

Department of the Environment

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Waste Management (Jersey) Law 2005 Waste Management Licence

Licence Number: WML011
Facility Type: Waste transfer station / construction, demolition & excavation waste recycling site

Date of issue: 16 December 2013

The Minister for Planning and Environment (“the Regulator”), in accordance with Article 30 of the Waste Management (Jersey) Law 2005, hereby grants a Waste Management Licence to:

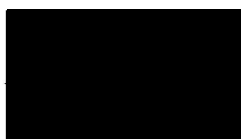
Licence holder: Holiday Tours Limited, trading as ‘W.P. Recycling’
Address: Broadlands, Le Mont Fallu, St Peter, JE3 7EF

This Waste Management Licence authorises the deposit, keeping, treatment or recovery of controlled waste to the extent authorised by and subject to the conditions of this licence on land at:

Site Address: Broadlands, Le Mont Fallu,
St Peter, JE3 7EF

shown edged in red on the site plan attached to this licence, Jersey mapping grid reference 37748 68418.

Duly authorised for and on behalf of the Minister for Planning and Environment:



Signed _____

Dr T A du Feu
Director of Environmental Protection

Notes

This licence does not exempt the holder from obtaining any consent required by or from complying with any other statutory provisions or laws.

There is a right of appeal by the applicant for this Waste Management Licence against any term or Condition imposed by the Minister for Planning and Environment in granting this licence. Appeals should be lodged with the Royal Court within 21 days of being served with the licence, although the Royal Court may allow an appeal after the 21 days have expired. For more information on appeals under the Waste Management (Jersey) Law 2005 please contact Environmental Protection at the Department of the Environment.

Conditions

1. Statutory Conditions

- 1.1. The licence holder must not carry out any activity to which the licence relates on any land that he or she may not for the time being lawfully use for that purpose.

2. Management

2.1. General management

- 2.1.1. The licence holder shall manage and operate the activities:
- (a) in accordance with a written Working Plan that includes, and is not limited to the identification and minimisation of risks of pollution, including those arising from operations, maintenance, accidents, fires, incidents, non-conformances, closure and those drawn to the attention of the licence holder as a result of complaints;
 - (b) using sufficient technical resources and competent persons who are appropriately trained to comply with the relevant aspects of this licence.
- 2.1.2. Records demonstrating compliance with Condition 2.1.1 shall be maintained.
- 2.1.3. Any person 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.
- 2.1.4. 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 the agreed working plan which are relevant to their specific duties.

2.2. Avoidance, recovery and disposal of wastes produced by the activities

- 2.2.1. The licence holder shall:
- (a) take appropriate measures to ensure that waste produced by the activities is avoided or reduced, or where waste is produced it is recovered wherever practicable or otherwise disposed of in a manner which minimises its impact on the environment;
 - (b) review and record, at least every four years, whether changes to those measures should be made; and
 - (c) take any further appropriate measures identified by a review.

2.3. Site security

- 2.3.1. The licence holder shall:
- (a) take appropriate site security measures to prevent unauthorised access to the site as far as practicable;
 - (b) maintain and implement a Site Security Plan;
 - (c) review and record, at least every four years, whether changes to the Site Security Plan should be made; and

- (d) make any appropriate changes to the Site Security Plan identified by the review.

3. Operations

3.1. Permitted activities

- 3.1.1. The licence holder is only authorised to carry out the activities specified in Table 3.1 (the “activities”)

Table 3.1 Activities		
Relevant Article described in the Waste Management (Jersey) Law 2005	Description of specified activity	Extent of specified activity
Article 23 (2) (a) the deposit of controlled waste on any land; (b) the keeping of controlled waste on any land; (c) the treatment of controlled waste on any land, or by means of any mobile plant; and (d) the disposal or recovery of controlled waste on any land, or by means of any mobile plant.	Storage of controlled wastes pending recovery or disposal Repackaging prior to submission to recovery or disposal Physico-chemical treatment which results in final compounds or mixtures which are subject to disposal Recycling/reclamation of organic substances which are not used as solvents Recycling or reclamation of metals and metal compounds. Recycling/reclamation of other inorganic materials.	Treatment consisting only of manual or mechanical sorting, separation, screening or crushing, baling, shredding and compaction of waste into different components for disposal or recovery. There shall be no treatment of lead acid batteries other than sorting and separating from other wastes. Wastes shall be stored for no longer than 1 year prior to disposal and 3 years prior to recovery.

- 3.1.2. Where wastes are being brought onto the site for waste management activities which are exempt from licensing under Article 24 of the Waste Management (Jersey) Law 2005 then those wastes shall be kept clearly segregated and identified from wastes which are on the site for activities authorised under this licence.

3.2. The site

- 3.2.1. The activities authorised by this licence shall not extend beyond the site boundary as indicated by the solid red line on the Site Plan drawing no: DP1111 100 shown in Schedule 1.

3.3. Working plan & operating techniques

- 3.3.1. The activities shall, subject to the conditions of this licence, be operated using the techniques and in the manner described in the agreed working plan, unless otherwise agreed in writing by the Regulator. All references to the working plan in this licence shall mean the working plan agreed in writing by the Regulator.
- 3.3.2. Should there be any conflict between the licence conditions and the working plan, then the licence conditions shall take precedence.
- 3.3.3. For the purpose of this licence, any breach of the techniques and manner of operation described and contained in the working plan will be considered as a breach of the condition of the licence.
- 3.3.4. The working plan shall include the best techniques that are for the time being available and the best environmental practice that is for the time being recognised for the environmentally sound management of waste.
- 3.3.5. The licence holder shall ensure that:
- (a) the working plan is reviewed and kept up to date as necessary (at least every four years or when directed by the Regulator);
 - (b) records of the review process are maintained; and
 - (c) appropriate changes to the working plan identified by the review are made.
- 3.3.6. Where the licence holder proposes to make a change to the working plan in terms of the nature or functioning, or an extension of the activities, including changes to the operating techniques and the change is not otherwise the subject of an application for approval under the Waste Management (Jersey) Law 2005 for this licence then;
- (a) the Regulator shall be notified in writing as soon as practical and at least 28 days before the licence holder intends to implement the proposed change;
 - (b) the notification shall contain a description of the proposed change in operation and include an updated assessment of the identification and minimisation of risks of pollution; and
 - (c) except in an emergency, any proposed change shall not be implemented without the prior written consent of the Regulator.
- 3.3.7. Should there be any conflict between the licence conditions and the working plan, then the licence conditions shall take precedence.
- 3.3.8. The working plan shall include the best techniques that are for the time being available and the best environmental practice that is for the time being recognised for the environmentally sound management of waste.

3.4. Waste acceptance

- 3.4.1. Waste shall only be accepted if:
- (a) it is of a type and quantity listed in Table 3.4(a) below; and

- (b) it conforms to the description of the waste supplied by the waste producer or waste holder delivering the waste.

Table 3.4(a) Permitted waste types and quantities	
Maximum quantity / other limitations	Maximum Quantities
Waste code¹	Exclusions
	Wastes having any of the following characteristics shall not be accepted: <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
Waste code¹	Description
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	end-of-life vehicles from different means of transport [including off-road machinery] and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13,14, 16 06 and 16 08)
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 19	plastic
16 01 20	glass
16 01 22	discarded components not otherwise specified [excluding components containing oil, mercury, PCB's, explosive components (e.g. air bags), asbestos, brake fluids, or other hazardous components]
16 02	wastes from electrical and electronic equipment
16 02 11	discarded equipment containing chlorofluorocarbons, HCFC, HFC
16 02 13	discarded equipment containing hazardous components ² other than those mentioned in 16 02 09 to 16 02 12 [other than transformers or capacitors containing PCBs, equipment contaminated by PCBs, chlorofluorocarbons or asbestos]
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13 [electrical equipment and appliances which do not contain PCB's, ozone depleting substances, asbestos or hazardous components]
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15 [other than hazardous components]
16 06	batteries and accumulators
16 06 01	lead batteries* [lead acid vehicle batteries]
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 01	concrete, bricks, tiles and ceramics
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06 [mixtures of, or separate fractions of concrete, bricks, tiles and ceramics containing dangerous substances]
17 03	bituminous mixtures, coal tar and tarred products

¹ Waste codes and descriptions are from the European Waste Catalogue in the revised Waste Framework Directive (2008/98/EC) [The descriptions in square brackets are additional descriptions included to clarify the types of wastes permitted or excluded under the code and description]

² Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass, and other similar items.

Table 3.4(a) Permitted waste types and quantities	
Maximum quantity / other limitations	Maximum Quantities
Waste code¹	Exclusions
	Wastes having any of the following characteristics shall not be accepted: <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
Description	
17 03 02	bituminous mixtures other than those mentioned in 17 03 01 [other than containing coal tar]
17 04	metals (including their alloys)
17 04 01	copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	iron and steel
17 04 06	Tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10 [other than cables containing oil, coal tar and other dangerous substances]
17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 04	soil and stones other than those mentioned in 17 05 03 [other than containing dangerous substances]
17 05 06	dredging spoil other than those mentioned in 17 05 05 [other than containing dangerous substances]
17 06	insulation materials and asbestos-containing construction materials
17 06 01*	insulation materials containing asbestos (M)
17 06 04	insulation materials other than those mentioned in 17 06 01 and 17 06 03 [other insulation materials containing asbestos or consisting of or containing dangerous substances]
17 06 05*	construction materials containing asbestos (M)
17 08	gypsum-based construction material
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01 [gypsum-based construction materials contaminated with dangerous substances]
17 09	other construction and demolition wastes
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03 [other than containing mercury, PCB's and other dangerous substances]
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION/INDUSTRIAL USE
19 10	wastes from shredding of metal-containing wastes
19 10 01	iron and steel waste
19 10 02	non-ferrous waste
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 02	ferrous metal
19 12 03	non-ferrous metal
20	MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS
20 01	separately collected fractions (except 15 01)

Table 3.4(a) Permitted waste types and quantities	
Maximum quantity / other limitations	Maximum Quantities The total quantity of waste accepted at the site shall be less than 200,000 tonnes a year.
	Exclusions Wastes having any of the following characteristics shall not be accepted: <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
Waste code¹	Description
20 01 01	paper and cardboard
20 01 02	glass
20 01 10	Clothes
20 01 11	Textiles
20 01 21	fluorescent tubes and other mercury containing waste
20 01 23	Discarded equipment containing chlorofluorocarbons
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 33	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 [lead, Ni-Cd and mercury containing batteries] 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 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 02	waste from markets

- 3.4.2. Waste authorised by this licence in Tables 3.4(a) shall be clearly distinguished from any other waste produced on the site.
- 3.4.3. Any proposal to accept waste other than that listed in table 3.4(a), (other than permanently for which an application to modify the licence conditions should be made), must have the prior written agreement of the Regulator.
- 3.4.4. Hazardous wastes shall not be accepted unless specifically permitted in condition 3.4.1.
- 3.4.5. Municipal and household waste containing food, putrescible waste and biodegradable kitchen waste shall not be accepted.

- 3.4.6. All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with the waste acceptance procedures in the working plan and shall include, but not be limited to, the standards specified in Table 3.4(b) below.

Table 3.4(b) Standards for waste acceptance and control procedures	
Stage of Waste Handling	Specified Standards
Waste reception	All wastes received at the site shall be assessed for acceptance in a waste reception area.
Waste inspection	A visual check shall be made of each vehicle, item or load of waste delivered to the site to ensure that the waste is of a type authorised for acceptance.
Waste acceptance and recording	A written record shall be kept of all wastes accepted on site which shall incorporate a description of the waste supplied by the waste producer or waste holder delivering the waste.
Identification of wastes	Wastes shall be stored in clearly defined and identified skips and/or bays.
Inspection of wastes for despatch	All wastes despatched from the site shall be inspected prior to despatch to confirm their description and composition.
Waste despatch and recording	A record shall be kept of all wastes despatched from the site.
Incompatible wastes	Incompatible wastes which are likely, in combination with each other or with other material at the site, to give rise to pollution shall be clearly identified and kept physically separate in designated areas.

- 3.4.7. Any non-permitted or contaminated waste which arrives at the site and is detected during the waste reception process shall be rejected. Where these wastes cannot be removed from site immediately, they shall be stored within a designated quarantine area. Any non-permitted waste shall be removed from site as soon as reasonably practicable and not later than five working days unless otherwise agreed with the Regulator.
- 3.4.8. The maximum quantity of waste stored on the site at any one time shall not exceed that detailed in the working plan and the capacity of the designated storage areas of the site identified in the working plan.

3.5. Engineered site containment & drainage systems

- 3.5.1. Waste shall only be deposited, treated, handled or stored in designated areas of the site as listed below;
- (a) all storage and treatment of waste shall be carried out;
 - (i) inside a building or on an impermeable surface with a sealed drainage system, or
 - (ii) on a hardstanding or on an impermeable surface with a sealed drainage system, where the waste is uncontaminated, inert construction, demolition and excavation waste.
 - (b) all storage of waste lead acid batteries shall be in containers with an impermeable, acid resistant base and a cover to prevent ingress of water, unless otherwise agreed in writing with the Regulator.
- 3.5.2. Wastes shall only be deposited, handled or stored, in any area for which an engineered site containment and drainage system is to be newly constructed to meet the requirements of condition 3.5.1 when:

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- (a) the engineered site containment and drainage system has been constructed; and
- (b) a Validation Report on the construction of the engineered site containment and drainage system written by a suitably qualified engineer has been submitted in writing to the Regulator, and the Regulator has confirmed in writing that it has no objection to the placement of wastes on that containment area.
- 3.5.3. Wastes shall only be deposited, handled or stored, in any area for which a previously constructed and existing engineered site containment and drainage system is being used to meet the requirements of condition 3.5.1 when:
- (a) the engineered site containment and drainage system has been inspected by a suitably qualified engineer to validate the existing engineered site containment and drainage systems and this has been maintained or improved, in accordance with their recorded advice, to meet the standards specified in condition 3.5.1; and
- (b) a validation report on the construction of the engineered site containment and drainage system has been submitted in writing to the Regulator, and the Regulator has confirmed in writing that it has no objection to the placement of wastes on that containment area.
- 3.5.4. All areas of hardstanding, impermeable pavement, sealed drainage systems, covered buildings, roofed areas, fixed bays and other containers, storage areas for skips, drums and other mobile tanks and containers:
- (a) shall be inspected and maintained as described in the working plan, 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
- (b) in the event of any damage or defect occurring which breaches the integrity of the engineered containment so that it no longer meets the specified standards, waste shall not be deposited, handled or stored, in any such area, until it has been repaired to the specified standard. The licence holder shall notify the Regulator in accordance with condition 5.3, Notifications.
- 3.6. Site identification board**
- 3.6.1. An identification board shall be displayed which shall be readable from outside the site entrance and shall display the following information
- (a) Site name, address and telephone number;
- (b) Name of the licence holder (and of the operator if different) and emergency contact telephone number;
- (c) The days and hours the site is open to receive waste.
- (d) Waste Management (Jersey) Law 2005
- (e) Licenced site - Waste Management Licence WML011; and

- (f) A statement that the site is licenced by the Department of the Environment, General Enquiries Tel. 441600 Pollution Hotline Tel. 709535.

3.7. Hours of operation

- 3.7.1. The activities authorised by the licence shall only be carried out within the times specified in the working plan.

3.8. Fires

- 3.8.1. No wastes shall be burned on site.
- 3.8.2. Any outbreak of fire on site shall be regarded as an emergency and immediate action shall be taken in accordance with the working plan.

3.9. Pests

- 3.9.1. Scavenging animals, scavenging birds and other pests shall not cause a nuisance or pollution. The licence holder shall use appropriate measures to monitor and control the presence of such pests to prevent the scavenging of wastes or pest infestations arising on the site.
- 3.9.2. The licence holder shall:
 - (a) if notified by the Regulator that the activities are giving rise to nuisance or pollution outside the site due to scavenging animals, scavenging birds and other pests, submit to the Regulator for approval within the period specified, a Pests Management Plan;
 - (b) implement the approved Pests Management Plan, from the date of approval, unless otherwise agreed in writing by the Regulator.

3.10. Litter

- 3.10.1. Litter arising from the authorised 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 this is not practicable to minimise the litter and to prevent any litter escaping from the confines of the site, in accordance with the working plan.
- 3.10.2. Litter arising from the authorised activities shall be cleared from affected areas outside the site as soon as practicable.

3.11. Mud & debris

- 3.11.1. Whenever the site is receiving or despatching wastes, measures shall be provided, operated and maintained in accordance with the working plan in order to prevent the deposit or tracking of mud or debris arising from the site onto public areas outside the site, which shall include roads and areas of public access outside the site.
- 3.11.2. All vehicles leaving operational areas of the site shall be cleaned in accordance with the working plan and checked to ensure the security of the loads.

3.11.3. In the event that mud or debris arising from the site is deposited onto public areas outside the site, clean up and remedial measures shall be implemented immediately, in accordance with the working plan.

3.12. Improvement conditions

3.12.1. Before any waste batteries described in Table 3.4(a) above under waste codes 20 01 33 and 20 01 34 are accepted at the site the licence holder shall complete the improvements specified in Table 3.12 below.

Table 3.12 Improvement requirements

Batteries & accumulators environmental risk assessment	The licence holder shall include within the working plan for approval by the Regulator a fire and environmental risk assessment. This shall detail the types of batteries accepted at the site, the waste acceptance procedures and the handling and storage arrangements.
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4. Emissions and monitoring

4.1. Emissions to air, water or land

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

4.2. Emissions of substances not controlled by emission limits

4.2.1. Emissions of substances not controlled by emission limits (excluding odour and noise) shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures, including, but not limited to those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

4.2.2. Any emissions management plan shall include, but not be limited to the standards specified in Table 4.2 below.

Table 4. 2 Standards for monitoring and control of aerial emissions of dusts, fibres and particulates

a) Monitoring of aerial emissions	i) Site staff supervising individual waste handling operations shall, during the carrying out of those operations, undertake visual monitoring of aerial emissions. ii) The visual monitoring of aerial emissions shall be recorded in the site diary.
b) Remedial action	i) On detection or notification of visible aerial emissions that are likely to be transported beyond the site boundary, immediate action shall be taken to stop the waste handling operations giving rise to the emission and to suppress the aerial emission from the waste. ii) The incident and the remedial action shall be recorded in the site diary.

4.2.3. The licence holder shall:

- (a) if notified by the Regulator that the activities are giving rise to pollution, submit to the Regulator for approval within the period specified, an emissions management plan; and
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Regulator.

4.2.4. All liquids in containers, whose emission to water or land could cause pollution, shall be stored in secure containers provided with secondary containment, unless otherwise agreed in writing with the Regulator.

4.2.5. The licence holder shall make available on site, maintain and train staff in the use of pollution spill kits. Staff training shall include awareness of surface water drainage systems on site.

4.3. Odour

4.3.1. Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by the Regulator, unless the licence holder has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

4.3.2. Any odour management plan shall include, but not be limited to the standards specified in Table 4.3 below

Table 4.3 Standards for monitoring and control of odour

a) Monitoring of odorous emissions	<p>Olfactory monitoring of aerial emissions from the site shall be carried out:</p> <ul style="list-style-type: none"> • by the site manager or supervisor, at least twice a day, at the site boundary situated downwind of the waste operations, and shall be recorded in the site diary; and • by site staff supervising individual waste handling operations, during the carrying out of those operations.
b) Odorous emissions action plan	<p>i) On detection or notification of aerial emissions of odour that are or are likely to be transported beyond the site boundary at such levels that they are likely to cause pollution, immediate action shall be taken to stop the waste handling operations giving rise to the emission and to suppress the aerial emission from the waste; and</p> <p>ii) The incident and the remedial action shall be recorded in the site diary.</p>

4.3.3. The licence holder shall:

- (a) if notified by the Regulator that the activities are giving rise to pollution outside the site due to odour, submit to the Regulator for approval within the period specified, an odour management plan; and
- (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Regulator.

4.4. Noise and vibration

4.4.1. Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by the Regulator, unless the licence holder has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

4.4.2. The licence holder shall:

- (a) if notified by the Regulator that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Regulator for approval within the period specified, a noise and vibration management plan; and
- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Regulator.

4.5. Monitoring

4.5.1. The licence holder shall, unless otherwise agreed in writing by the Regulator, undertake the monitoring for the parameters, at the locations and not less than the frequencies specified in the working plan.

4.5.2. The licence holder shall maintain records of all monitoring required by this licence and in the working plan including (but not limited to) records of the taking and analysis of samples, instrument measurements (periodic and continuous), calibrations, examinations, observations, tests and surveys and any assessment or evaluation made on the basis of such data.

5. Information

5.1. Records

5.1.1 A site diary shall be maintained, kept secure and be available for inspection at the site when required by the Regulator. This shall include and record, but not be limited to, the following information or events:

- (a) construction work;
- (b) maintenance;
- (c) breakdowns;
- (d) incidents and emergencies;
- (e) problems with waste received and action taken including wastes rejected;
- (f) site inspections and monitoring carried out by the operator, required by the conditions of the licence or the working plan;
- (g) despatch of reports and notifications to the Regulator;
- (h) severe weather conditions; and
- (i) environmental problems and remedial actions.

5.1.2 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 in writing by the Regulator, until licence surrender.

5.1.3 The licence holder shall keep on site all records, plans and the working plan required to be maintained by this licence, unless otherwise agreed in writing by the Regulator, with these copies made available for inspection by the Regulator at all reasonable times.

5.2 Reporting

5.2.1 The licence holder shall send all reports and notifications required by the licence to the Regulator using the contact details supplied in writing by the Regulator.

5.2.2 The licence holder shall record the waste accepted and removed from the site (including wastes rejected) in accordance with the working plan. The licence holder shall submit to the Regulator using the form made available for the purpose, the information specified on the form relating to the waste accepted and removed from the site during the previous calendar year within one month of the end of the previous calendar year or otherwise at a frequency agreed by the Regulator.

5.3 Notifications

5.3.1 The licence holder shall notify the Regulator without delay, or as soon as is reasonably practicable and no later than 24 hours after the event, following the detection of:

- (a) any malfunction, breakdown or failure of equipment or techniques, accident, fire, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause any negative impact on the environment;

- (b) the breach of a limit specified in the licence; or
- (c) any significant adverse environmental effects.

5.3.2 Written confirmation of actual or potential pollution incidents and breaches emission limits shall be submitted to the Regulator as soon as is reasonably practicable, and no later than 24 hours after the event.

5.3.3 The Regulator shall be notified as soon as is reasonably practicable, and no later than 14 days after 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:
 - (i) any change in the licence holder's trading name, registered name or registered office address; and
 - (ii) any steps taken with a view to the licence holder going into administration, entering into a company voluntary arrangement or being wound up.
- (b) Where the licence holder is a corporate body other than a registered company:
 - (i) any change in the licence holder's name or address; and
 - (ii) any steps taken with a view to the dissolution of the licence holder.
 - (iii) In any other case:
 - the death of any of the named licence holder (where the licence holder consists of more than one named individual);
 - any change in the licence holder's name(s) or address(es); and
 - and 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 them being a partnership, dissolving the partnership.

5.4 Interpretation

In this licence references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

In this licence the expressions listed below shall have the meaning given.

"accepted" means accepted as waste input to the site for storage and/or processing and/or disposal under the permitted activities.

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

"the activities" means those permitted activities as detailed in Section 3.1 of this licence.

"application" means the application for this licence, together with any additional information supplied by the licence holder as part of the application.

"building" means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“controlled waters” means controlled waters as defined in the Water Pollution (Jersey) Law 2000.

“disposal” means any of the disposal operations listed in the Waste Management (Jersey) Law 2005

“emissions ” includes emissions of any substance or energy to land, water or air.

“emissions of substances not controlled by emission limits” means emissions of substances or energy to air, water or land from the activities, either from the emission points specified in the licence / working plan or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit.

“impermeable surface” means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the pavement surface, and should be read in conjunction with the term “sealed drainage system” (below).

[**Note** - a hardstanding does not of itself provide containment, and waste should not be stored or handled on areas of hardstanding unless it is shown that the activities minimise the risk of pollution of surface water or groundwater]

“lawfully use” has the meaning prescribed in the Waste Management (Jersey) Law 2005.

“pollution” includes the introduction directly or indirectly into the environment of any substance or energy, if its introduction results or is likely to result in –

- (a) a hazard to human health or food or water supplies;
- (b) harm to any living resource or ecosystem;
- (c) damage to any amenity; or
- (d) interference with any legitimate use of land, water or air, and whether or not its introduction is or would be the only contributing factor to that hazard, harm, damage or interference.

“received” means, for waste being delivered to the site, delivered and undergoing the waste acceptance procedures specified in the working plan, including storage of those wastes during those procedures prior to acceptance of the waste.

“recovery” means any of the any of the recovery operations listed in the Waste Management (Jersey) Law 2005.

“road” means a road as defined in the Road Traffic (Jersey) Law 1956.

“the Regulator” means The Minister for Planning and Environment and any person delegated by the Minister under the States of Jersey Law 2005 to exercise the functions and powers in the Waste Management (Jersey) Law 2005.

“sealed drainage system” in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged, all liquids entering the system are collected in a sealed sump.

“secondary containment” means a bund or any other system for preventing waste or a polluting substance which has leaked from the primary container from escaping from the place where it is stored or treated.

Where a bund is used as secondary containment:

- (a) the bund must:
 - (i) have a capacity of not less than 110% of the original container’s storage capacity, or
 - (ii) if there is more than one container within the containment system, have a capacity of not less than 110% of the largest container’s storage capacity or 25% of their aggregate storage capacity, whichever is the greater, and
 - (iii) have an impermeable lining; and
- (b) reasonable precautions must be taken to ensure that the capacities specified in paragraph (a) are maintained at all times.

“secure container” means that –

- (a) all reasonable precautions are taken to ensure that the contents of the container cannot escape from it;
- (b) all reasonable precautions are taken to ensure that members of the public cannot obtain unauthorised access to the container.

“technical resources” means the sufficiency of the expertise that is directly available to the person –

- (a) by way of relevant and up-to-date experience of waste management practices or of similar activities;
- (b) by reason of appropriate qualifications; or
- (c) because of a combination of such experience and qualifications, to ensure that the activity is carried on competently and responsibly.

“working plan” is a working document maintained by the licence holder and agreed by the Regulator. The working plan contains the site specific information that includes but is not limited to, the Waste Management Licence application form, descriptions of the methods and working practices, technology and treatment methods to be used, accompanied by detailed plans and drawings showing the engineering development of the site infrastructure and pollution control systems, the types and quantities of wastes to be treated, the identification and minimisation of risks of pollution (risk assessments), emission controls and mitigation measures, emission limits, monitoring locations, frequencies and methods, records, action plans (including but not limited to any emission management plan, site security plan, odour management plan, noise and vibration management plan, pest control plan) and any other information required by the Regulator.

Schedule 1

Holiday Tours Ltd trading as WP Recycling
Drawing No. DP1111 100
Site boundary shown by the solid red line (approved commercial area P/2008/0288)

