Modification Number 282/M2

CARLISLE FILE
E160.503

OUTGOING

PERMIT

ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37

NOTICE OF MODIFICATION OF WASTE MANAGEMENT LICENCE

To H & E Trotter
Low Dyke
Calthwaite
Carlisle

WHEREAS Cumbria County Council (hereinafter called "the Authority")
on 29 September 1994 granted/~~transferred~~ to you a waste disposal licence number 282 which in accordance with Section 77(2) of the Environmental Protection Act 1990 (hereinafter called "the 1990 Act") is treated as a waste management licence from 1 May 1994
relating to

Thackwood, Southwaite, Carlisle

~~AND WHEREAS on [illegible] conditions to be modified~~

[AND WHEREAS the Authority has a duty under Section 37(2) of the Act to modify the licence to ensure that the activities authorised by the licence do not cause pollution or harm to human health or become seriously detrimental to the amenities of the locality affected by the activities]

NOTICE IS HEREBY GIVEN that the Authority modifies the licence conditions as follows:

By the addition of the attached condition number (42)

Such modification shall take effect on 4 March 19 96 at 08.00hrs

DATED 28 February 1996 signed ..... D. COLE

designation Director of Economy and Environment

Cumbria County Council, Economy and Environment, Citadel Chambers, Carlisle, Cumbria CA3 8SG

[In the opinion of the Authority it is necessary for the purpose of preventing pollution of the environment or harm to human health, that Section 43(4) of the 1990 Act should not apply]

N.B. The person on whom this notice is served may appeal against the Authority's decision to the Secretary of State within six months or such longer period as the Secretary of State may allow. (See notes overleaf)

Condition (42)

1. An investigation and assessment shall be carried out regarding compliance with Regulation 15 of The Waste Management Licensing Regulations 1994. This investigation shall consist of a desk study followed by such additional investigation and monitoring as is required to determine

   1.1 Where groundwater which may be affected by direct or indirect discharge of a substance in List I of Council Directive 80/68/EEC is permanently unsuitable for other uses (especially domestic and agricultural) if, as a consequence of future deposits of waste at the site

      1.1.1 the presence of that substance once discharged into groundwater will impede exploitation of ground resources, and

      1.1.2 all technical precautions will be taken to ensure that no substance in List I can reach other aquatic systems or harm other ecosystems.

   1.2 Where groundwater is not permanently unsuitable for other uses, (especially domestic and agricultural), if, as a consequence of future deposits of waste at the site

      1.2.1 adequate technical precautions will be taken to prevent any direct or indirect discharges into groundwater of substances in List I.

   1.3 If adequate technical precautions will be taken in future phases or cells for the prevention of groundwater pollution by substances in List II of Council Directive 80/68/EEC.

2. The investigation and assessment shall consist of

   2.1 A desk study

      2.1.1 The desk study shall be submitted to the Waste Regulation Authority in writing within three months of the date of this modification.

      2.1.2 The desk study shall summarise the available information regarding

         2.1.2.1 The history of the site including wastes deposited, the degree and type of containment engineering and leachate drainage and proposals on these matters during future deposits of waste at the site.

         2.1.2.2. Existing data on leachate quality and groundwater quality (with specific reference to substances in List I & II), details of any monitoring carried out either before deposits commenced or since the commencement of deposits of waste, and an interpretation of the data.

         2.1.2.3 A review of the geological and hydrogeological conditions of the area in and around the site.

   2.2 A further investigation

      2.2.1 The scope, extent, a time period for carrying out the further investigation shall be agreed with the Waste Regulation Authority in consultation with National Rivers Authority within three months of the desk study being submitted. In default of agreement being reached, the further investigation shall be carried out as defined in writing by the Waste Regulation Authority in consultation with National Rivers Authority.

2.2.2 The further investigation shall include

2.2.2.1 The geological and hydrogeological conditions of the area in and around the site.

2.2.2.2 An examination of the possible purifying powers of the soil and sub soil in the area in and around the site.

2.2.2.3 Identification of the quality and extent of any groundwater or surface water in hydraulic continuity with groundwater (with specific reference to substances in List I & II) in the area in and around the site and current or proposed uses of such water.

2.2.2.4 Leachate quality (with specific reference to substances in List I & II) likely to arise from future deposits of wastes.

3 A report shall be submitted to the Waste Regulation Authority within three months of the completion of the further investigation and shall include:

3.1 An assessment of the risk of pollution and alteration of the quality of the groundwater including the risk of harm to other aquatic systems and ecosystems and the likelihood of impeding exploitation of groundwater resources, from any discharge (whether direct or indirect) of List I or List II substances.

3.2 Proposals for the site to

3.2.1 Ensure that no substance in List I can reach other aquatic systems or ecosystems (where groundwater is permanently unsuitable for other uses).

3.2.2 Ensure that technical precautions will be taken to prevent any discharges (whether direct or indirect) into groundwater of substances in List I (where groundwater is not permanently unsuitable for other uses).

3.2.3 Ensure that technical precautions will be taken to prevent groundwater pollution by substances in List II.

3.2.4 Ensure that groundwater quality will be subject to the requisite surveillance and monitoring to confirm that the technical precautions taken are adequate during and after future deposits of waste at the site.