

Sheet 1 of 7

Licence No. SL303

WEST MIDLANDS COUNTY COUNCIL

CONTROL OF POLLUTION ACT 1974

LICENCE TO DISPOSE OF WASTE

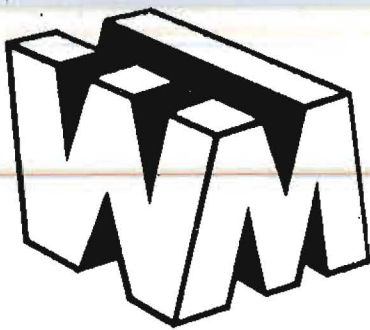
The County Council of West Midlands in pursuance of the powers conferred on them by the Control of Pollution Act 1974 hereby licence of (hereinafter called the "licence holder") to in accordance with the conditions specified herein on which is edged red on the drawing attached to the licence being land occupied by the licence holder

This licence is granted subject to the conditions set out in the schedule hereto

Dated this 20th day of NOVEMBER 1979

K. Hawley
.....
County Waste Disposal Officer

The licence holder's attention is drawn to the notes overleaf



NOTES

These notes are for the general guidance of the licence holder and they do not constitute an authoritative statement of the law.

1. This licence only relates to the requirements in the Control of Pollution Act 1974 for the deposit of controlled waste or the use of plant or equipment subject to the conditions set out in the Schedule and does not constitute a consent required by any other legislation. In particular it is the responsibility of the licence holder to comply with any requirements of the Health and Safety at Work etc. Act 1974; the Radioactive Substances Act 1960, The Town and Country Planning Act, Water Protection and Environmental Health Legislation.
2. If the licence holder ceases to occupy the land specified above, then he may transfer the licence to the new occupier after giving notice to the County Waste Disposal Officer that he proposes to transfer the licence on a day specified in the notice. The County Council has the right to decline to accept the new licence holder.
3. If the licence holder wishes to cancel this licence, he must return it to the County Waste Disposal Officer together with a notice stating that he no longer requires the licence. Cancellation of the licence will not affect any outstanding liability of the licence holder under the conditions of the licence.

Contravention of Licence Conditions

Your attention is drawn to the provisions of Section 3, 9 and 16 of the Control of Pollution Act, 1974 appended hereto.

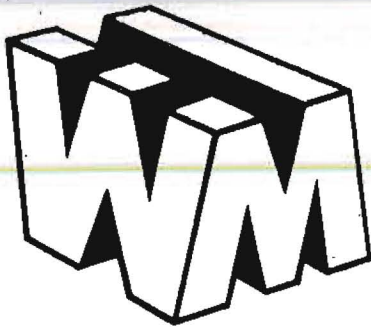
Section 3

Prohibits under penalty, the depositing of waste or the use of plant or equipment otherwise than in accordance with the terms of a licence. This Section applies to all the conditions contained herein, including any which may be the subject of appeal to the Secretary of State under Section 10 of the Act.

Any deposit which takes place without compliance with all the licence conditions is illegal and will lead to prosecution under this Section.

Section 9

Non compliance with any licence conditions may lead to the revocation of this licence.



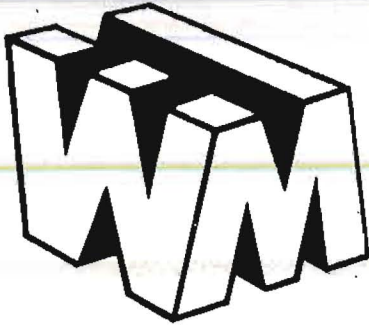
Section 16

The licencing authority is empowered to require the removal of any controlled waste deposited in circumstances where any of the conditions contained in this licence are not being complied with.

Penalties under Section 3

A person who contravenes any of the above provisions subject to Sub-Section (4) shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding £1,000 or on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both.

A person who contravenes paragraph (a) of Sub-Section (1) shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding £1,000 or both or on conviction on indictment to imprisonment for a term not exceeding five years or a fine or both.



Sheet 4 of 7

Licence No. SL303

Conditions for Landfill Site at: Rose Lane, off Dudley Road East, Tividale, Sandwell.

Licence Holder: Birlee Industrial Ltd.

Licence No: SL303

General

1. The licence holder shall operate the licence in accordance with the conditions specified and shall notify the Waste Disposal Authority of any proposed change in the conduct of operations on the site at least one month before the proposed change is implemented.
2. A notice board of durable finish shall be erected near the site entrance naming the site, the site operator and the telephone number where he may be contacted together with the name of the Waste Disposal Authority responsible for issuing the licence.
3. The terms of this licence shall be made known to any person(s) given responsibility for the management or control of the site and a copy of the licence shall be displayed in the site control office.

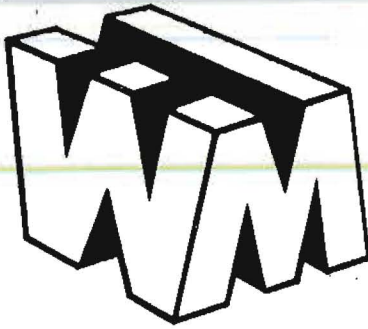
Types of Waste

4. The types of wastes deposited on the site shall only consist of:-
Used foundry sand, furnace slag, refractory bricks, demolition materials, subsoil and topsoil. These wastes shall not contain any hazardous* quantity or concentration of any noxious, hazardous or polluting substance.
5. No liquid wastes may be deposited on the site.

Hours of Operation

6. Subject to condition (7) wastes shall only be deposited on the site between 0700 hours and 1800 hours on Mondays to Fridays and between 0700 hours and 1200 hours on Saturdays.
There shall be no operations on the site on Sundays or on Bank Holidays unless such operations take place with the prior written agreement of the Waste Disposal Authority.
7. No waste shall be deposited on the site during the hours of darkness unless adequate lighting is provided.

*See notes for definition



Access to Site

8. Vehicles passing to or from the site shall, except in the case of an emergency or other abnormal site conditions, use the access road off Dudley Road East. Except in an emergency vehicles may not use the access from Temple Way or any other road through the adjacent housing development.
9. Adequate measures shall be taken to ensure that mud, debris or any other material is not deposited on the public highway by vehicles using the site.

Gates and Site Security

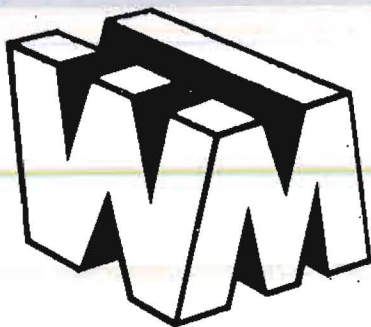
10. A gate must be provided at the site entrance. The gate shall be locked when the site is not in use and adequate precautions taken to the satisfaction of the Waste Disposal Authority to prevent unauthorized access of vehicles to the site and/or flytipping.

Site Control

11. The site shall be adequately manned and supervised during all working operations.
12. A copy of the site licence shall be displayed in the site control office. The terms of the licence shall be made known to users of the site and to any person given responsibility for the management or control of the site.
13. Records shall be kept of the types and quantities of wastes deposited on the site. These records shall be open to inspection by representatives of the Waste Disposal Authority at any reasonable time and copies sent to the Waste Disposal Authority each month.

Methods of Operation

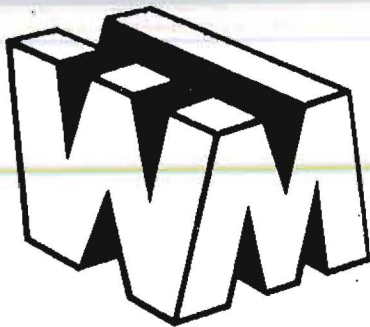
14. Before tipping shall commence a scheme incorporating the works on this site with those on the adjacent site known as the Duport Rattlechain site shall have been agreed with Duport Properties Ltd and approved by the Waste Disposal Authority.
15. Tipping of wastes shall take place in such a manner as to ensure maximum stability of the filled ground.
16. Solid Wastes shall be formed into a layer in one or other of the ~~methods described in condition 17 below as soon as possible after deposit~~ using suitable compaction equipment with a blade or some other suitable levelling device.



17. Waste shall either (a) be deposited on the surface of the site behind the face and partially compacted by a tractor or other compacting device before being pushed over the face, or it shall (b) be deposited on the ground forming the base of the site or on a previous layer by being pushed upwards and driven over by a tractor or other compacting device.
18. The maximum depth of waste after initial compaction shall be 2.5 metres.
19. No wastes shall be burned on the site. All outbreaks of fire shall be notified forthwith to the Fire Authority and to the Waste Disposal Authority. Access shall be provided for Fire Service vehicles if required in the case of an emergency.
20. Not less frequently than once per 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.
21. Site roads or other surfaces shall, as necessary, be sprayed with water to suppress dust. (Use of water may require Water Authority approval).
22. Measures shall be undertaken to control the noise from machinery and vehicles by proper maintenance and use.
23. Working faces and flanks of the tip shall be compacted to form gradients not steeper than 1:3.
24. The site entrance road and any subsidiary roads shall be maintained to a reasonable standard to the satisfaction of the Waste Disposal Authority and the site entrance and immediate environs kept in a tidy condition at all times.
25. Until final restoration completed areas of landfilling shall be graded and maintained in a tidy condition and where necessary action taken to control weeds.

Screening Plant

26. The plant shall be adequately supervised during all working operations and whilst carrying out any maintenance.
27. Operational instructions shall be kept available and displayed at the facility.



28. Adequate measures shall be taken to avoid public nuisance caused by the operation of the plant.
29. Should the plant be situated at the top of the existing quarry near to the adjacent housing, suitable screening shall be provided.

Other Conditions

30. Precautions shall be taken to deal effectively with any vermin or insects on the site. All pesticides, pesticidal products and where appropriate, pest control techniques, shall have been cleared for use through the Pesticides Safety Precautions Scheme (DOE circular 90/76 of 24th September 1976).
31. Any temporary cessation of operations for a period in excess of 3 months shall be notified to the Waste Disposal Authority.
32. Any mineshafts found as a result of site works shall be rendered safe in accordance with conditions laid down by the National Coal Board.
33. A copy of any notice or instruction received in respect of the site from any Authority other than the Waste Disposal Authority which in any way relates to the use of the site as a tip shall be given to the Waste Disposal Authority within 3 days of receipt.
34. Adequate measures shall be taken to prevent public nuisance caused by site operations including noise, dust, fumes, grit and odours.

Final Levels

35. Final levels shall be as approved by the Waste Disposal Authority.

Notes

1. In this licence a hazardous quantity or concentration of any substance contained in any waste is to be regarded as hazardous if that substance is present in that waste in such a quantity or concentration as to subject persons or animals to material risk of death, injury or impairment of health, or as to threaten the pollution or contamination (whether on the surface or underground) of any water supply.

SON.

SL 303

