



ENVIRONMENTAL PROTECTION ACT 1990
SECTION 37(1)a



OUTGOING-1

WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION



OTHER-2

LICENCE REF NO :- SL 947 MOD NO 5	FACILITY TYPE :- LANDFILL
LICENCE HOLDER :- Mintworth Quays Ltd Phoenix House Castle Street Tipton West Midlands	LICENSED FACILITY :- Rattlechain Tip Tividale Tipton West Midlands

WHEREAS on the 23rd November 1992 Sandwell Metropolitan Borough Council issued a Disposal Licence in pursuance of their powers under Part 1 of the Control of Pollution Act 1974 for the above named facility.

AND WHEREAS on the 1st May 1994 the said licence fell to be treated as a Waste Management Licence,

AND WHEREAS on 1st April 1995, 24th January 1996, 17th October 1996 and on 2nd May 1997 the said licence was modified,

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Agency by virtue of Section 2 of the Environment Act 1995,

NOTICE IS HEREBY GIVEN that the Agency modifies the following conditions of the said licence :-

In Schedule A

REPLACE conditions 26(b), 26(c) and 27 with conditions 47, 48, 49 and 50 and Schedule C as attached to this notice.

Signed 
For Area Waste Manager - (Upper Trent)

Name V. Wilkinson

Date 4.9.97

Such modification to take effect on 10th September 1997 at 1200 hrs.

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL ATTACHED TO THIS NOTICE





Schedule A

47. (a) A minimum of 2 leachate monitoring boreholes, suitable for the monitoring and sampling of leachate shall be provided at locations agreed with the Agency and shall extend to a depth of at least to the lowest level at which waste has been deposited. Such boreholes shall be strategically placed so as to enable interpretation of the leachate regime within the former 'Duport' part of the site, as identified in the working plan.
- (b) On the installation of each borehole, the borehole log, borehole construction details and a 1:500 scale plan showing the location of the borehole together with its 10 figure national grid reference shall be submitted to the Agency within 7 days of its installation. Each borehole headwork shall be surveyed to AOD and the results forwarded to the Agency forthwith.
- (c) The boreholes referred to in condition 47(a) shall, as far as is reasonably practicable, be maintained in good repair at all times.
- (e) Any boreholes which become buried, lost, damaged by subsidence or otherwise rendered unusable shall be reinstated forthwith by the licence holder.
- (f) All boreholes shall be clearly numbered on site so that each is readily identifiable
- (g) Any proposed change in the location, number or specification of any borehole shall be notified in writing to the Agency and such changes shall not be implemented until the Agency has approved those changes in writing.
48. All works required by condition 47 shall be completed within 3 months of the date of issue of this modification.
49. (a) Upon installation of the leachate monitoring boreholes detailed in condition 47(a), leachate samples from each borehole shall be taken on a monthly basis or at any other frequency specified by the Agency. These samples shall be analysed for all of the determinands as detailed in Schedule C. Notwithstanding the above, the initial leachate sample taken from each borehole shall be analysed for those determinands listed under the annual frequency in Schedule C.
- (b) Details of the initial leachate level within each borehole shall be determined prior to any samples being taken and/or the boreholes being purged in accordance with condition 49(c). The level of liquid within each borehole shall also be recorded and submitted as part of the results in accordance with condition 50(b), together with the volume of leachate removed from each borehole.
- (c) Notwithstanding condition 49(a) above, leachate samples shall only be taken from each borehole either after the borehole has been purged of at least three well volumes of leachate or by using any other method of obtaining a representative sample as approved in writing by the Agency.





50. (a) All leachate monitoring, sampling and analysis shall be carried out by trained competent persons.
- (b) The results of all leachate monitoring and analysis shall be submitted to the Agency immediately.

Schedule C

FREQUENCY	DETERMINANDS
Monthly	leachate level pH Temperature Electrical-Conductivity
Quarterly	as Monthly plus Chloride Ammoniacal Nitrogen SO ₄ Alkalinity Phenols COD BOD TON TOC Na K Ca Mg
Annually	As Quarterly Plus Fe Mn Cd Cr Cu Ni Pb Zn

Conditions

1. The list of determinands and frequency of sampling can be varied only with the written approval of the Agency.





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) an application for a modification of the conditions to the licence is rejected
- (b) the conditions to a licence are modified

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:-

The Planning Inspectorate,
Room 10/13,
Tollgate House,
Bristol,
BS2 9DJ

TEL 0117 987 8812
FAX 0117 987 8406

This notice of appeal should be accompanied by the following information: 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, on the Environment Agency (at the address shown on the notice). 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.

You should note that whilst an appeal is pending the decision detailed on the attached notice is ineffective, except where a statement is included saying that in the opinion of the Agency the details on the notice are necessary for the purpose of preventing, or where not practicable, minimising pollution of the environment, or harm to human health.