

ENVIRONMENTAL PROTECTION ACT 1990

## NOTICE OF MODIFICATION

Issued to

**HEATHERLAND LIMITED**

LICENCE REF NO: WML80429

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**ENVIRONMENT  
AGENCY**



ENVIRONMENT  
AGENCY

ENVIRONMENTAL PROTECTION ACT 1990  
WASTE MANAGEMENT LICENCE

## NOTICE OF MODIFICATION

### SECTION 37

To: HEATHERLAND LIMITED (Company No: 02761297)

c/o: Carlton Baker Clarke  
Greenwood House  
New London Road  
Chelmsford  
Essex  
CM5 9RB

LICENCE No: 209/92 (WML80429)


**WHEREAS** on the 8 November 1994 Essex County Council granted you a disposal licence (now to be treated as a waste management licence) relating to land at Hallsford Bridge Industrial Estate, Stondon Road, Ongar, Essex CM5 9RB subject to the conditions set out therein

**AND WHEREAS** on 21 March 1997 the Environment Agency (the powers and duties of all the waste regulation authorities in England and Wales being transferred to the Environment Agency by virtue of section 2 of the Environment Act 1995) modified the conditions of the said licence

**AND WHEREAS** on 11 September 2001 you applied to the Environment Agency to modify the said conditions

**NOW** the Environment Agency **HEREBY GIVES NOTICE** of modifying the said conditions as shown on the attached schedule.

This modification is made pursuant to the Environmental Protection Act 1990 section 37(1)(a) and (b) and shall take effect at 00.01 hours on 15 February 2002.

Signed:   
K A GREENE  
Team Leader – Waste Licensing

Date: 13 February 2002

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES AT THE END OF THIS MODIFICATION

Environment Agency, Apollo Court, 2 Bishop Square, St Albans Road West, Hatfield, Herts. AL10 9EX  
Tel: 01707 632300 Fax: 01707 632500



## SCHEDULE

All existing licence conditions are deleted and replaced by the following conditions:-

### 1 General considerations

#### 1.1 Specified waste management operations

1.1.1 No waste management operations shall be authorised by this licence unless:

- a** specified in and undertaken in accordance with the limitations in the following table; or
- b** otherwise required by the conditions of this licence as being an integral part of those operations;

and unless they are carried out on the site in accordance with section WP1 of the working plan and with the documented information contained in the sections of the working plan referred to in the other conditions of this licence.

**Table 1.1 Specified waste management operations**

<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>
D15 Storage R13 pending disposal or recovery.	Inert Waste	Sorting and treating shall only be undertaken within the confines of the buildings. Storage shall be as detailed in section WP7 of the working plan.
D15 Storage R3 Recovery	Scrap metal	Scrap metal shall be sorted and treated within the confines of the buildings and be stored in containers as defined in section WP7. The containers shall be removed when they are full.
D15 Storage R13 pending disposal or recovery	Degradable Industrial and Commercial Waste	Maximum period of storage 48 hours. Degradable industrial and commercial waste shall only be Sorted, Treated and Stored within the confines of the buildings.
D15 Storage R13 pending disposal or recovery	Degradable Household Waste	Maximum period of storage 24 hours. Household waste shall only be sorted, treated and stored within the confines of the buildings A maximum of 650 cubic metres of Inert , Industrial, commercial and household waste may be stored at the site at any one time. Waste shall not be stored higher than 0.5 metres below the top of retaining bay walls.  Waste shall only be stored on an impermeable pavement as defined in section WP3 of the working plan.  Waste that has been sorted for recycling shall be stored as detailed in section WP1 of the working plan.
Physical treatment of waste	All	Treatment consisting only of physical sorting or separation of waste into different components, physical mixing or bulking of solid wastes of the same or different types, where there are no resulting changes in the chemical composition of the wastes or its different components.

*Specified Waste Management Operations and Exempt Waste Management Operations*

1.1.2 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.

1.2 **Permitted wastes**

*Permitted categories and types of wastes*

1.2.1 No wastes shall be accepted at the site other than those which are:

- a categorised below in Table 1.2; and
- b specified in the list of waste types for the site provided in section WP2 of the working plan.

**Table 1.2. Permitted quantities of waste**

<b>Permitted Waste Categories (equivalent UK Waste Classification Scheme categories given in brackets)</b>	<b>Maximum Permitted Quantities for each waste category (subject to maximum permitted total quantity in condition 1.2.2) (tonnes/year)</b>
Inert wastes (Category 21).	100 tonnes per day
General and biodegradable wastes (Category 22; includes degradable household wastes, and degradable commercial and industrial wastes not covered by Categories 23-32).	750 tonnes per day
Metals and discarded scrap composite equipment (Category 23).	Not permitted, except as items included in household wastes under 'General and biodegradable wastes' (Category 22).
Contaminated general wastes (Category 24).	Not permitted
Special wastes (in Categories 22 to 32).	Not permitted.
Other categories of waste (Categories 25 to 32).	Not permitted.

*Permitted quantities of wastes*

1.2.2 Whilst complying with the maximum quantities in Table 1.2, the total quantity of waste accepted at the site per year shall not exceed 233,750 tonnes.

*Exclusions of wastes with specified hazardous characteristics*

- 1.2.3 Notwithstanding the specification of permitted waste types under conditions 1.2.1 above, wastes shall not be accepted at the site which consist solely or mainly of finely divided metal or of dusts, powders or loose fibres.

1.3 **Amendments to working plan and supporting information**

*Changes to the working plan requiring prior consent by the Agency*

- 1.3.1 The Licence holder shall give the Agency prior notice in writing of any proposed change to the sections of the working plan listed in Table 1.3, and to any appendices, drawings and figures which are referenced in those sections.

<b>Table 1.3 Conditions for which changes to the working plan requiring the prior consent of the Agency</b>		
<b>Condition</b>	<b>Subject</b>	<b>Working Plan Section</b>
1.1	Specified waste management operations	WP1
1.2	Permitted wastes	WP2
2.1	Engineered site containment and drainage systems.	WP3
4.1	Control of mud and debris	WP4
4.4	Waste acceptance and control systems and procedures	WP5
4.5	Waste quantity measurement systems	WP6
4.6	Storage of wastes with specified hazardous properties or forms.	WP7
6.1	Control, monitoring and reporting of aerial emissions of dusts, fibres, powders and particulates	WP8
6.2	Control of odour emissions	WP9
6.5	Control of litter	WP10
7.1	Security and availability of records	WP11

- 1.3.2 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 would have on the risk posed by the site to human health and the environment.

- 1.3.3 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.
- 1.3.4 The proposed change 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 replace the previous version of that documentation.

*Changes to the working plan requiring prior notification to the Agency*

- 1.3.5 Except where it is specified under condition 1.3.1 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.
- 1.3.6 The notice shall be accompanied by a copy of the specified changes.
- 1.3.7 The Licence holder shall provide up to 6 additional copies of the proposed change to the Agency, when required by the Agency in writing.
- 1.3.8 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.

1.4 **Staffing and understanding of requirements of licence conditions**

*Minimum staffing and supervision*

- 1.4.1 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 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*

- 1.4.2 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*

- 1.4.3 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.

1.5 **Changes in technically competent persons**

- 1.5.1 Any changes in the technically competent management of the site and the name of any incoming person, and, where the technically competent management of the site is subject to the WAMITAB scheme of technical competence, 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, or any subsequent amendments to the Act or Regulations.

1.6 **Relevant convictions**

*Notification of relevant convictions*

- 1.6.1 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*

- 1.6.2 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.

1.7 **Maintenance of financial provision**

- 1.7.1 The financial provision for meeting the obligations under this Licence set out in the Agreement made between the licence holder and the Agency dated, 13 February 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

1.8 **Notification of holder's details**

1.8.1 The following information shall be notified in writing within 5 working days to the Agency:

- i any change in the licence holder's trading name, registered name or registered office address;
- ii any steps taken with a view to the licence holder going into administration, entering into a company voluntary arrangement or being wound up;
- iii the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the licence holder);

1.9 **Notification of preparatory works**

1.9.1 No preparatory works shall be undertaken until at least 7 days prior notice in writing has been given to the Agency of the intention to do so. The notification shall include details of what work is being done and when.

1.10 **Notification of commencement, cessation and recommencement of waste handling operations**

*Specified waste management operations*

1.10.1 No specified waste management operation shall be carried out until at least 7 days prior notice in writing has been given to the Agency of the intention to commence carrying out the specified waste management operation.

*Cessation and recommencement of receiving wastes*

1.10.2 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 Licence Holder intends that the site shall recommence receiving wastes sooner than the notified date then they shall give the Agency not less than 7 days prior notice in writing.

1.11 **Notifications and submissions to Agency**

1.11.1 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 **Engineered site containment and drainage systems**

#### *Provision and maintenance of site containment and drainage systems*

- 2.1.1 Waste shall only be deposited, stored or otherwise handled in any area of the site, where the engineered site containment and drainage system for that area is provided in accordance with condition 2.1.2, Table 1.2 of condition 1.2, and with section WP3 of the working plan.
- 2.1.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1 below.

**Table 2.1 Site containment and drainage standards**

Type of Site Surface and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
a) Impermeable pavement, bunding and sills	<p>i) Areas of impermeable pavement, bunding and sills shall be constructed and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints.</p> <p>ii) All fixed tanks (and their associated inlet and outlet pipes and valves) used for the storage of potentially polluting or hazardous liquids, shall be located within a bund and on an impermeable pavement, which shall be isolated from the site drainage system and shall meet the following specification:</p> <ul style="list-style-type: none"><li>the bund shall have a capacity of not less than 110% of the volume of the largest container or tank.</li></ul> <p>the floor and walls of the bund shall be impervious to the contents of the tanks.</p> <p>All liquid storage tanks shall be labelled as to their contents.</p>
b) Sealed drainage systems	<p>i) Drainage to areas of impermeable pavement shall be provided by :</p> <p>A suitable 3 chamber oil interceptor, which shall have a minimum of six minutes retention time per chamber at its maximum flow rate, shall discharge to a foul sewer and shall be inspected no less frequently than daily and after rain, and shall be maintained so as to intercept all liquids which run off the pavement.</p> <p>ii) Inspections and emptying of interceptors shall be recorded in the site diary.</p> <p>iii) Uncontaminated drainage from clean yard areas shall be kept separate and discharged to either surface water or a sewer, watercourse or soakaway.</p>
c) Covered buildings or roofed areas	<p>i) All buildings shall be designed, constructed and maintained to prevent ingress of rain and surface water.</p> <p>ii) Roof water shall be kept separate from contaminated water and other liquids and shall be discharged to either surface water or a sewer or a water course or a soak-away.</p>
d) Fixed bays and other fixed containers	All fixed bays and other fixed containers used for the storage and treatment of wastes must be constructed and maintained to a standard which is fit for purpose.
e) Storage areas for skips, and containers	All skips and containers which are used for the storage and treatment of wastes shall be constructed and maintained so that they do not leak any liquids contained in them.
f) Inspection and maintenance of engineered containment	<p>All areas of impermeable pavement, sealed drainage systems, covered buildings, roofed areas, fixed bays and other containers, and storage areas for skips and containers:</p> <p>i) shall be inspected no less frequently than monthly, to ensure the continuing integrity and fitness for purpose of their construction, and the inspection and any necessary maintenance shall be recorded in the site diary; and</p> <p>ii) in the event of any damage occurring which breaches the integrity of the engineered containment so that it no longer</p>

Type of Site Surface and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
	meets the specified standards, the Licence holder shall cease importing waste into or treating waste in the affected area, shall notify the Agency immediately, and shall not recommence importing waste into or treating waste in the affected area until it has been repaired to a standard at least as good as the original specification.

*Construction quality assurance of new site containment and drainage systems*

- 2.1.3 No wastes shall be deposited, stored, treated or otherwise handled in any area for which an engineered site containment and drainage system is to be newly constructed to meet the requirements of this condition unless:
- a** details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;
  - b** the engineered site containment and drainage system has been constructed in accordance with the other requirements of condition 2.1;
  - c** the Validation Report on the construction of the engineered site containment and drainage system has been submitted in writing to the Agency, and the Agency has confirmed in writing that it has no objection to the placement of wastes on that containment area.

*Construction quality assurance of existing site containment and drainage systems*

- 2.1.4 No wastes shall be deposited, stored, treated or otherwise handled in any area for which a previously constructed and existing engineered site containment and drainage system is being used to meet the requirements of this condition unless:
- a** details of the maintenance of the engineered site containment and drainage system have been submitted in writing to the Agency and acknowledged in writing by the Agency;
  - b** the existing engineered site containment and drainage system shall be demonstrated to be fit for purpose in that:
    - i** areas of impermeable pavement are laid to take weight of relevant vehicles, plant and equipment without cracking or breaking; and
    - ii** areas of impermeable pavement are free from cracks which could reduce impermeability; and
    - iii** areas of impermeable pavement are resistant to mechanical, physical and chemical stresses to which they may be subjected; and
    - iv** areas of impermeable pavement fall towards the drainage system to prevent ponding; and

- v** no liquid will run off areas of impermeable pavement other than via the drainage system; and
  - vi** the drainage system is sealed so that it does not leak and is capable of collecting and containing liquids draining from the impermeable pavement ; and
  - vii** liquid from the drainage system is disposed of to an approved discharge.
- c** the existing engineered site containment and drainage system shall be maintained in accordance with the requirements of Table 2.1.

## 3 Site infrastructure

### 3.1 **Provision of site identification board**

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

3.1.2 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

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

- a** Licence holder name (company name, not individual name unless justified as necessary);
- b** Operator name (company name, not individual name unless justified as necessary);
- c** Licence number;
- d** Emergency contact name and telephone number;
- e** Statement that the site is licensed by the Environment Agency;
- f** Agency national numbers; for General Enquiries (0845 933 3111) and Emergencies (0800 807060), or as subsequently notified in writing by the Agency;
- g** Days and hours site is open to receive waste, which information shall be in accordance with the relevant planning permission.

### 3.2 **Site security**

3.2.1 Site security systems shall be provided 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. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the requirements specified in Table 3.2:

**Table 3.2 Site security system standards**

<b>Site security system</b>	<b>Specified standards</b>
Timetable of provision	Site security shall be provided prior to commencement of the specified operations.
Design standards	Unless otherwise agreed in writing by the Agency, this shall consist of a chainlink security fence at least 1.8 metres high around the perimeter of the site, which shall meet the standards specified in British Standard BS1722 or an agreed alternative, and shall have a lockable gate to at least the same height and standard at the site access.
Operational standards	The site shall be kept closed and secure at all times when unattended.
Maintenance standards	The site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of the working day, and shall be repaired within 7 working days of the damage being detected. All inspections, defects, damage and repairs shall be recorded in the site diary.

