

ENVIRONMENTAL PROTECTION ACT 1990  
SECTION 37



WASTE MANAGEMENT LICENCE

NOTICE OF MODIFICATION

<b>LICENCE REF No:</b> EAWML 61579	<b>FACILITY TYPE:</b> A20
<b>LICENCE HOLDER:</b> Sims Group UK Ltd	<b>LICENSED FACILITY:</b>
<b>Sims Group UK Ltd</b> <b>Long Marston</b> <b>Stratford Upon Avon</b> <b>Warwickshire</b> <b>CV37 8AQ</b>	<b>Sims Metals</b> <b>Hillbrook Works</b> <b>Ulley Lane</b> <b>Aston</b> <b>Sheffield</b> <b>S26 2DR</b>
<b>Company Registration No:</b> 03242331	

**WHEREAS** on the 16<sup>th</sup> September 1988 Rotherham Metropolitan Borough Council issued 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 Thos Hill and Co Ltd, PO Box 21, Mansfield Rd, Derby.

**AND WHEREAS** on 20th March 1994 modification 1 was issued

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL AND WHEREAS** on the 1<sup>st</sup> 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 22 November 1996 the waste management license was transferred to Sims McIntyre Metals Ltd

**AND WHEREAS** on 20th March 1997 modification 2 was issued

**AND WHEREAS** on 25th April 2004 the waste management licence was transferred to SimsMetals UK Ltd

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

Signed

Name: Jacqui Savage  
(Team Leader Environment Management)

Dated: 7th February 2005

This modification shall take effect on 11<sup>th</sup> February 2005 at 00.01 hours

**'The Environment Agency is of the opinion that it is necessary that section 43(4) of the Environmental Protection Act 1990 shall not apply for the purpose of preventing or, where that is not practicable, minimising pollution of the environment or harm to human health**

**Your attention is drawn to the rights of appeal detailed at the end of this modification.**

## **1.1.1.a.i.1 SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION**

Modification of condition 2 as follows:

Delete existing condition 2 &  
Add new condition 2

### **EXPLANATORY NOTES - including rights of appeal.**

#### **1.1.1.a.i.1.1 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  
Room 4/19 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Tel: 0117 372 8812  
Fax: 0117 372 6093

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 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.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS

**WASTE MANAGEMENT LICENCE REFERENCE NUMBER: WD20 R610**

**MODIFICATION: 4**

**SITE: SIMS METAL UK LIMITED, HILLBROOK WORKS, ULLEY LANE, ASTON, SHEFFIELD.**

### Working Plan

1. This Licence relates to the land shown edged green on Site Plan Number WD20 R610/2, a copy of which is annexed hereto, ("the site").
2. The types of waste for which deposit or disposal is authorised shall be as specified in the attached Appendix.
3. The operational procedure of the site shall be in accordance with the details submitted in the Application Form and Statement of Intent, dated 27th September 1988, or as modified by any change agreed in writing with the Environment Agency ("the Agency").
4. The licence holder shall notify the Agency of any proposed change in the actual conduct of operations from the proposals in Site Plan Number WD20 R610/2 and the submitted Statement of Intent, dated 27th September 1988, as altered by any previously notified changes at least one month before the proposed change is implemented.

### Financial Provision

5. The financial provision for meeting the obligations under this Licence set out in the Performance Agreement (Renewable Bond) dated 22 April 2002 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.

### Site Security

6. Lockable gates shall be provided at the entrance to the site, and the gates shall be kept locked when the site is unmanned.
7. The site shall be fenced with a 2 metre high chain-link, or solid, fence, or in such a manner as to provide a similar degree of security.
8. The gates and fence shall be maintained in a sound and effective condition, and all reasonable steps shall be taken to prevent unauthorised access to the site.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS CONTINUED

### General Requirements

9. A site control office shall be provided on the site.
10. A copy of the site licence and any relevant operational instructions shall be displayed in the site control office and made known to any person working on the site.
11. A site identification board of durable material, and finish, shall be displayed at the site entrance showing the hours when the site is open and giving the name of the site, the name, address and telephone number of the site operator (and his local agent if applicable) and of the Agency. The board shall be maintained in a legible condition.
12. The licence holder shall provide a correspondence address and telephone number(s) for daytime and emergency use to the Agency.
13. Whenever operational, the site shall be manned by persons competent to ensure compliance with the licence conditions.
14. Operations shall not take place during the hours covered by official lighting-up times (i.e. half an hour after sunset to half an hour before sunrise) unless adequate lighting is provided to the operational area.
15. Any temporary cessation of operations for a period in excess of one month shall be notified to the Agency in writing.
16. Any loose wastes on, or around, the site shall be collected on a weekly basis and disposed of, or securely stored pending final disposal.
17. Adequate provision shall be made to prevent the deposit of oil, grease, mud, metal or other wastes on the public highway as a result of the operations hereby permitted, and those provisions shall be implemented as, and when, necessary.
18. Adequate provision shall be made to prevent the deposit of dust on surrounding areas as a result of operations hereby permitted, and those provisions shall be implemented as, and when, necessary.
19. No material of any kind shall be burnt within the boundaries of the site, except in a purpose built incinerator operating with the specific written permission of the Agency and in accord with any conditions placed upon that operation by the Agency.

Any 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 to the Agency as soon as practicable.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS CONTINUED

20. The Agency shall be notified of any incident that could give rise to danger to public health, pollution of water, or could be seriously detrimental to the local amenity, as soon as practicable.
21. Access shall be available at all reasonable times for the purposes of site inspection by the delegated officers of the Agency.

### Operational Requirements

22. Materials/components stored on site pending recovery or resale shall be stored in the appropriate areas, as shown on Site Plan Number **CJBASTSITE002**
23. Storage areas shall be provided with hardstanding surfaces, and kept free of accumulated oil/grease/rubbish.
24. Site tracks, as detailed on Site Drawing Number **CJBASTSITE002** shall be provided with a metalled or similar surface, and kept free of obstructions at all times.
25. Any lubricating oils to be removed from components shall be removed to the designated storage tank as soon as possible after receipt of the components, and always before dismantling of the component commences.
26. Where it is necessary for components to be stored containing lubricating oil, they shall be stored in such a manner as to prevent the spillage or leakage of oil contained therein.
27. Liquid storage tanks shall be located within a bund having a capacity of not less than 110% of the largest tank located therein. The floor and walls of the bund shall be impervious to the contents of the tank(s) and to water. Inlet/outlet/vent pipes and gauges shall be within the bunded area.  
  
Outlet taps shall discharge vertically downwards, and be locked shut when the site is unmanned.
28. Provision shall be made for the disposal of liquids collected by bund. There shall be no uncontrolled discharge to surface water or to drains of liquids collected by the bund. (See Advisory Note 1).
29. Any spillages of oil/fuel etc on the site shall be dealt with immediately to clear, or alleviate the effect of the spillage. Adequate quantities of absorbent material shall be on hand at all times, and provision shall be made for the disposal of contaminated absorbent material.
30. Vehicle batteries shall be accepted on or off a vehicle. All shall be stored in a lidded battery box on an impervious surface, in such a manner as to prevent the spillage/leakage of any liquids contained therein.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS CONTINUED

31. All pressurised gas bottles shall be stored in a secure designated area, or building when the site is unmanned, and in accordance with suppliers' instructions.
32. Any waste inadvertently accepted at the site, and for which the site is not licensed (for example asbestos, polychlorinated biphenyls in capacitors and transformers, or other hazardous materials), shall be set aside in a secure place and the Agency contacted immediately.

### Site Drainage

33. No poisonous, noxious or polluting matter either liquid or solid shall be allowed to enter any watercourse, surface water drain, foul sewer, or to pollute any underground water resource.
34. The existing surface water drains shall be maintained so as to be effective at all times, and shall not be allowed to become clogged by silt/soil/wastes etc.

### Record Keeping

35. A record shall be kept of all wastes/materials deposited at, and removed from, the site.

The information shall include:

- (a) The date delivery, or removal, took place.
- (b) The origin of delivered wastes, and destination of wastes removed.

Such record shall be open to inspection by designated officers of the Agency at any reasonable time.

36. A summary of the types, and quantities, of waste deposited at, and removed from, the site over the 12 months preceding 31st December in every calendar year shall be submitted to the Agency before 31st January of the succeeding year.

### Hours of Operation

37. The hours of operation of the site shall be as follows:

Monday to Friday (inclusive) 0600 hours to 1800 hours

Saturdays 0600 hours to 1800 hours

Sundays from 0600 hours to 1800 hours

The use of plant or machinery for the purposes of waste treatment/handling outside these hours is forbidden.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS CONTINUED

### Advisory Notes

1. (a) Any liquid discharge into watercourses requires the approval of the Agency.  
(b) Discharge to public drainage systems requires the approval of the relevant Water Services Company.  
(c) Highly polluting substances may be produced during the combustion of waste materials in particular tyres. Any discharge to controlled waters of such pollutants can result in prosecution by the Agency.
2. Any atmospheric emissions are subject to the provisions of appropriate legislation administered by the Agency and Rotherham Metropolitan Borough Council.
3. Certain conditions may require planning approval before they are implemented. If in doubt, it is advised that contact be made with Rotherham Metropolitan Borough Council's Department of Planning.
4. Any plant or machinery activity on the site should be in accordance with the Mines and Quarries Safety Circular Number 257 (this relates to overhead electric power cables) and Health and Safety Executive Guidance Note GS6 entitled 'Avoidance of danger from overhead lines'.
5. It should be noted that controlled waste may be deposited only on the area of land for which planning permission, or deemed planning permission, is in force for such deposit.
6. Any treatment for vermin or insects shall be in accordance with the requirements for approval under the Control of Pesticides Regulations 1986 (SI 1986 - 1510) issued by the Ministry of Agriculture, Fisheries and Food and made under the Food and Environment Protection Act 1985.
7. The Department of the Environment's Waste Management Paper Number 18 on Asbestos Waste is published by Her Majesty's Stationery Office (ISBN 0 11 751384 9).
8. It is an offence to deposit waste obtained from the commercial processing (other than for retail sale) of certain imported root vegetables on land other than land approved for that purpose by the Ministry of Agriculture, Fisheries and Food.
9. Any process which may be carried out or is intended to be carried out involving incineration, and/or recovery of scrap material using heat or any process which may require an authorisation under the Environmental Protection Act 1990 Part I, shall be notified to the Director of Environmental Health and Consumer Affairs, Rotherham Metropolitan Borough Council.

# WASTE MANAGEMENT LICENCE

## SCHEDULE OF CONDITIONS APPENDIX

### CONDITION NUMBER 2 (APPENDIX)

The types and quantities of waste for which deposit or disposal, is authorised upon the land edged red on site plan number WD20 R610 shall be as follows:

<b>Table 1.1 Specified waste management operations</b>		
<b>Specified waste management operation</b>	<b>Permitted Waste Types which may be subject to the Specified Operation</b>	<b>Limits on Specified Waste Management Operations</b>
<b>R3:</b> Recycling or reclamation of metals and metal compounds.	Ferrous and Non Ferrous metals, End of life vehicles.  EWC codes specified in Section 2 of the working plan.	<b>Maximum total site capacity 6780 tonnes, not including tyres.</b>  <b>Storage and operations as detailed in the working plan</b>
<b>R4:</b> Recycling or reclamation of other inorganic materials.	EWC codes specified in Section 2 of the working plan.	<b>Maximum site capacity 6780 tonnes at any one time.</b>  <b>Storage and operations as detailed in the working plan</b>
<b>R13:</b> Storage of waste consisting of materials intended for submission elsewhere	Motor vehicle batteries  Tyres  Refrigeration Units  WEEE wastes	<b>50 tonnes maximum at any one time.</b>  <b>Maximum of 3000 on site at any one time</b>  <b>Maximum of 150 tonnes on site at any one time</b>  <b>Maximum site capacity 6780 tonnes on site at any one time.</b>  <b>All storage operations as detailed in the working plan</b>

#### **Permitted wastes**

#### *Permitted categories and types of wastes*

1.1.2

No wastes other than those, which are both categorised below in Table 1.2 and specified in detail in section 2.2 of the working plan, shall be accepted at the site.

*Permitted quantities of wastes*

1.1.3

The quantities of wastes accepted shall not exceed those listed in Table 1.2. **The total quantity of waste accepted at the site at one time shall not exceed 6780 tonnes.**

**Table 1.2 Permitted quantities of waste**

<b>Permitted Waste Categories</b>	<b>Maximum Permitted Quantities (tonnes/year)</b>
Inert wastes	<b>Not Permitted</b>
Metal wastes	
Ferrous	<b>Maximum of 5900 tonnes on site at any one time</b>
Non Ferrous	<b>Maximum of 100 tonnes on site at any one time</b>
Special Wastes	<b>Not Permitted</b>  <b>With the exception of motor vehicle batteries (50 tonnes maximum at any one time).</b>
Degradable Household Wastes Degradable Commercial Wastes Degradable Industrial Wastes	<b>Not Permitted</b>
[excepting wastes specifically categorised under 'other wastes' below].	
Other wastes:	
WEEE waste	<b>Maximum site capacity 6780 tonnes on site at any one time</b>
Gas Bottles	<b>Maximum of 500 tonnes on site at any one time</b>
Refrigeration Units	<b>Maximum of 150 tonnes on site at any one time</b>
End of life Vehicles	<b>Maximum of 200 tonnes on site at any one time</b>

**Note**

It should be noted that in complying with the licensing provisions of the Environmental Protection Act 1990, the site occupier is not absolved from his responsibilities under other requirements of the Act and any other relevant legislation.

