

**ENVIRONMENTAL PROTECTION ACT 1990  
SECTION 37**

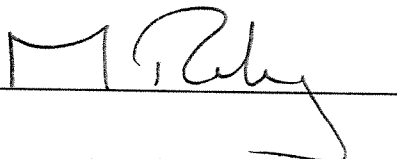
**WASTE MANAGEMENT LICENCE  
NOTICE OF MODIFICATION**


|   |  |
|---|--|
| <b>LICENCE REF No: EAWML60170</b>   | <b>FACILITY TYPE: Civic Amenity Site</b>   |
| <b>LICENCE HOLDERS:</b>   | <b>LICENSED FACILITY:</b>  |
| <b>The Company Secretary<br/>Yorwaste Ltd<br/>Mount View<br/>Standard Way<br/>Northallerton<br/>North Yorkshire<br/>DL6 2YD</b> | <b>Cauklands Quarry Landfill Site<br/>Outgoing Lane<br/>Thornton Dale<br/>Pickering<br/>N Yorks<br/>YO18 7JA</b> |

**WHEREAS** on the 31 January 1993 the Environment Agency issued a waste management licence in pursuance of its powers under Part II of the Environmental Protection Act 1990 for the above named facility to Yorwaste Ltd.

**AND WHEREAS** from time to time that said licence has been modified.

**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   
**Mike Riby**  
**Environment Management**

Dated 30/01/2007

This modification shall take effect on 1<sup>st</sup> February 2007 at 00.01 hours.

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

**SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION**

Modification of conditions as follows:

- i. **Delete** the following *description of* conditions that appears on the front sheet of the licence. That front sheet being addressed to Yorwaste Ltd and dated 31<sup>st</sup> January 1993:-

"See APPENDIX C (FOR INFORMATION, DOES NOT FORM PART OF THE LICENCE "

- ii. Delete all conditions and schedules.
  - iii. Delete Appendix A, B and C.
  - iv. Replace with the attached new conditions 1 to 4.4.1 and Schedules 1 to 3.
-

## 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 :-

Environmental Appeals Administration  
Planning Inspectorate  
Room 4/19  
Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
Tel: 0117 372 8235/8812  
Fax: 0117 372 6093

This notice of appeal should be accompanied by the following information:

A statement of the grounds of appeal;

A copy of any application to modify the licence

A copy of the licence;

A copy of any correspondence relevant to the appeal;

A copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development and

A statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations.

You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

# Conditions

## 1 - MANAGEMENT

### 1.1 General management

- 1.1.1 The activities shall be managed and operated:
- (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints; and
  - (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any persons having duties that are or may be affected by the matters set out in this licence shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

### 1.2 Accident management plan

- 1.2.1 The licence holder shall:
- (a) maintain and implement an accident management plan;
  - (b) review and record at least every 4 years or as soon as practicable after an accident, (whichever is the earlier) whether changes to the plan should be made;
  - (c) make any appropriate changes to the plan identified by a review.

### 1.3 Site security

- 1.3.1 Site security measures shall prevent unauthorised access to the site, as far as practicable.

## 2 – OPERATIONS

---

### 2.1 Licensed activities

- 2.1.1 The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities").

### 2.2 Waste acceptance

- 2.2.1 Wastes shall only be accepted if:
- (a) it is of a type and quantity listed in schedule 2, table 2.2; and
  - (b) it conforms to the description in the documentation supplied by the producer and holder.
- 2.2.2 Records shall be maintained of all waste accepted onto the site.

## **3 – EMISSIONS AND MONITORING**

### **3.1 Emissions to air, water, or land**

- 3.1.1 There shall be no point source emissions to air, water or land.

### **3.2 Transfers off-site**

- 3.2.1 Records of all the wastes sent off site from the activities, for either disposal or recovery shall be maintained.

### **3.3 Fugitive emissions of substances**

- 3.3.1 Fugitive emissions of substances (excluding odour and noise) shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions.

- 3.3.2 Litter or mud arising from the activities shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, the litter and mud.

- 3.3.3 Litter and mud arising from the activities shall be cleared from affected areas outside the site as soon as practicable.

- 3.3.4 All liquid wastes, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the licence holder has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

### **3.4 Odour**

- 3.4.1 Emissions from the activities shall be free from odour at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the licence holder has used appropriate measures to prevent or where that is not practicable, to minimise, the odour.

### **3.5 Noise**

- 3.5.1 Emissions from the activities shall be free from noise at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the licence holder has used appropriate measures to prevent or where that is not practicable, to minimise, the noise.

### **3.6 Pests**

- 3.6.1 Scavenging animals, scavenging birds and other pests shall not cause pollution, unless the licence holder has used appropriate measures to prevent or where that is not practicable, to minimise, such pollution.

### **3.7 Monitoring**

- 3.7.1 This licence does not require any monitoring of the activities, emissions or the environment.

## 4 – INFORMATION

### 4.1 Records

- 4.2.1 All records required to be made by this licence shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed by the Agency, for at least 6 years from the date when the records were made, or in the case of the following records until licence surrender:
    - (i) off-site environmental and health effects; and
    - (ii) the condition of land and groundwater.
- 4.2.2 Any records required to be made by this licence shall be supplied to the Agency within 14 days, where the records have been requested in writing by the Agency.

### 4.2 Reporting

- 4.2.3 All reports and notifications required by the licence shall be sent to the Agency using the contact details supplied in writing by the Agency.
- 4.2.4 A summary report of the waste types and quantities accepted and removed from the site shall be made for each quarter. It shall be submitted to the Agency within one month of the end of the quarter, and shall be in the format required by the Agency.

### 4.3 Notifications

- 4.3.1 The Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
  - (b) the breach of a limit specified in this licence; and
  - (c) any significant adverse environmental and health effects.
- 4.3.2 ~~Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.~~
- 4.3.3 Prior written notification shall be given to the Agency of the following events and in the specified timescales:
- (a) as soon as practicable prior to the permanent cessation of any of the activities;
  - (b) cessation of operation of all or part of the activities for a period likely to exceed 3 months;
  - (c) resumption of the operation of all or part of the activities after a cessation notified under (b) above
- 4.3.4 Where the Agency has requested in writing that it shall be notified when the licence holder is to undertake monitoring and/or spot sampling, the licence holder shall inform the Agency when the relevant monitoring is to take place. The licence holder shall provide this information to the Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.5 The Agency shall be notified within 7 days of any changes in technically competent

management and the name of any incoming person together with evidence that such person has the required technical competence.

- 4.3.6 The Agency shall be notified within 14 days of the licence holder and/or any relevant person being convicted of a relevant offence, (unless such information has already been notified to the Agency), with details of the nature of the offence, the place and date of conviction, and the sentence imposed.
- 4.3.7 The Agency shall be notified within 14 days of the licence holder and/or any relevant person lodging an appeal against a conviction for any relevant offence and of the outcome when the appeal is decided.
- 4.3.8 The Agency shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:
- a) Where the licence holder is a registered company:
    - any change in the licence holder's trading name, registered name or registered office address
    - any change to particulars of the licence holder's ultimate holding company (including details of an ultimate holding company where a licence holder has become a subsidiary);
    - any steps taken with a view to the licence holder going into administration, entering into a company voluntary arrangement or being wound up; and
    - if the licence holder is not the operator: any change in the operators trading name; address; registered name or registered office address.
  - b) Where the licence holder is a corporate body other than a registered company:
    - any change in the licence holder's name or address;
    - any steps taken with a view to the dissolution of the licence holder; and
    - if the licence holder is not the operator: any change in the operators trading name; address; registered name or registered office address.
  - c) In any other case:
    - the death of any of the named licence holders (where the licence holder consists of more than one named individual);
    - any steps taken with a view to the licence holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership; and
    - if the licence holder is not the operator: any change in the operators trading name; address; registered name or registered office address.
- 4.3.9 The Agency shall be notified at least 7 days in advance of the commencement of any of the activities.

## 4.4 Interpretation

- 4.4.1 In this licence the expressions listed in schedule 3 shall have the meaning given in that schedule.

# Schedule 1- Licensed Area

The licensed area shall mean that area delineated red on Drawing Number WDA/305/036, entitled "EXTENT OF LICENCE APPLICATION PLANNING PERMISSION AND LEASE", and dated January 1992.



## Schedule 2 - Operations

| Table 2.1 Licensed activities   |   |
|---|---|
| Description of activities   | Limits of activities  |
| <p><b>D15:</b> Storage pending, on this site any of the category "D" operations authorised under this column, or elsewhere than on this site, any of the operations listed in Part III of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).</p> <p><b>R13:</b> Storage of waste consisting of materials intended for submission, on this site to any of the category "R" operations authorised under this column, or elsewhere than on this site, to any of the operations listed in Part IV of Schedule 4 of the 1994 Regulations, (excluding temporary storage, pending collection, on the site where it is produced).</p> <p><b>D14:</b> Repackaging of waste prior to waste being submitted on this site to any of the category "D" operations authorised under this column, or elsewhere than on this site, by means of any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.</p> | <p>Activities only permitted within the licensed area as detailed in schedule 1.</p> <p>Cement bonded asbestos waste must be double bagged and kept within clearly identified, secure lockable containers.</p> <p>All waste must be kept on impermeable pavement with sealed drainage.</p> <p>The maximum storage capacity of hazardous waste for disposal must not exceed 10 tonnes. Hazardous wastes for disposal must be kept within clearly identified, secure lockable containers.</p> |
| <p><b>D9:</b> Physico-chemical treatment of waste not listed elsewhere in this table which results in final compounds or mixtures which are disposed of on this site by means of any of the category "D" operations authorised under this column, or elsewhere than on this site, by means of any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.</p> <p><b>R2:</b> Recycling or reclamation of organic substances which are not used as solvents</p> <p><b>R3:</b> Recycling or reclamation of metals and metal compounds</p>  | <p>Activities only permitted within the licensed area as detailed in schedule 1.</p> <p>Treatment consisting only of manual sorting, separation, shredding or compaction of waste into different components for disposal, (no more than 50 tonnes per day) or recovery.</p> <p>Waste must be treated on impermeable pavement with sealed drainage.</p> <p>There <u>must not</u> be any treatment of asbestos waste</p>  |
| <p><b>R4:</b> Recycling or reclamation of other inorganic materials.</p>  |   |

**Table 2.2 Licensed waste types and quantities****Maximum Quantities**

The quantity of wastes listed below, accepted at the site shall be less than 5,000 tonnes a year.

**Exclusions**

Notwithstanding the specification of waste types below, wastes shall not be accepted at the site which have any of the following characteristics:

- Consisting solely or mainly of dusts, powders or loose fibres

| Waste Code | Description  |
|------------|--|
| 20         | MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS  |
| 20 01      | separately collected fractions (except 15 01)  |
| 20 01 01   | paper and cardboard  |
| 20 01 02   | glass  |
| 20 01 08   | biodegradable kitchen and canteen waste  |
| 20 01 10   | clothes  |
| 20 01.11   | textiles   |
| 20 01 13*  | solvents   |
| 20 01 14*  | acids  |
| 20 01 15*  | alkalines  |
| 20 01 17*  | photochemicals   |
| 20 01 19*  | pesticides   |
| 20 01 21*  | fluorescent tubes and other mercury containing waste   |
| 20 01 23*  | discarded equipment containing chlorofluorocarbons   |
| 20 01 25   | edible oil and fat   |
| 20 01 26*  | oil and fat other than those mentioned in 20 01 25   |
| 20 01 27*  | paint, inks, adhesives and resins containing dangerous substances  |
| 20 01 28   | paint, inks, adhesives and resins other than those mentioned in 20 01 27   |
| 20 01 29*  | Detergents containing dangerous substances   |
| 20 01 30   | detergents other than those mentioned in 20 01 29  |
| 20 01 33*  | batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries |
| 20 01 34   | batteries and accumulators other than those mentioned in 20 01 33  |
| 20 01 35*  | discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing                             |

| <b>Table 2.2 Licensed waste types and quantities</b> |   |
|--|---|
|  | hazardous components  |
| 20 01 36   | discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35 |
| 20 01 37*  | wood containing dangerous substances  |
| 20 01 38   | wood other than that mentioned in 20 01 37  |
| 20 01 39   | plastics  |
| 20 01 40   | metals  |
| 20 01 41   | wastes from chimney sweeping  |
| 20 02  | garden and park wastes (including cemetery waste)   |
| 20 02 01   | biodegradable waste   |
| 20 02 02   | soil and stones   |
| 20 02 03   | other non-biodegradable wastes  |
| 20 03  | other municipal wastes  |
| 20 03 01   | mixed municipal waste   |
| 20 03 07   | bulky waste   |
| <b>13</b>  | <b>OIL WASTES AND WASTES OF LIQUID FUELS</b>  |
| 13 02  | waste engine, gear and lubricating oils   |
| 13 02 05*  | mineral-based non chlorinated engine, gear and lubricating oils   |
| 13 02 06*  | synthetic engine, gear and lubricating oils   |
| 13 02 07*  | readily biodegradable engine, gear and lubricating oils   |
| <b>16</b>  | <b>WASTES NOT OTHERWISE SPECIFIED IN THE LIST</b>   |
| 16 05  | gases in pressure containers and discarded chemicals  |
| 16 05 05   | gases in pressure containers other than those mentioned in 16 05 04   |
| <b>17</b>  | <b>CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)</b>                |
| 17 06  | insulation materials and asbestos-containing construction materials   |
| 17 06 01*  | Insulation materials containing asbestos (bonded asbestos only)   |
| 17 06 04   | insulation materials other than those mentioned in 17 06 01 and 17 06 03                                    |
| 17 06 05*  | Construction materials containing asbestos (bonded asbestos only)   |

## Schedule 3 – Interpretation

*"accident"* means an accident that may result in pollution.

*"authorised officer"* means any person authorised by the Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(4) of that Act.

*"emissions to land"*, include emissions to groundwater.

*"fugitive emission"* means an emission to air, water or land from the activities which is not controlled by an emission limit.

*"groundwater"* means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

*"notify/notified without delay"* means that a telephone call can be used, whereas all other reports and notifications must be supplied in writing, either electronically or on paper.

*"pollution"* includes pollution of the environment, harm to human health and serious detriment to the amenities of the locality, resulting from the licensed activities.

*"quarter"* means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

*"relevant person"* and *"relevant offence"* shall have the meaning given to them in the Environmental Protection Act 1990

*"sewer"* means sewer within the meaning of section 219(1) of the Water Industry Act 1991.

*"technically competent management"* and *"technical competence"* shall be as prescribed under Section 74 of the Environmental Protection Act 1990.

*"waste code"* means the code specified in The List of Wastes (England) Regulations 2005 (SI 2005 No. 895) as amended, or The List of Wastes (Wales) Regulations 2005 (SI 2005 No.1820) (W.148) as amended. Codes marked with an \* are hazardous waste, as defined in those regulations. Licence conditions apply to those wastes listed with a six-digit code.

*"Waste Management Licensing Regulations"*, means The Waste Management Licensing Regulations 1994 (SI1994 No. 1056) (as amended).

*"year"* means calendar year commencing on 1<sup>st</sup> January.