impracticable, shall be deposited in a designated unacceptable waste skip to await removal from site.
- 4.1.6 No waste shall be permitted to be deposited at the site until loads containing non-permitted waste types, which have been identified by the checks carried out in accordance with **Conditions 4.1.2 and 4.1.4** have been removed from the site, or placed in a designated unacceptable waste skip.
- 4.1.7 The details, of non-permitted waste type(s) identified following any or all of the checks carried out in accordance with **Conditions 4.1.2 and 4.1.4** shall be recorded in the site log book (see **Condition 7.3.1**).

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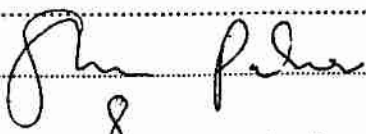
4.2 WASTE HANDLING

- 4.2.1 Should any material to be accepted at this site be subject to a Code of Practice, issued by or subsequently issued by the Department of the Environment or the Environment Agency, then that waste shall be handled in accordance with the relevant Code of Practice unless specified otherwise by the Environment Agency.
- 4.2.2 Where waste is not subject to a Code of Practice as defined in **Condition 4.2.1** above, it shall be handled as specified in the Working Plan included in Appendix A of this Licence.
- 4.2.3 Wastes shall only be unloaded for sorting in the areas indicated on **Drawing No: ABW 1 dated 10 June 1997.**
- 4.2.4 Waste within the storage bays shall not be stored in excess of the height of the storage bay walls. Waste may not be allowed to flow out beyond the bay.
- 4.2.5 No waste material shall be stored at the site for a period exceeding one month from its date of reception without the written approval of the Environment Agency.
- 4.2.6 Processing of wastes at the site shall only consist of the sorting of wastes from the tipping area into skips or bays within the licensed area indicated on **Drawing No: ABW 1 dated 10 June 1997.**
- 4.2.7 No skip, container or bay containing materials which are likely to be wind borne shall be stored at the site unless it is sheeted, netted or similarly covered to prevent the escape of such materials (except when it is being emptied or loaded).

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4.3 PLANT, MACHINERY AND EQUIPMENT

- 4.3.1 Plant machinery and equipment shall be provided as specified in the Working Plan
- 4.3.2 Should plant or equipment present at the site be subject to failure or breakdown then immediate action shall be taken to rectify the fault or provide any replacement item(s).
- 4.3.3 If it becomes apparent that waste cannot be dealt with in accordance with this licence because of the mechanical failure or other fault, the site shall cease to accept waste until full compliance can be achieved and maintained. A record of such an incident shall be kept in the site log book. (See Condition 7.3.1.)
- 4.3.4 The Environment Agency shall be informed in writing of any such mechanical failures or other problems which lead to a permanent replacement of equipment being made within 1 (one) month of the replacement being made. This information shall then be included in the Working Plan.

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5. AMENITY PROTECTION MEASURES

5.1 DUST

5.1.1 Precautions shall be taken to prevent and control any dusty emissions from the site.

A record shall be kept in the site log book of all preventative and/or control precautions undertaken.

(see Condition 7.3.1)

5.2 LITTER

5.2.1 The site shall be maintained in a litter free condition. Any litter which may accumulate at the site shall be collected and disposed of by the end of each working day.

5.2.2 Precautions shall be taken to prevent windblown material escaping from the site.

5.2.3 Any windblown material which does escape from the site shall be gathered and disposed of by the end of the working day and in any event no later than 24 hours after direction in writing by the Environment Agency.

5.3 PESTS

5.3.1 Precautions shall be taken to deal effectively with any flies or vermin present at the site and a record kept in the site log book of all preventative treatments undertaken. (see Condition 7.3.1)

5.4 FIRES

5.4.1 No waste material shall be burnt at the site unless subject to authorisation under other legislation. (See Condition 1.11.1)

5.5 ODOUR

5.5.1 Precautions shall be taken to prevent and control any odour emissions from the site or from wastes at the site and a record kept in the site log book of any treatments undertaken. (see Condition 7.3.1)

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6 SITE COMPLETION AND AFTERCARE

6.1 AFTERCARE

6.1.1 Once waste management operations have ceased the site shall be monitored for its stability in terms of physical, chemical and biological state in relation to its potential to:

- i) cause pollution of the environment;
- ii) harm to human health; and
- iii) serious detriment of the amenities.

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7. RECORDS

7.1 WASTE MOVEMENTS

7.1.1 The recorded details for waste delivered to the site shall include:-

- i) Date received;
- ii) Vehicle registration number and carriers registration number;
- iii) Holder's name and address;
- iv) Quantity of waste in tonnes or cubic metres;
- v) Description of the waste;

The recorded details of all waste removed from the site shall include:-

- i) Date removed;
- ii) Vehicle registration number and carriers registration number;
- iii) The name of the company accepting the waste and the name of the carrier;
- iv) Quantity of waste in tonnes or cubic metres;
- v) Full description of the waste;
- vi) Disposal site or destination.

These records shall be signed by the site operative(s) as named in the Working Plan and required by **Condition 1.6.1. and 1.6.2.** and by the driver of the vehicle removing the waste.

7.2 VISITORS BOOK

7.2.1 A visitors book shall be kept at the site and shall include the date upon which the visit is made, the name of the person making the visit and their employers details for all visitors, other than those delivering or removing waste, whether they are on official duty or otherwise.

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7.3 SITE LOG BOOK

- 7.3.1 A site diary or logbook shall be maintained daily at the site detailing significant operations as they occur, including, but not necessarily limited to the following:
 - i) On occasions when the site manager is absent from the site, the name of the person deputising for the site manager.
 - ii) Details of complaints received relating to site operations and details of all remedial action taken.
 - iii) Details of damage to gates, site fencing, identification boards, bunds, roads and areas of hardstanding all repairs undertaken.
 - iv) Details of non-permitted wastes turned away or removed from the site.
 - v) Fires
 - vi) Details of precautions and/or remedial actions taken in order to comply with Conditions 1.11.1, 2.2.1, 2.3.3, 2.4.1, 2.5.1, 2.6.1, 2.7.4, 4.1.7, 4.3.3, 5.1.1, 5.2.2, 5.3.1 and 5.5.1.

7.4 RECORD SUBMISSION

- 7.4.1 A return showing the types and quantities of waste received at the site shall be sent to this Authority at the end of each Quarter Day on a form supplied by the Environment Agency to arrive within 14 (fourteen) days of the end of the period to which it refers.
- 7.4.2 Within one month of the issue of this licence the precise method of the calculation of tonnages of waste deposited at the site shall be provided in writing to the Environment Agency.

7.5 COPIES OF OTHER CORRESPONDENCE

- 7.5.1 The licence holder shall forward a copy of all correspondence from any other regulatory authority applicable to the licensed area to the Environment Agency within one month of the date of issue of this licence.

Any such correspondence issued after the one month period shall be forwarded to the Environment Agency within 3 (three) working days of the date of its issue.

.....
 I Jim Pala Team Leader Waste Licensing hereby certify this page to be a true copy of the original.
 Dated this 8 day of June 1998

Signed *John Palmer*
(Team Leader Waste Licensing)

Date 8 JUNE 1998

NOTE

This Licence is issued on the understanding that the information supplied in the application is correct to the best of the applicants knowledge. Should such information be found to be incorrect or any variation in circumstances occur affecting such information, the Environment Agency reserve the right to terminate this Licence.

This Licence does not purport to convey any approval or consent which may be required under any enactment other than Section 35 of The Environmental Protection Act 1990.

I *John Palmer* Team Leader Waste Licensing hereby certify this page to be a true copy of the original.
Dated this 8 day of June 1998

EXPLANATORY NOTES

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 Agency to grant a Waste Management Licence subject to conditions he or she 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 (six) months of the date of issue of this licence. The Secretary of State has power to allow a longer period for the giving of Appeal but he or she 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
BS10 9DJ

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.

Purpose of Licence

The purpose of this licence is to regulate the operation of your site in order to prevent pollution of the Environment, harm to human health or serious detriment of the amenities. However, your compliance with any or all of the Conditions attached to the licence does not relieve you of your responsibility not to pollute the Environment, cause harm to human health and/or serious detriment of the amenities. (Please refer to Section 33(1)(c) of the Environmental Protection Act 1990.)

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Dated this 2 day of June 1998

Inspection

Your site will periodically be inspected by officers of the Environment Agency who are authorised in writing to carry out such inspections. These visits will be unannounced. At the end of each visit you will be provided with an inspection report which details non-compliance with licence conditions.

In Waste Management Paper Number 4, issued by the Department of the Environment in 1994, there is a advice to the Environment Agency on the minimum frequency at which licensed waste management operations should be inspected. The guidance, however does allow for an increase or decrease in the recommended frequency if the Agency considers a change is necessary.

Technical Competence (Condition Section 1.6)

Technical competence shall be assessed as detailed in the document "Report of the Fit and Proper Persons Advisory Sub Group to the National Working Party on Waste and Scrap Metal; Technical Competence in the Scrap Metal Processing Industry", dated January 1994.

Technical Competence (Condition Section 1.6)

The minimum level of Waste Management Industry Training Advisory Board (WAMITAB) Provisional or actual Certificate Level for this site shall be 4. (For further information please see Waste Management Paper Number 4, page 34, Table 3.1.)

Convictions and the Reporting Thereof (Condition Section 1.8)

Part of the proof required for a licence holder's suitability to hold a licence is that they are either free of relevant convictions or have insufficient to be considered as a potential re-offender. During the life of this licence, the licence holder must advise the Environment Agency of any convictions they gain. The purpose of this is to ensure that the licence holder remains competent to hold a licence, and to provide information on a public register in accordance with the Environmental Protection Act 1990, Section 64.

The licence therefore requires you to inform the Environment Agency of all such offences by relevant persons. However, because of the need to be reasonable, it has been decided that where a conviction is less than 6 (six) months old and therefore possibly subject to an appeal, this Agency will not place the information on the Public Register until the conviction is 6 (six) months old and no appeal has been lodged or in the case of an appeal against the conviction, until the appeal Court has made its decision.

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If there is a change in the site management, the new manager must be technically competent and relatively conviction free. The licence requires you to provide information relating to the manager/s of the site because if there is no competent management in charge of the site, you cannot continue to operate. Similarly, new licence applicants must be deemed fit and proper to hold a licence and will need to provide proof of financial status, nil or few relevant convictions and be technically competent or have technically competent management of the site.

Notification Address

Any notification the Licence Holder is required to make by the conditions of this licence shall be made to:

The Area Waste Manager
Environment Agency
Lower Trent Area
Trentside Offices
Scarrington Road
West Bridgford
NOTTINGHAM
NG2 5FA

Telephone: (0115) 945 5722
Facsimile: (0115) 981 7743

Guard Dogs

Any operator of the licensed site should be aware that the Guard Dogs Act 1975 covers the requirement that dogs are not to be left in such a way that they give rise to a potential risk to members of the public or authorised visitors to your premises.

Any guard dog at your premises shall not prevent access by any authorised visitors.

Overlap With Other Regulatory Controls

This licence cannot address matters which other regulatory bodies control, such as water discharge consents and health and safety legislation. You are, however, reminded that the operation of the site must be carried out in accordance with all legislative or regulatory body's requirements.

Your attention is drawn to the provisions of Sections 33, 34, 37, 39, 40, 41, 42, 43, 59, 64, 65, 66 and 71 of the Environmental Protection Act 1990, as well as Section 108 of the Environment Act 1990.

IMPORTANT SECTIONS OF THE ENVIRONMENTAL PROTECTION ACT 1990

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 (six) 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 (two) years or a fine or both, or in relation to special waste for a term not exceeding 5 (five) years or a fine or both.

Section 34

Places a duty on any person who imports, produces, carries, keeps, treats or disposes of controlled waste to take all such measures applicable to him or her 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.

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A site licence may be granted by the Environment Agency 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 Agency considers appropriate, in accordance with directions and guidance issued by the Secretary of State.

Section 37

The Environment Agency may modify the conditions of a licence on its own initiative, or on the application of the licence holder (accompanied by the appropriate fee), or on the direction of the Secretary of State. The licence holder may appeal to the Secretary of State if he or she is aggrieved by the decision of the Agency in modifying the conditions of a licence.

Section 38

Provides for the Environment Agency 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 is about to cause pollution of the environment, harm to human health or become serious detriment to the amenities of the locality, and the pollution, harm or detriment cannot be avoided by modifying the conditions.

A person who continues to operate whilst the licence has been suspended or after it has been revoked, without reasonable excuse shall be guilty of an offence liable to a fine, imprisonment, or both.

Section 39

If the licence holder wishes to surrender this licence, he or she must apply to the Environment Agency (enclosing the prescribed fee). The Agency 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 Environment Agency (enclosing the prescribed fee). The Agency will not effect the transfer unless it is satisfied that the transferee is a Fit and Proper Person.

Provides 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.

Section 42

Places a duty on the Environment Agency 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 a person obstructs an employee of the Agency in carrying out this duty, they may commit an offence under Section 110 of the Environment Act 1995. If it appears to the Environment Agency that a condition of a licence is not being complied with, the Agency may serve notice on the licence holder to comply with the condition, and if he or she fails to comply 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 Environment Agency 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 Environment Agency is required to maintain a register of Waste Management Licences granted by the Agency, 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.

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The Secretary of State may direct the Environment Agency 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 Environment Agency as being commercially confidential and to apply for that information to be excluded from the public register. The Agency 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 Agency refuses to exclude the information from the public register.

Section 71

Provides for the Environment Agency to serve a notice in writing on any person, requiring that person to furnish such information specified in the notice within a specified period. If that person fails to comply with the notice or knowingly makes a false or reckless statement, he or she may be liable to a fine, imprisonment or both.

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IMPORTANT SECTIONS OF THE ENVIRONMENT ACT 1995

Section 108

Provides the Agency with a series of powers to enter and inspect land by force, if necessary, collect evidence, confiscate articles, take samples and photographs. This section also allows warranted officers to require any person to answer questions regarding pollution control. Refusing to, or making reckless or misleading statements is illegal.

Section 109

Provides the Agency with powers to seize and render harmless any article or substance that is a cause of imminent danger of serious pollution or harm to health.

Section 110

Makes it an offence for any person to obstruct warranted officers of the Environment Agency in the carrying out of their duties.

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ANNEX 1: SCHEDULE OF NON DIFFICULT WASTE CATEGORIES

WASTE CATEGORY A:
NON DIFFICULT WASTE WITH A LOW POLLUTING POTENTIAL

Uncontaminated solid wastes, which do not decompose or decomposes only very slowly and are virtually insoluble in water, consisting of the following.

- Subsoil
- Topsoil
- Rock
- Stone
- Clay
- Sand (excluding foundry sand or silica)

Note: Uncontaminated means the waste does not contain and is not mixed with any noxious, poisonous or polluting substance.

EXCLUSIONS

The following wastes are not permitted:

- Waste which contains putrescible or biodegradable matter
- Any sludges or liquids
- Any waste types not listed above.

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Dated this 8 day of June 1998

ANNEX 1: SCHEDULE OF WASTE CATEGORIES

WASTE CATEGORY B:
NON DIFFICULT WASTE WHICH IS NOT BIODEGRADABLE

Uncontaminated solid wastes, which do not decompose or decomposes only very slowly and are virtually insoluble in water, consisting of any or all of the following and waste within Category A.

- Brickwork and concrete (hardcore)
- Silica (excluding finely powdered waste)
- Glass, pottery, china, enamels, ceramics, mica and abrasives
- Cement and cement products (excluding asbestos cement products)
- Nontoxic and insoluble stable chemical compounds (including oxides, hydroxides, carbonates, chlorides and calcium sulphate (gypsum))
- Plastics as finished products or manufacturing scrap only (including thermoplastics and thermosetting plastics)
- Metal (iron, steel, aluminium, brass, copper, tin and zinc) in solid form only
- Man made fibres

Note: Uncontaminated means the waste does not contain and is not mixed with any noxious, poisonous or polluting substance.

EXCLUSIONS

The following wastes are not permitted:

Metal in the form of swarf, dusts, or particulate scrap.

Any sludges or liquids.

Waste which contains putrescible or biodegradable matter.

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**WASTE CATEGORY C:
NON DIFFICULT WASTE WITH A MEDIUM POLLUTING POTENTIAL**

Solid granular or broken materials which decompose slowly are only slightly soluble in water, consisting of any or all of the following waste and waste within Categories A and B.

- Plaster (excluding plasterboard)
- Cork, ebonite, Kapok
- Untreated wood (excluding sawdust and sanderdust)
- Excavated road Metal (well weathered)

EXCLUSIONS

The following wastes are not permitted:

Wastes which contain putrescible material

Any sludges or liquids

NOTES

SIA Subject to Individual Approval by the Environment Agency, prior to deposit.

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ANNEX 1: SCHEDULE OF WASTE CATEGORIES

WASTE CATEGORY D:
NON DIFFICULT WASTE WHICH IS NOT BIODEGRADABLE

Materials which are putrescible or decompose relatively quickly or contain which is readily soluble in water and could cause pollution of any waster cause, either surface water or groundwater, which might enter.

- Domestic waste (or similar waste from trade, commercial or industrial premises)
- Vegetable matter, trees and bushes
- Wood products (hardboard, shipboard etc. and including sawdust and sanderdust)
- Paper (including oiled and tarred paper)
- Cardboard and fireboard
- Garden and horticultural waste (excluding horticultural chemicals)
- Plasterboard
- Leather (excluding leather processing waste)
- Wool, cotton, linen, hemp, sisal, hessian, string, rope and any other natural or man-made fibre
- Poorly weathered road metal and fresh tarmacadam
- Furniture, including foam products

EXCLUSIONS

The following wastes are not permitted:

Any sludges or liquids

Any food waste

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