



OUTGOING-1



OTHER-2



ENVIRONMENT  
AGENCY

Licence No. SL 528  
Modification No. 7  
Sheet 1 of 20

# ENVIRONMENTAL PROTECTION ACT 1990 SECTION 37

## WASTE MANAGEMENT LICENCE NOTICE OF MODIFICATION

To:- Biffa Waste Services Ltd.,  
Coronation Road,  
Cressex,  
High Wycombe,  
Buckinghamshire.  
HP12 3TZ.

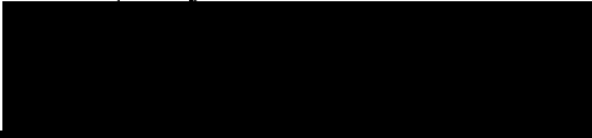
**WHEREAS** on 28th July 1987, Sandwell Metropolitan Borough Council granted a Disposal Licence relating to a treatment facility on land at Potters Lane, Wednesbury, West Midlands, subject to the conditions set out therein, as subsequently modified on 29th November 1991, 3rd March 1994, 28th April 1994, 22nd September 1994, 27th October 1994 and 5th February 1996.

**AND WHEREAS** you applied to modify the conditions of the said licence

**NOTICE IS HEREBY GIVEN** that the Environment Agency modifies the said conditions as detailed overleaf:-

Dated 16th September 1996

Effective from 1200 hrs on 16th September 1996

 For Area Waste Regulation Manager (Upper Trent)

Environment Agency,  
Midlands Region,  
Sapphire East,  
550 Streetsbrook Road,  
Solihull  
B91 1QT.

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE  
NOTES ATTACHED TO THIS NOTICE.





**DELETE** in SCHEDULE A condition 55

**REPLACE** in SCHEDULE A condition 54 with 58

and

**ADD** in SCHEDULE D conditions 1 - 23.  
SCHEDULE E

as attached to this notice.

**For Guidance Only**

Schedules in force are:-

- Schedule A: General Conditions & Conditions Specific to Treatment Facility
- Schedule B: Types of Waste permitted at the Treatment Facility
- Schedule C: Definitions
- Schedule D: Conditions Specific to Transfer Facility
- Schedule E: Types of Waste permitted at the Transfer Facility



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SCHEDULE A

58. (a) The types of waste deposited for treatment at the facility shall consist of only those listed in Schedule B of the licence.
- (b) Notwithstanding condition 58(a) above, wastes accepted at the waste treatment facility, other than those wastes specified in condition 50 of Schedule A, shall consist of only those wastes which by previous sampling and analysis have been shown to be capable of treatment or suitable for disposal by direct discharge to sewer.



SCHEDULE D: Conditions Relating Solely to the Transfer Facility

1. (a) The types of waste deposited for transfer at the transfer facility shall, subject to Condition 1(b) below, consist only of those wastes listed in Schedule E of the licence.  
(b) Until agreed in writing by the Agency, no solid wastes shall be deposited or kept at the transfer facility.
2. (a) Notwithstanding Condition 53 of Schedule A, the receipt and / or removal of waste at the transfer facility shall only take place between the hours of 0600 and 2200.  
(b) Except in cases of emergency no receipt or removal of waste shall take place outside the hours given in condition 2(a) above or on Christmas Day without the prior written approval of the Agency. All cases of emergency shall be reported to the Agency immediately and confirmed in writing within 3 working days.
3. (a) The weight of all incoming wastes shall be measured, or the volume of such wastes shall be measured and a weight calculated using appropriate conversion factors.  
(b) Notwithstanding Condition 2 above, an incoming consignment of waste shall only be deposited at the transfer facility when there is sufficient available storage capacity to accommodate the full consignment.
4. (a) Each and every consignment of waste which enters the transfer facility shall, forthwith and in any case within 1 working day, undergo appropriate checks/tests to ensure that no part of the consignment is likely, by itself or in combination with any other material at the transfer facility (having regard for the precautions taken at the transfer facility), to give rise to any dust, fumes or odours which may cause pollution of the environment.  
(b) The qualified chemist at the facility shall certify the results of all checks/tests to the effect that the consignment of waste is or is not acceptable for deposit at the transfer facility. For acceptable wastes, the qualified chemist shall give written details of the precautions to be taken in the handling and keeping of the waste.  
(c) Any samples which may have been taken to comply with paragraph (a) of this Condition shall be labelled to identify the waste and kept for no less than 14 days after the waste has been moved from the transfer facility. All such samples shall be available to any representative of the Agency at any reasonable time during that period.  
(d) Records of the checks/tests and written details specified in paragraphs (a) and (b) of this Condition shall be kept permanently at the facility and shall be available to any representative of the Agency at any reasonable time.





5. Wastes which are found not to be consistent with any pre-delivery checks/tests shall only be deposited at the transfer facility if the checks/tests carried out in accordance with Condition 4 of this Schedule show the waste to be acceptable under the terms of the licence. The Agency shall be informed forthwith of any such occurrence, and the details of the checks/tests showing the waste is permitted by the licence shall be submitted in writing to the Agency within 3 working days.
  
6.
  - (a) All wastes accepted for keeping at the transfer facility shall be deposited in the dedicated containers, or the covered storage bays, or the bulking up area or the flammable storage area, as appropriate, forthwith. Thereafter waste shall be removed from these areas only for sorting, bulking up, treatment elsewhere in the facility, loading prior to removal from the transfer facility on that working day or to prevent/minimise any circumstances of emergency.
  
  - (b) Notwithstanding paragraph (a) of this Condition waste may be moved from its designated area to facilitate the permanent removal of other waste kept behind it or to facilitate maintenance and/or repairs to the infrastructure, any waste moved in such a manner shall be returned to its relevant storage area by the end of the working day.
  
  - (c) Materials shall not be mixed or bulked in such a manner that their combined chemical properties give rise to adverse reactions resulting in fires or any pollution of the environment.
  
7. Except in circumstances of emergency no waste shall be deposited at the transfer facility unless prior notice has been received at the facility of its arrival.
  
8.
  - (a) The transfer facility shall be supervised by a minimum of 2 persons, including a chemist, whenever transfer activities and/or maintenance operations involving waste handling are taking place.
  
  - (b) Any change to the details of the technically competent management in control of the transfer facility, previously notified to the Agency, shall be notified to the Agency immediately and confirmed in writing within 14 working days.
  
  - (c) In the event of the licence holder and/or any relevant person being convicted of any relevant offence (as defined in Regulation 3 of The Waste Management Licensing Regulations 1994 or any amendment to the aforementioned Regulation) then full details shall be provided to the Agency within 14 days of conviction. Such details shall include, in respect of each relevant person, the nature of the offence, the place where the conviction was heard and any sentence, fine or other penalty imposed.
  
9.
  - (a) Lighting shall be provided and used to adequately illuminate those operations which are carried out at the transfer facility during the hours of darkness, as defined by the Science and Engineering Research Council.





- (b) The lighting system shall be inspected for damage and defects at least once every 7 days, and any such damage or defect shall be repaired within 14 days of being identified, or such longer period as may be agreed in writing by the Agency.
10. Parking and queuing facilities shall be provided within the facility such that it is unnecessary for vehicles to wait on the public highway prior to entering the facility.
11. Provision shall be made for the storage of any plant or equipment which is required in order to facilitate compliance with any condition of this licence.
12. (a) All waste storage and handling areas shall be imperviously bunded to contain spillages within these areas. Provision shall be made to ensure that incompatible materials kept within these areas are effectively segregated and do not interact.
- (b) Each bunded area and each container or group of containers shall be clearly and indelibly marked to show its contents, the number of containers where applicable, the control form number, the bay number, and the acceptance date. Except in circumstances of emergency incompatible wastes shall not be stored in adjoining bunded areas.
- (c) Containers of waste or other materials shall be inspected for damage and/or deterioration at intervals of no more than 7 days. Any container which is found to be defective shall, forthwith, have its contents transferred to another suitable container or the complete container shall be placed in a sound, larger container. A record of all inspections and any remedial action taken shall be kept permanently at the facility. This record shall be available for inspection by any representative of the Agency at any reasonable time.
- (d) Containers shall be stacked no more than 3.5 metres high and walkways shall be provided between alternate rows to allow each drum to be inspected as required in part (c) above.
13. (a) Spillages of any liquid with the potential to give rise to pollution of the environment shall be contained and removed immediately.
- (b) Spillages of solid waste shall be collected and removed to a suitable storage area.
14. (a) Asbestos in sheet form shall be accepted at the facility only as detailed in the working plan. Asbestos waste, other than in sheet form, shall be accepted at the facility only in suitable bags or containers which shall be sealed and labelled to show their contents. No rebagging of asbestos waste shall take place at the facility except in an emergency.
- (b) Asbestos in sheet form shall be handled and kept as detailed in the working plan. Bagged asbestos waste shall, on arrival at the facility, be deposited into a sealable lockable skip or sealable drums, which shall at no time be used to contain any other material. All such skips and drums shall be of a type and construction suitable for this type of waste and shall be maintained in sound condition at all times. All such skips and drums shall be clearly labelled using the word "ASBESTOS" to identify their contents. Drummed asbestos waste shall be kept only as detailed in, and at the locations designated in, the working plan.





- (c) No bagged asbestos waste shall be kept at the facility unless a skip or drums as specified in paragraph (b) of this Condition is/are available.
  - (d) At no time shall more than 1 skip be in use for the keeping of bagged asbestos waste.
  - (e) Skips and drums used for the keeping of asbestos waste shall be sealed and locked at all times except when asbestos waste is being placed in them, or when being inspected by anyone authorised to do so.
15. Suitable equipment shall be provided and maintained for use in the event of any spillage or leakage of asbestos.
16. Components containing polychlorinated biphenyls deposited at the facility for transfer shall not be drained or filled.
17. Components containing polychlorinated biphenyls shall be segregated and kept in the area designated in the working plan.
18. Waste oils shall not be mixed either with toxic and dangerous waste (as defined in Article 1(b) of Council Directive 78/319/EEC(b)) or with any waste which contains polychlorinated biphenyls and/or polychlorinated terphenyls.
19. Notwithstanding Condition 16 of this Schedule measures shall be taken to deal effectively with any leakages or spillages from components containing polychlorinated biphenyls, including the drainage of any component found to be leaking.
20. There shall be no treatment of waste in the transfer facility, except for the bulking up of consignments of waste and the sorting of wastes.
21. A record summarising the quantities of waste accepted at and materials removed from the transfer facility shall be kept in a form specified by the Agency. Copies shall be sent to the Agency once a month or at a frequency specified by the Agency.
22. In the event of a cessation of operations at the transfer facility for a period in excess of 1 month not less than 14 days notice shall be given to the Agency of the date on which operations are due to re-commence.





23. (a) A site diary shall be kept at the transfer facility and updated each working day. The information recorded in the site diary shall comprise the date and details of any significant events occurring during the operational life of the facility, including:

- details of plant maintenance and breakdowns,
- emergencies,
- problems with wastes received and any action taken,
- site inspections conducted by the licence holder, and remedial responses,
- dispatch of records to the Agency,
- weather conditions affecting the site operations,
- environmental problems and remedial actions.

(b) All records for the preceding 2 months shall be made available to any representative of the Agency at the facility at any reasonable time.





SCHEDULE E:

Types of waste to be accepted at the transfer facility:

WasteType	Name
Inorganic Acids	Hydrochloric Acid
	Hydrochloric/Nitric Acids
	Hydrochloric/Sulphuric Acids
	Hydrochloric/Hydrofluoric Acids
	Hydrochloric/Aquafortis
	Sulphuric Acid
	Sulphuric/Nitric Acids
	Sulphuric Hydrofluoric Acids
	Nitric Acid
	Chromic Acid
	Chromic/Sulphuric Acids
	Chromic/Hydrochloric Acids
	Chromic/Nitric Acids
	Chromic/Phosphoric Acids
	Phosphoric Acids
	Phosphoric/Sulphuric Acids
	Phosphoric/Nitric Acids
	Hydrofluoric Acid
	Hydrofluoric/Nitric Acids
	Fluoroboric Acid
Others inorganic acids	
Organic Acids & related compounds	Aliphatic Acids
	Aromatic Acids
	Acid Anhydrides
	Acid Chlorides
	Sulphuric Acids





Alkalis

Alkali metal oxides & Hydroxides  
calcium oxide, proprietary cleaners  
Sodium & Potassium oxides &  
Hydroxides  
Calcium oxide  
Proprietary alkaline cleaners  
Ammonia  
Calcium Hydroxide  
Sodium/Potassium Carbonates  
Alkali metal phosphates  
Other alkalis

Toxic Metal  
Compounds

Cadmium  
Mercury  
Lead  
Arsenic  
Cobalt  
Copper  
Zinc  
Barium  
Thallium  
Nickel  
Vanadium  
Silver  
Chromium  
Other toxic metal compounds and mixtures

Non Toxic Metal  
compounds

Iron  
Aluminium  
Titanium Salts  
Ammonium Salts  
Other non toxic metal compounds

Metals (elemental)

Alkali/alkaline earth and other hazardous metals  
Sodium and Potassium  
Cadmium  
Mercury  
Aluminium  
Magnesium  
Other metals





Metal Oxides

Hazardous oxides  
Cadmium oxide  
Beryllium oxide  
Others  
Other Inorganic oxides

Compounds

Cyanides  
Sodium & Potassium cyanides  
Soluble Complex cyanides  
Ferro & Ferri cyanides  
Other cyanides  
Others which liberate toxic gases on acidification  
Sulphides, selenides, tellurides and arsenides  
Alkali metal and alkaline-earth salts.

Oxidising compounds  
Hypochlorites & chlorites  
Chlorates, perchlorates, bromates, iodates  
periodates, persulphates, and permanganates  
Peroxides

Chromates  
Fluorides, Silica fluorides borofluorides  
Arsenates and arsenites

Carbides and acetylides  
Borates  
Nitrites  
Nitrates  
Phosphorous Compounds  
Phosphorous compounds contaminated with  
elemental phosphorous  
Heat treatment salts  
Sodium Silicate and Silicates.

Other Inorganic  
Materials

Asbestos  
Asbestos-blue fibrous  
Asbestos-white fibrous  
Sheet & Composite Asbestos





Organic Compounds

Slag including boiler and flue cleansings  
Mineral processing  
Silt and Dredging  
Water (contaminated)

Hydrocarbons  
Aliphatic hydrocarbons  
Aromatic hydrocarbons

Phenols, analogues and derivatives  
Chlorinated phenols and analogues  
Peroxides

Halogenated cleaning compounds  
Trichloroethylene  
Perchloroethylene  
Trichloroethane  
Trichlorotrifluoroethane  
Other Halogenated cleaning compounds

Halogenated compounds excluding cleaning compounds  
PCBs and analogues  
Other halogenated hydrocarbons  
Other halogenated organics

Organo metallics  
Tetra ethyl lead  
Tetra methyl lead  
Other Organo metallics

Nitrogen, sulphur or phosphorous containing compounds  
Amines and amides  
Nitro compounds  
Nitrites  
Isocyanates  
Other organo nitrogen compounds  
Organophosphorous compounds  
Organosulphur compounds

Oxygen containing compounds  
Esters  
Aldehydes and ketones  
Alcohols



Chelating compounds  
Phthalates  
Mixed Solvents  
Ethyl Silicate

**Polymeric Materials  
and Precursors**

Precursors, monomers and products of  
incomplete polymerization  
Epoxy resins  
Polyester resins  
Phenol-formaldehyde resins (not finished products)

Finished products and manufacturing scrap  
Glass reinforced plastic  
Polyurethane  
Polystyrene and ABS plastics  
Other resins and polymeric materials

Scrap rubber  
Latex, latex and rubber solutions and suspensions  
Synthetic adhesive wastes  
Ion exchange resin wastes

**Fuel, oils and greases**

Mineral oils  
Kerosene and derv  
Engine oil  
Vegetable and other oil  
Oil/Water mixtures  
Fats, Waxes, greases  
Graphite

**Fine Chemicals and  
Biocides**

Pharmaceuticals and cosmetic products  
Pharmaceutical products in retail containers  
Cosmetic products in retail containers

Biocides  
Pesticides  
Herbicides  
Fungicides  
Other biocides





Miscellaneous  
Chemical Waste

Mixed organic compounds  
Mixed laboratory chemicals  
Mixed inorganic chemicals  
Organics identified by trade names only  
Inorganics identified by trade names only  
Elemental phosphorous  
Elemental sulphur

Filter materials  
Treatment sludge &  
Contaminated rubbish

Used filter materials  
Contaminated rubbish  
Empty used containers  
Industrial effluent treatment sludge

Interceptor wastes  
Tars, paints, dyes  
& pigments

Tank cleaning sludge  
Interceptor pit wastes  
Printing industry waste  
Dyestuffs waste  
Distillation residues  
Acid tars  
Tar, pitch, bitumen and asphalts  
Paint or varnish waste

Miscellaneous  
Waste

Tannery and fellmongers waste  
Tannery waste  
Fellmongers waste

Cellulose Waste  
Waste treated timber  
Textiles

Soaps and detergents  
Soap  
Detergent

Paper  
Cardboard  
Glass

Scrap batteries





Glass fibre  
Carbon fibre  
Waste food  
General rubbish (industrial)  
General rubbish (commercial)  
Incinerator residue (industrial)

Animal & Food  
Processing waste

Food processing waste  
Glue waste

Clinical waste

Research and laboratory waste



### EXPLANATORY NOTES - including rights of appeal.

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 Authority to modify the conditions of a waste management licence he 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 months of the date of issue of this licence. The Secretary of State has power to allow a longer period for the giving of notice of an appeal but he 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 BS2 9DJ

Tel: 0117 987 8812  
Fax: 0117 987 8406

#### 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.

Your attention is drawn to the provisions of Sections 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 59, 64, 65, and 66 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 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 years or a fine or both, or in relation to special waste for a term not exceeding 5 years or a fine or both.



### Section 34

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

### Section 35

A site licence may be granted by a Waste Regulation Authority 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 Authority considers appropriate, in accordance with directions and guidance issued by the Secretary of State.

### Section 37

A Waste Regulation Authority may modify the conditions of a licence on its own initiative, on the application of the licence holder (accompanied by the appropriate fee), and on the direction of the Secretary of State. The licence holder may appeal to the Secretary of State if he is aggrieved by the decision of the Authority in modifying the conditions of a licence.

### Section 38

Provides for the Waste Regulation Authority 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 are about to cause pollution of the environment or harm to human health or become seriously detrimental to the amenities of the locality, and the pollution, harm or detriment cannot be avoided by modifying the conditions.

A person who contravenes Section 38 subsection (9) without reasonable excuse 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 imprisonment for a term not exceeding 2 years or a fine or both, or in relation to special waste to, respectively imprisonment for a term not exceeding 6 months or a fine of an amount not exceeding £5,000 (at the date of issue of this licence), or imprisonment for a term not exceeding 5 years or a fine or both.



### Section 39

If the licence holder wishes to surrender this licence, he must apply to the Waste Regulation Authority (enclosing the prescribed fee) which 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 Waste Regulation Authority (enclosing the prescribed fee) which will not effect the transfer unless it is satisfied that the transferee is a Fit and Proper Person.

### Section 41

Provides for 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 Waste Regulation Authority 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 it appears to the Waste Regulation Authority that a condition in a licence is not being complied with, the authority may serve notice on the licence holder to comply with the condition, and if he fails to do 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 licensing authority 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 licensing authority is required to maintain a register of current or recently current waste management licences granted by the authority, 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.

**Section 65**

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