

Notice of variation with introductory note

Environmental Permitting (England & Wales) Regulations 2010

Agrivert Limited

Wallingford Composting Site
Benson Lane
Wallingford
Oxfordshire
OX10 6SL

Variation application number
EPR/MP3795EX/V003

Permit number
EPR/MP3795EX

Wallingford Composting Site

Permit number EPR/MP3795EX

Introductory note

This introductory note does not form a part of the notice

The following notice gives notice of the variation of an environmental permit.

This administrative variation seeks to remove all existing conditions and replace them with the standard rules set SR2008No16_75kte. It also extends the permitted area.

The schedules specify the changes made to the original permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Waste Management Licence EAWML 86374 issued	18/04/06	Composting licence
Modification EAWML 86374 issued	30/04/07	Change to fixed conditions
Variation application EPR/MP3795EX/V003 received	20/07/11	Change to standard rules conditions SR2008No16 and extension of permitted boundary
Variation determined EPR/MP3795EX/V003	06/09/11	Varied permit issued

End of introductory note

Notice of variation

Environmental Permitting (England and Wales) Regulations 2010

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies

Permit number
EPR/MP3795EX

issued to:
Agrivert Limited (“the operator”)

whose registered office is

The Stables
Radford
Chipping Norton
Oxfordshire
OX7 4EB

company registration number **02885265**

to operate a regulated facility at

Wallingford Composting Site
Benson Lane
Wallingford
Oxfordshire
OX10 6SL

to the extent set out in the schedules.

The notice shall take effect from 06 September 2011

Name	Date
Damien Matthias	06/09/11

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

The following conditions are deleted as a result of the application made by the operator

All existing conditions

Schedule 2 – conditions to be amended

None

Schedule 3 – conditions to be added

The following conditions are added as a result of the application made by the operator

SR2008No16_75kte

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Environment Agency

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE NUMBER: WML 0074	FACILITY TYPE: AD
LICENCE HOLDER: Agrest Limited	LICENCED FACILITY: Greenway South Farm Composting Site
The Stables Bastford Chipping Norton Oxfordshire OX7 4EB	84 Preston Crownmarsh Wallingford Oxfordshire OX10 6SL
(Company registration number 02885265).	

WHEREAS on 18 April 2006 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 you.

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 L. Tregent

Name **Louise Tregent**
Team Leader, Regulatory Waste

Dated 30/04/07

This modification shall take effect on 01 May 2007 at 00.01 hours

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL SET FORTH OVERLEAF.

Environment Agency, Red Elm House, Howbery Park, Crownmarsh Oxford, Wallingford, Oxfordshire, OX10 6SD



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 :-

The Planning Inspectorate
Environment Appeals Team
Room 4/19, Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0117 372 8726

Fax: 0117 372 8139

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.

SCHEDULE – CONDITIONS RELATING TO THIS MODIFICATION

Modification of conditions under section 37 (1)(b) as follows:

Delete all conditions

Add new conditions 1.1 to 4.4

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 Waste 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 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 The licence holder shall, unless otherwise agreed in writing by the Agency, undertake monitoring for the parameters, at the locations and at not less than the frequencies specified in the following schedules and tables to this licence.

(a) Schedule 3, table 3.1.

- 3.7.2 The licence holder shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

4 – INFORMATION

4.1 Records

- 4.1.1 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.
- 4.1.2 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

- 4.2.1 All reports and notifications required by the licence shall be sent to the Agency using the contact details supplied in writing by the Agency.
- 4.2.2 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 4 shall have the meaning given in that schedule.

Schedule 2 - Operations

Description of activities	Limits of activities
R13: 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>The storage, physical treatment, composting and maturation of wastes must take place in a well-ventilated building on impermeable pavement with a sealed drainage system, or outdoors on areas of impermeable pavement with a sealed drainage system.</p> <p>The storage, physical treatment, composting and maturation of wastes must not take place in any form of enclosed reactor vessel.</p>
R2: Recycling or reclamation of organic substances which are not used as solvents (by the biological treatment process of composting with associated physical treatment by way of shredding and screening).	The storage, physical treatment, composting and maturation of wastes under anaerobic conditions shall be prevented, or where that is not practicable, minimised.

Maximum Quantities	
The quantity of wastes listed below, accepted at the site shall be less than 25,000 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:	
<ul style="list-style-type: none"> • Consisting solely or mainly of dusts, powders or loose fibres • Wastes that are in a form which is either sludge or liquid • Odour producing or likely to be odour producing 	
Waste Code	Description
02 01 03	Plant tissue waste
02 01 06	Animal faeces, urine and manure (including spoiled straw)
02 01 07	Wastes from forestry (comprising wood and plant tissue)
02 03	Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea, and tobacco preparation and processing; alcoholic production; yeast and yeast extract production; cellulose production and fabrication
02 03 04	Biodegradable materials unsuitable for consumption or processing (other than those containing dangerous substances)
02 06	Wastes from the baking and confectionary industry
02 06 01	Biodegradable materials unsuitable for consumption or processing (other than those containing dangerous

	substances)
03 01 01	Waste bark and cork
03 01 05	Sawdust, shavings, cuttings, wood, particle board and veneer other than those containing dangerous substances
03 03 01	Waste bark and cork
15 01	
15 01 01	Paper and cardboard packaging
15 01 03	Wooden packaging (untreated)
17 02	
17 02 01	Wood (untreated)
19 12	
19 12 01	Paper and cardboard
19 12 07	Wood other than wood containing dangerous substances
20 01	
20 01 38	Wood other than containing dangerous substances from separately collected fractions of municipal wastes (household waste and similar commercial industrial and institutional wastes)
20 02	Garden and park waste (including cemetery waste)
20 02 01	Biodegradable waste (comprising wood and plant tissue)
20 03	Other municipal wastes
20 03 02	Waste from markets (biodegradable)

Schedule 3 – Emissions and monitoring

Monitoring point	Substance or parameter	Monitoring frequency	Monitoring method	Other specifications
Internal for each windrow and for any sample of waste or compost	Temperature	None specified	Thermocouple probe	Monitoring equipment must be available on-site and used as required to ensure compliance with the conditions of this licence.
	Oxygen	None specified	Oxygen meter	
	Moisture	None specified	Moisture meter	

Schedule 4 - 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.

"composting", means the biological decomposition of organic materials, under conditions that are predominantly aerobic and that allow the development of thermophilic temperatures as a result of biologically produced heat.

"emissions to land", includes 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.

"groundwater protection zones" are as defined in The Agency's Policy and Practice For the Protection of Groundwater.

"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" means 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 either 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 January.

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Environment
Agency

**ENVIRONMENTAL PROTECTION ACT 1990
WASTE MANAGEMENT LICENCE**

LICENCE REF No :- EAWML/86374

FACILITY TYPE: COMPOSTING

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the keeping and treatment of controlled waste on the land specified in schedule 1 to this licence to **Agrivert Limited, The Stables, Radford, Chipping Norton, Oxfordshire, OX7 4EB (Company registration number 02885265)**, those persons being in occupation of the said land, the said licence being subject to the conditions specified in schedule 2 to this licence.

SCHEDULE 1.- SPECIFIED LAND.

The licence relates to the land at **Crowmarsh Battle Farm Composting Site, 84 Preston Crowmarsh, Wallingford, Oxfordshire, OX10 6SL**, hereinafter called "the site" shown edged red on Drawing Reference Number 1060-1-022, dated 13 April 2005 and attached to this licence.

Signed *C. Traill*

Name CHRIS TRAILS

Team Leader Regulatory Waste

Dated 18 April 2006

FOR ENVIRONMENT AGENCY OFFICIAL USE ONLY.

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

Environment Agency, Red Kite House, Howbery Park, Wallingford, OX10 8BD



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, a licence is granted subject to conditions, the applicant 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:

Environment Appeals Team
The Planning Inspectorate
Room 4/19 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel No: 0117 372 8726
Fax No: 0117 372 8139

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

a statement of the grounds of appeal;

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.