

ENVIRONMENTAL PROTECTION ACT 1990

SECTION 37

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE REF No: W/90/00067/WD EAWML/23517	FACILITY TYPE: WASTE TREATMENT
LICENCE HOLDER: Mr Jack Harley Valley Farm Chitterne Warminster Wilts BA12 0LT	LICENSED FACILITY: Valley Farm Chitterne Warminster Wilts BA12 0LT

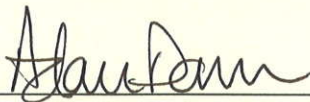
WHEREAS on the 24 December 1991 the Wiltshire County Council issued a waste disposal licence in pursuance of its powers under Part 1 of the Control of Pollution Act for the above named facility to Mr Jack Harley.

AND WHEREAS on the 1 May 1994 the said licence fell to be treated as a waste management licence

AND WHEREAS on the 1 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 1 April 2000 the Environment Agency modified the said licence.

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 **ADAM DAVIS**
Team Leader Bournemouth and Avon
Environment Management

Dated 03 MARCH 2006

This modification shall take effect on 4 March 2006.

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



SCHEDULE 1 – CONDITIONS RELATING TO THIS MODIFICATION

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

Delete all existing conditions

Add new conditions 1 to 8 as attached schedule 2

General considerations

1.1

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 Table 1.1; or
- b** otherwise required by the conditions of this licence as being an integral part of those operations:

Table 1.1 Specified waste management operations & permitted waste types

Specified Waste Management Operation	Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
R10: Spreading of waste on land resulting in benefit to agriculture or ecological improvement.	17 05 04 soil and stones other than those mentioned in 17 05 03 20 02 02 soil and stones	25,000 tonnes per annum
R10: Use of inert hardcore to provide site access and site internal tracks only to the extent agreed with the Environment Agency.	17 01 01 Concrete 17 01 02 Bricks 17 01 03 tiles and ceramics 17 01 07 mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	A plan showing the proposed location and extent of internal tracks shall be submitted to the Environment Agency by 30 April 2006. The plan shall be updated at 6 monthly intervals. No more than 40 cu meters of track making materials shall be stored on site at any time. Hardcore shall be reused and not left insitu as the tipping levels rise.

Specified Waste Management Operations and Exempt Waste Management Operations

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.

Exclusion of Waste Types

Hazardous wastes shall not be accepted.

No plastics, wood, metal, paper, rubber fabric, green waste, bitumen shall be permitted in the road making or filling material.

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1.2 Hours of operation

The following specified waste management operations authorised by this licence shall only be carried out within the times specified in Table 1.3 below.

Table 1.3 Permitted operating hours

Specified waste management operations	Permitted hours
Weekdays	08.00 – 17.00
Saturdays	07.30 – 12.00

1.3 Staffing and understanding of requirements of licence conditions and working plan

Minimum staffing and supervision

Whenever the site is open to receive or despatch waste, or is carrying out any of the specified waste management treatment or disposal operations, it shall be supervised in accordance with of the working plan by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan regarding:

- a** waste acceptance and control procedures;
- b** operational controls and environmental monitoring;
- c** maintenance;
- d** record-keeping;
- e** emergency action plans;
- f** notifications to the Agency.

Availability of licence and working plan

A copy of this licence and the working plan shall be kept available on site for reference when required by all site staff carrying out work under the requirements of the licence.

Understanding of licence and working plan

All site staff shall be, or shall work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.

Attendance of Technically Competent Persons

1.3.2 Attendance of the technically competent person(s) at the site shall be recorded in the site diary on arrival and departure

1.4 **Changes in technically competent persons**

Any changes in the technically competent management of the site and the name of any incoming person [together with evidence that such person has the required technical competence] shall be submitted to the Agency in writing within 5 working days of the change in management. 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.

1.5 **Relevant convictions**

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 conviction or 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.

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.

1.6 **Working plan, amendments to the working plan and supporting information**

A working plan shall be submitted to the Environment Agency for their written approval by 30 April 2006. The working plan shall specify

Section 1: Site description and characterisation of risk source

Section 2: Site engineering for pollution prevention and control

Section 3: Site infrastructure

Section 4: Site operations

Section 5: Pollution control, monitoring and reporting

Section 6: Amenity management and monitoring

Section 7: Site records

The working plan will also include location plans and details of site access tracks and methods of placement and removal when no longer in use.

Following the submission of the Working Plan in accordance with condition 1.6 the Licence holder shall undertake any measures notified in writing by the Agency to the time scales included in the notification.

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Amendments to working plan requiring prior consent from the Agency

The Licence Holder shall give the Agency prior notice in writing of any proposed change to working plan, and to any appendices, drawings and figures which are referenced in those sections.

The notice shall be accompanied by a copy of the proposed changes, and by a written assessment of the effect that implementing the proposed change to the working plan would have on the risk posed by the site to human health and the environment.

The Licence Holder shall provide up to 6 additional copies of the proposed change and supporting risk assessment to the Agency, when required by the Agency in writing.

The proposed change to the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

Amendments to the working plan requiring prior notification to the Agency

Except where it is specified under condition 1.6 above that the amendment of specified sections of the working plan requires the prior consent of the Agency, the Licence Holder shall give the Agency not less than 7 days prior written notice of any change to the working plan and to any appendices, drawings and figures which are referenced from those sections.

The notice shall be accompanied by a copy of the specified changes.

The Licence Holder shall provide up to 6 additional copies of the proposed change to the Agency, when required by the Agency in writing.

Such changes to the working plan shall be deemed to be incorporated in the working plan and implemented on the date specified to the Agency in the amendment notification.

1.7

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:

- i** any change in the Licence Holder's name(s) or address(es);
- ii** any steps taken with a view to the Licence Holder, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership;
- iii** any change in the operator or in the operator's trading name and address

1.8 **Notification cessation and recommencement of waste handling operations**

Cessation and recommencement of receiving wastes

In the event that the site ceases receiving wastes for longer than 21 days then within 7 days following the elapse of that time, the Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of recommencement. In the event that the site recommences receiving wastes sooner than the notified date then the Licence Holder shall give the Agency not less than 7 days prior notice in writing.

1.9 **Notifications and submissions to Agency**

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

- a** shall be made in writing to the address specified by the Agency in writing at the time of issue of this licence, or as subsequently specified by written notification to the Licence Holder;
- b** shall quote the licence reference number and the name of the Licence Holder.

2 **Site engineering for pollution prevention and control**

2.1 **Surface preparation – un-engineered sites**

2.1.1 No waste shall be deposited unless:

- a The surface in the areas where waste is to be deposited is clear of all materials including surface vegetation and surface soil, which may have the potential to generate landfill gas or leachate;
- b At least 14 working days notice has been given to the Environment Agency of the intention to commence waste deposits in the prepared areas.

2.2 **Site completion - final landform and engineering**

The final landform shall be prepared to enable agricultural activities to be carried out.

3 Site infrastructure

3.1 **Provision of site identification board**

No wastes shall be received at the site until an identification board has been provided at or near the site entrance.

The identification board shall be inspected at least once per week. In the event of damage or defect, the board shall be repaired or replaced within 3 working days.

The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:

- a** Site name and address;
- b** Licence Holder name (company name, not individual name unless justified as necessary);
- c** Operator name (company name, not individual name unless justified as necessary);
- d** Licence number;
- e** Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);
- f** Statement that the site is licensed by the Environment Agency;
- g** Agency national numbers: 08708 506506 and 0800 807060;
- h** Days and hours site is open to receive waste.

3.2 **Site security**

Site security systems shall be provided and maintained in accordance with the working plan, at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans and livestock which is not authorised either by the Licence Holder or under legal powers of entry.

4 **Site operations**

4.1 **Control of mud and debris**

Prevention of mud and debris on road

4.1.1 Whenever the site is receiving waste measures shall be provided, operated and maintained in accordance with the working plan. With the objective to prevent the deposit or tracking of mud or debris arising from the site onto public highways.

4.1.2 All vehicles leaving areas of the site which are operational or upon which engineering works are being carried out shall, before leaving the site, be cleaned as necessary using the specified equipment and shall be checked to ensure that they are clear of loose waste and that their loads are secure.

Remediation of mud and debris on road

4.1.3 In the event that mud or debris arising from the site is deposited onto public areas outside the site, remedial measures shall be implemented immediately, in accordance with the working plan.

4.2 **Potentially polluting leaks and spillages of waste**

Potentially polluting leaks and spillages from vehicles, plant and equipment

4.2.1 All vehicles used on the site by the operator, and all plant and all equipment used on the site in connection with specified waste management operations, shall be operated and maintained with the objective of preventing potentially polluting leaks and spillages of wastes [or other potentially polluting materials which are to be used in combination with those wastes in the specified waste management operations.

4.3 **Fires on the site**

Prohibition of unauthorised fires on site

4.3.1 No wastes shall be burned on the site.

4.4 **Waste acceptance and control procedures**

Waste acceptance procedures

4.4.1 All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the working plan.

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Waste control procedures

- 4.4.2 All wastes accepted at the site shall be handled, kept and recorded in accordance with the working plan.

Waste despatch procedures

- 4.4.3 All outgoing wastes such as rejected loads shall be inspected, despatched and recorded in accordance with the working plan.

Table 4.2 Standards for waste acceptance and control procedures

Stage of Waste Handling	Specified standards
Waste inspection	i. All wastes received at the site shall be inspected prior to tipping to confirm their description and composition. ii. If material is identified in the load that does not fall within the type of waste acceptable at the site then the load shall be rejected and taken from the site without unloading.
Quarantine storage	i. If after tipping unacceptable waste is identified in the load the load shall be taken off site by the vehicle bringing it to the site. ii. Unpermitted wastes that are discovered after the vehicle delivering them to the site and rejected as a result of inspection or testing shall be placed in a designated quarantine area, and, where these are special wastes, the Environment Agency shall be informed immediately; iii. Quarantined wastes shall be kept segregated in a skip from other wastes in the quarantine area which are likely to be incompatible; iv. Quarantined waste shall be removed from the site within 7 days; v. The maximum quantity of wastes kept in the quarantine storage area shall be 3m³ at any time vi. A record shall be kept in the site diary of all rejected wastes vii. All wastes despatched from the site shall be inspected prior to despatch to confirm their description and composition.

4.5 **Waste quantity measurement systems**

Means of measurement

- 4.5.1 All wastes accepted at and despatched from the site shall be measured in accordance with the following requirements:

a The weight of all wastes accepted at the site shall be determined by means either:

- i. A public weighbridge
- ii. The weighbridge used shall record quantities of waste in tonnes to an accuracy of 0.02 tonnes

Or:

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

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4.6 **Waste discharge and emplacement**

Methods and procedures of waste discharge and emplacement

4.6.1 No wastes shall be deposited other than in accordance with the working plan and the methods, procedures and standards specified in Table 4.5 below.

4.6.2

Table 4.5 Standards for waste discharge and emplacement

Waste discharge and emplacement	Specified standards
Methods	Waste shall be spread into a layer immediately following deposit and levelled using suitable compaction equipment. Waste shall be laid to a fall such that surface water is conducted away from the tipping face and flanks.
Working areas	Tipping faces and flanks shall not exceed 2m in height

Leachate assessment

4.6.3 A hydrogeological risk assessment of the site potential impact on groundwater shall be carried out and submitted to the Environment Agency by 30 April 2006. This risk assessment shall be carried out by independent and suitably qualified personnel using a statistical model agreed with the Environment Agency.

Should the risk assessment indicate that there is potential for ground water contamination, a scheme of provision of maintaining borehole shall be submitted to the Agency for agreement. Boreholes shall be placed within three months of such agreement.

Samples shall be taken from the boreholes at quarterly intervals and analysed for pH, electrical conductivity, Ammoniacal nitrogen, chloride, COD, sulphate, TON, TOC, Sodium (Na), Potassium (K), Calcium (Ca), Magnesium (Mg), Iron (Fe), Manganese (Mn), Cadmium (Ca), Chromium (Cr), Copper (Cu), Nickel (Ni), Lead (Pb), Zinc (Zn), Ortho-phosphate.

5 **Amenity management and reporting**

5.1 **Control, monitoring and reporting of dusts, fibres and particulates**

5.1.1 Measures to control and minimise aerial emissions of dust, fibres and particulates from the site shall be carried out to meet the standards specified in table 5.1 below. Such measures shall be to prevent releases in such quantities or concentrations that are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality.

Table 5.1 Standards for monitoring and control of aerial emissions of dusts, fibres and particulates

Specified standards	
a) Monitoring	Visual monitoring of aerial emissions shall be carried out by site staff supervising handling operations.
b) Control: aerial emissions action plan	- i.) On detection or notification of visible aerial emissions immediate action is to be taken to stop the waste handling/treating operations giving rise to the emissions. - ii.) Vehicle speed to be <25 km/hr on site roads and access road. - iii.) Bowsering equipment and/or dust suppression systems are used during dry, windy conditions >25 km/hr - iv.) The incident and the remedial action shall be recorded in the site diary.

5.2 **Control of litter**

5.1.2 Waste shall not be received at the site that contains material likely to cause litter.

5.1.3 In the event that litter does escape from the site, it shall be retrieved as soon as practicable but no later than one hour after the end of the working day.

6 Pollution control, monitoring and reporting

6.1 Gas monitoring and reporting within the waste

Gas monitoring and sampling programme

- 6.1.1 Monitoring and sampling of gas at 4 locations within the waste body shall be carried out and recorded in accordance with this condition and standards specified in table 6.1A below.

Table 6.1A Standards for landfill gas monitoring and sampling programme

Gas monitoring determinands	Monitoring frequencies	Units and accuracies	Trigger levels
Methane	3 Monthly	V/v and 0.3%	1%
Carbon dioxide	3 Monthly	V/v and 0.3%	5%
Atmospheric pressure	3 Monthly		None set

Gas monitoring and sampling records

- 6.1.2 A record of the gas monitoring and sampling results shall be made and submitted to the Agency at quarterly intervals.

Table 6.1B Standards for gas monitoring and sampling records

Gas monitoring and sampling records	Specified standards
Quality assurance of monitoring and sampling	Monitoring shall only be carried out by suitably competent/qualified staff. Validation of results shall be carried out by a designated quality assurer adequately experienced in gas engineering. Monitoring equipment shall be calibrated and serviced in accordance with the manufactures recommendations.
Making of records	Records shall include the following: i) Determinands monitored/sampled; ii) Specified details of measurements/samples to support analytical and QA requirements; e.g. dates, times, locations, other relevant parameters; iii) Results of measurements/sample analyses, with error limits; iv) Interpretation and review of results against site design lifetime and projected waste stabilisation curve; v) Validation of accuracy and validity of results, by designated quality assurer.
Submission of records	A copy of the quality assured records of each monitoring and sampling result shall be submitted to the Agency within 1 month of its being carried out.

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Gas generation action plan

6.1.3 In the event that any results exceed the trigger level specified in Table 6.1A above

- a** the results shall be notified to the Agency in writing within 24 hours and
- b** a gas generation action plan shall be prepared agreed with the Agency shall be implemented within two months.

6.2

Gas monitoring and reporting internal to the waste

Provision of engineered internal gas monitoring system

The engineered internal gas monitoring system provided shall be designed, constructed, inspected, maintained documented and recorded in accordance with the working standards specified in Table 6.2A.

Table 6.2A Standards for gas monitoring system (internal to the site)

Requirements	Specified standards
Design of gas monitoring systems	<i>Four gas monitoring boreholes to be in locations agreed with the Agency to give a representative measure of any gas being produced with in the site by 30 April 2006.</i>
Construction and installation of gas monitoring systems	<i>Unless otherwise agreed with the Agency the installations shall consist of boreholes of a minimum diameter of 150mm, containing a ridge HDPE casing of minimum internal diameter of 50mm. The annulus of the borehole shall be packed with non-calcareous pea gravel and completed at the surface with a gas tight seal. The borehole casing shall consist of manufactured slotted pipe within the response zones of the borehole and plain pipe through the gas tight seal. The borehole casing shall be completed at the surface with a removable gas tap, suitable for gas sampling, and these headworks shall be protected from damage with a lockable steel cover set in concrete.</i>
Inspection and maintenance of gas monitoring systems	<i>Monitoring installations shall be inspected for defects and damage during each routine monitoring exercise. Defects and damage shall be noted in the site diary, remedial measures shall be undertaken as soon as possible and in any case within 1 month.</i>
Records	<i>A record shall be kept of all remedial actions undertaken. During construction of boreholes a record shall be made of the subsurface geology encountered during drilling. The geology shall be described by an appropriately qualified geotechnical engineer or similar person, who shall also provide a record of the 'as built' dimensions of the monitoring installation.</i>

7 Site records

7.1 Security and availability of records

Security of records

- 7.1.1 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 in accordance with the requirements specified in Table 7.1 below.

Availability of records

- 7.1.2 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.

Table 7.1 Standards for keeping of site records

Site records	Specified standards
Wastes accepted on site;	1. All records shall be stored either: a) On paper in a secure cabinet or cupboard: or
Wastes rejected.	b) On computer disc with back up copy.
Environmental monitoring records	
Site diaries.	

7.2 Records of waste movements

Recording of wastes accepted and removed

- 7.2.1 A record shall be kept of each load of waste accepted and each load of waste removed from site. This record shall include the following details:
- a** Loads in :- Nature (solid, sludge or liquid), waste type as specified under condition 1.2, quantity (tonnes), date received, date accepted.
 - b** Loads out :- Nature (solid, liquid or sludge), waste type as specified under condition 1.2, quantity of waste removed (tonnes), date removed.

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Summary records of wastes accepted and removed

- 7.2.2 A summary record of the waste types accepted and removed from the site shall be made for each quarter of the financial year, and shall be submitted to the Environment Agency within 1 month following the end of the quarter. The summary record shall be in a format agreed by the Agency in writing.

7.3 **Site diary**

- 7.3.1 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:

- a. **Start and finish of daily waste management activities on site**
- b. **Plant maintenance and breakdown**
- c. **Emergencies and actions taken**
- d. **Problems with wastes received and actions taken**
- e. **Site inspections including environmental monitoring by the operator, their findings and remedial responses**
- f. **Despatch of records to the Agency**
- g. **Severe weather conditions**
- h. **Technically competent management attendance on site: time onto site and time left site**
- i. **Complaints about site operations and action taken**
- j. **Environmental problems and remedial actions**

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

8 Interpretation

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

“accepted”

for waste being delivered to the site, shall mean accepted as waste input to the site for storage and/or processing and/or disposal under the specified waste management operations;

“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;

“clinical waste”

has the meaning as defined in regulation 1(2) of the Controlled Waste Regulations 1992 or any statutory provisions amending or replacing them;

“consequences”

for **risk assessments** carried out within these conditions, means the adverse effects of harm as a result of realising a **hazard** which cause the quality of human health (other than health and safety of site staff or visitors to the site covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term;

“engineer”

for engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional;

“engineered”

for works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions;

“engineered landfill containment system”

means all elements (other than leachate and landfill gas management systems, and intermediate and final caps), relating to engineered liners for final disposal to land, and incorporating liners for individual cells and the site as a whole, and including methods of liner protection and leakage detection;

“engineered site containment and drainage system”

means all elements relating to engineered containment of activities on the site, other than final disposal to land, and incorporating site surfacing, bunding and drainage systems, buildings and fixed tanks;

“engineering”

for engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions;

“engineering survey”

means a survey carried out in accordance with recognised or approved standards by a suitably qualified competent person;

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"environmental targets or receptors"

for **risk assessments** carried out within these conditions, shall mean identified human and environmental populations or components, as specified in these conditions or otherwise agreed by the Agency within these conditions;

"gas"

means gas having the same properties as landfill gas.

"groundwater"

means any water contained in underground strata;

"hazard"

means a property or situation that in particular circumstances could lead to harm;

"hazardous waste"

has the meaning as defined by *Annex 3 of the Hazardous Waste Directive (Council Directive 91/689/EC) in England and Wales the Hazardous Waste Directive the main aim is to define hazardous waste and to make sure it is properly managed and regulated.*

"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);

"inert waste"

means waste which when disposed of in or on land does not undergo any significant physical, chemical or biological transformation;

"gas management system"

means all elements relating to gas extraction from individual cells and the waste treatment site as a whole, and incorporating methods of gas drainage, containment and the subsequent disposal system, whether it be a methane oxidation system, gas flare, 1 gas engine(s) or otherwise, either on or off the site;

"leachate management system"

means all elements relating to leachate extraction from individual landfill cells and the landfill mass as a whole, and incorporating methods of leachate drainage, containment and the subsequent treatment and/or disposal system, either on or off the site;

"maintenance"

for engineering maintenance specified in these conditions, means the process of inspection, testing, repair of the relevant engineering works specified in these conditions;

"preparatory works"

means engineering works required prior to the carrying out of the activities authorised by this licence;

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“probability”

means the quantified expression of chance, denoted either as:

- the ratio or percentage of the occurrence of a particular event as one among a number of possible events;
- or as the frequency of occurrence of a particular event in a given period of time;

“received”

for waste being delivered to the site, shall mean delivered to the site and undergoing the waste acceptance procedures specified in the working plan, including storage of those wastes during those procedures prior to acceptance of the waste;

“release pathways”

for **risk assessments** carried out within these conditions, shall mean the routes by which defined **hazards** may potentially realise their **consequences**, defined in terms of releases or emissions from the site that go beyond the site containment or boundary via one or more of the following routes, either directly or indirectly: **Land; Groundwater; Surface water; Atmosphere;**

“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;

“risk”

means a combination of the **probability** and **consequences** of occurrence of a defined **hazard**;

“risk assessment”

means the systematic identification, analysis, estimation and evaluation within a defined **scope** of the defined **risks** of a particular activity, operation, process or design, carried out and reported by suitably qualified or competent persons, using recognised quantified or semi-quantified methods and techniques.

Unless otherwise agreed by the Agency within these conditions, a risk assessment shall include and record the following:

- definition of the **hazards** associated with an activity, operation, process or design;
- assessment of the **probability** of those **hazards** occurring;
- determination of the potential **consequences** of those hazards for defined **environmental targets or receptors**, taking into account defined **release pathways** and defined protective measures;
- evaluation of the potential **magnitude** of those consequences and the **probability** of their occurrence;

“scope of risk assessment”

means the boundaries of the **risk assessment** and the **risks** to be assessed within those boundaries, as defined in the conditions or otherwise agreed by the Agency within the conditions;

“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;

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"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 phases and the 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;

"surface water"

means any lake, pond, river or watercourse whether natural or artificial;

"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.

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 4/19, Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0117 372 8726

Fax: 0117 372 8139

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.

SCANNED**ENVIRONMENT
AGENCY**

**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37(1)(a)**

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

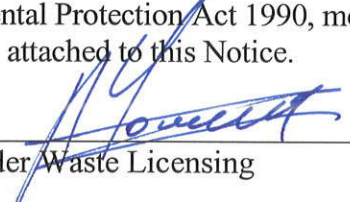
LICENCE No :- W/90/00067/WD	FACILITY TYPE :- Landfill
LICENCE HOLDER :- Mr J Harley Valley Farm Chitterne Warminster Wilts BA12 0LT	LICENSED FACILITY :- Mr J Harley Valley Farm Chitterne Warminster Wilts BA12 0LT

WHEREAS on the 24th December 1991 the Wiltshire County Council issued a waste disposal licence in pursuance of its powers under Part 1 of the Control of Pollution Act for the above named facility to Mr J Harley

AND WHEREAS on the 1st May 1994 the said licence fell to be treated as a waste management licence

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

NOTICE IS HEREBY GIVEN that the Agency, in accordance with section 37 of the Environmental Protection Act 1990, modifies the conditions of the said licence as set out in Schedule 1 attached to this Notice.

Signed 
Team Leader Waste Licensing

Andy Young

Date

6/12/2001

**PUBLIC REGISTERED
COPY**

Such Modification to take effect from 1 April 2000



SCANNED
SCHEDULE 1

**PUBLIC REGISTER
COPY**

Our Ref: 23517/AV/W067 and GE/R29/43 Licence No W/90/00067/WD

Schedule 1

The condition shall be modified to read as follows

- 1.(i) The types and quantities of waste deposited daily at the site shall not exceed the operator's ability to deal with them. The maximum quantity of waste permitted annually shall be less than 25,000 tonnes.

**PUBLIC REGISTER
COPY**

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(67)

THE SCHEDULE TO THE LICENCE

Name of Licensing Authority: Wiltshire County Council

Name and address of applicant:

Mr. J. Harley,
Valley Farm,
Chitterne,
WARMINSTER,
Wiltshire

Agent

Mr. K. H. Cole,
12 Bradford Road,
Winsley,
BRADFORD ON AVON,
Wiltshire

Brief Details of the Application:

Application Date: 10th June 1991

Location: Land adjacent to Valley Farm, Chitterne

Proposed Development: Raising of valley base with sub soil and top soil to provide agricultural improvement

Conditions:

Types of Waste

1. (i) The types and quantities of waste deposited daily at the site shall not exceed the operator's ability to deal with them.
- (ii) The types of waste which can be deposited are:-
Uncontaminated soil and sub-soil and other naturally excavated materials.
- (iii) Limited quantities of brick, stone, concrete and other inert hard material suitable for site road construction.
- (iv) The types of waste which cannot be deposited are:-

Reasons:

Waste consisting of timber, glass, plastic, rubber, packaging and paper, asbestos, plaster, metal and empty containers, fabrics and any other putrescible or contaminated material.

2. Waste subject to the Control of Pollution (Special Waste) Regulations 1980 made under Section 17 of the Control of Pollution Act shall not be deposited.

Dated this 24th

day of December

1991

Signed

Authorised Officer

PUBLIC REGISTER
COPY

Site Work Conditions

3. The Chief Public Health Inspector shall be notified in writing when all the site works required by and conditions 4 to 7 inclusive have been completed and a site inspection shall be carried out before any waste material is deposited.
4. The licence holder must ensure that any services, springs, watercourses or land drainage affecting the site are properly investigated, protected or diverted outside the site or culverted or cut off as necessary. The Chief Public Health Inspector shall be informed of any action as a result of this condition and any Discharge of Land Drainage Consents required by the National Rivers Authority shall be obtained beforehand. All works undertaken to comply with this condition shall be completed to the satisfaction of the Chief Public Health Inspector and National Rivers Authority.
5. To prevent unauthorised access the fencing provided which clearly delineate the site boundary shall be maintained and provided with gates not less than 1.2m high and these shall be kept locked at all times when a responsible employee is not present on site. Any additional fencing shall be not less than 1.2m high and consist of 4 strands of wire 300mm apart strained between posts where hedgerows do not provide an effective barrier.
6. The licence holder shall provide adequate wheel cleaning equipment capable of removing extraneous material from all wheels of vehicles leaving the site.

The equipment shall consist of either high pressure water jet gun and hose, or wheel washing trough and wheel spinner, or a combination of all three, and be sited at the position indicated on the attached plan (or as agreed by the Chief Public Health Inspector).

Drainage from this equipment shall be designed to contain the water within the site and not discharge on to the public highway.

If necessary additional brushing equipment shall be provided if conditions warrant it.

Clear instructions shall be displayed at all times requiring all vehicles leaving the site to use the facilities. The equipment shall be maintained in good working order throughout the life of the site and any breakdown of the equipment must be repaired as soon as possible and the matter notified to the Chief Public Health Inspector.

7. The licence holder shall identify the observation borehole within the site and shall take measures to protect it. The borehole shall be extended to meet the requirements of the National Rivers Authority and the works to meet this requirement shall be included in the operational working plan to be submitted within one month of the issue of this licence. The licence holder shall consult with the National Rivers Authority in respect of this condition.

Operational Conditions

8. The site shall only be open during the following hours:-

Weekdays	8.00 a.m. to 5.00 p.m.
Saturdays	7.30 a.m. to 12 noon

The site shall NOT be open to receive waste on Sundays and Bank Holidays.

9. The site shall be operated and completed in accordance with the statement and plans submitted as part of the application unless operational reasons require an alteration. Such alterations shall only be implemented after the approval of the Chief Public Health Inspector.
10. The site roads shall be constructed from good clean hardcore or stone, well consolidated and of a depth capable of sustaining frequent use by heavy vehicles. The surface from points A to B on the attached plan shall be of bitumen macadam or concrete and shall be kept free of mud at all times by regular brushing in order to prevent the deposit of mud on the public highway. All site roads shall be maintained throughout the life of the site to the reasonable satisfaction of the Chief Public Health Inspector.
11. The site shall be adequately manned and supervised during working hours.
12. Waste shall be compacted and formed into a layer as soon as possible after deposit and not later than at the end of the working day on which the waste is received to keep the site tidy and avoid nuisance.
13. Waste other than soil, sub-soil and excavated material in its natural state shall not be deposited in water.
14. Not less frequently than once a week any loose waste which may be lying on the site shall be gathered and disposed of in such a way as to keep the site tidy.
15. No waste material shall be burnt within the boundaries of the site, and 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 to the Chief Public Health Inspector.
16. Precautions shall be taken to deal effectively with any vermin and insects on the site.
17. A record shall be kept of the types and quantities of waste deposited. Such records shall be forwarded to the Chief Public Health Inspector at such intervals and in such a manner as the Chief Public Health Inspector requests.

18. The terms of the site licence shall be made known to any person who is given responsibility for the management or control of the site and a copy of this shall be available at the site.
19. Such action as may be necessary shall be taken to deal with any dust nuisance, including, if necessary, the use of water sprays.
20. Each layer of waste and covering material shall be laid to a fall to encourage surface water run-off.
21. Until final restoration, completed areas of landfilling shall be graded and maintained in a tidy condition.
22. The final layer deposited shall be subject to the minimum compaction and shall, to a depth of not less than one metre, be kept free of materials likely to interfere with final restoration or subsequent cultivation.
23. In the event of the amount, quality or properties of any leachate or drainage on or from the site proving unsatisfactory at any time, provision shall be made for the collection and removal or treatment of the offending liquid. All works undertaken to comply with this condition shall be completed to the satisfaction of the Chief Public Health Inspector and National Rivers Authority.
24. The licence holder is responsible for ensuring that any necessary arrangements are made for compliance with all the conditions hereto, particularly in so far as compliance with any of the conditions will or may affect the rights or interest of any other person or other property.

