

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 36**

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH/ANTICIPATED BREACH OF PERMIT CONDITION(S)**

To:
Company Director
Heads of the Valley Salvage Limited
Heads of the Valley Salvage Yard
Dowlais Top
Merthyr Tydfil
CF48 2YF

**Environmental permit: EPR/YP3992EN
Regulated facility: Heads Of The Valley Salvage Limited**

Natural Resources Wales considers that the following conditions of the environmental permit are being contravened:

Condition 1.1.1 The operator shall manage and operate the activities:

- (a) In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints;

because

Condition 1.1.1 -The Environmental management system on site is not currently being complied with to minimise risk of pollution.

Condition 2.1.1 states that the operator is only authorised to carry out activities in table S1.1, which states that there shall be no visible oil or grease in the discharge.

because

Condition 2.1.1 - Waste oil can be seen discharging from the oil interceptor.

Condition 2.1.1 states that the operator is only authorised to carry out activities in table S1.1 which states that uncontaminated ferrous metal wastes, or alloys and uncontaminated non-ferrous metal wastes may be stored on hard standing or an impermeable surface with sealed drainage.

because

Condition 2.1.1 - Waste is currently being stored on unmade ground some of which has spilled from the concrete pad along with car shells that have been on site for a number of years

Condition 2.5.1 states that the operator shall complete the improvements specified in table S1.3 by the date specified in the table unless otherwise agreed. Table S1.3 requires a report to be submitted (to include water quality samples) confirming that the integrity of the interceptor meets class 1 standards.

because

Condition 2.5.1 - The interceptor has not been upgraded to meet class 1 standards.

You are required to take the steps set out in Schedule 1 by the dates specified in order to remedy the contravention.

Date 03/05/2017

Signed Caitriona Harvey
Caitriona Harvey
Industry and waste regulation Team
Leader Ely and Taff

Natural Resources Wales
Rivers House
St Mellons
Cardiff
CF3 0EY

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016

Regulation 36

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.
2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.
3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Welsh Ministers
The Planning Inspectorate for Wales
Crown Buildings
Cathays Park
Cardiff. CF10 3NQ
Tel: 029 2082 3866
E-Mail: wales@pins.gsi.gov.uk
<http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to us.

The required documents are:

a statement of the grounds of appeal;
a copy of any relevant application;
a copy of any relevant environmental permit;
a copy of any relevant correspondence between the appellant and the regulator;
a copy of any decision or notice which is the subject matter of the appeal; and
a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying Welsh Ministers in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Environmental Protection Division.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

Environmental Permitting (England and Wales) Regulations 2016

Regulation 36

SCHEDULE 1		
STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
1.1.1	Ensure all procedures on site are carried out in line with the EMS. The EMS needs to be followed to ensure there is no pollution from the site activities. This includes the immediate clean up of any oil contamination on site, historic and new. And The drainage ditch will need to be de-silted and remediated to ensure any visible and olfactory oil contamination is removed.	June 5 th 2017 September 5 th 2017
2.1.1	The interceptor needs to be upgraded to a class one interceptor and a report provided to NRW confirming the quality meets that of a class one interceptor.	June 5 th 2017
2.1.1	All waste currently stored on unmade ground, needs to be stored correctly and either moved to areas of hardstanding or areas with an impermeable surface which drains via the interceptor.	5 th November 2017
2.5.1	The interceptor needs to be upgraded to a class one interceptor and a report provided to NRW confirming the quality meets that of a class one interceptor.	5 th June 2017