



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Statutory Notice

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 37(1) and (2)**

ENFORCEMENT NOTICE OF SUSPENSION AND REQUIREMENT TO TAKE STEPS

To: Luke Ronald Anthony England
SiteServ Recycling (SW) Limited
Triple Crown House
Off Llantwit Major Road
Llandow
Vale of Glamorgan
CF71 7PB

Environmental permit number: EPR/JB3893HP

Regulated facility: Hangers A & B , Off Llanwit Major Road, Llandow, CF71 7PB

Under Regulation 37(1) and (2) of the Environmental Permitting (England and Wales) Regulations 2016, **Natural Resources Wales** may suspend an environmental permit if, **Natural Resources Wales** consider that operation of the regulated facility involves a risk of serious pollution. Accordingly, **Natural Resources Wales** has decided to suspend the environmental permit to the extent specified in Schedule 1 with immediate effect.

In addition, you are required to take the steps specified in Schedule 2 to remove that risk. Further, in relation to any activities that you are still authorised to carry out under the environmental permit, you are required to take the steps specified in Schedule 3.

The reason for this decision is that, **Natural Resources Wales** consider that the operation of the regulated facility has caused a major fire incident to occur. The fire has the potential to spread to other waste fractions held on site, including cardboard, paper, and Refuse Derived Fuel. The current fire has resulted in a risk of serious pollution to air from the smoke in the form of airborne particulates from the burning waste. In addition, the fire water run-off from any water used by the Fire Service to extinguish any fire on site would contain contaminant which has the potential to cause a risk of pollution to ground/groundwater. There is a risk of further fire and therefore the risk of further serious pollution being caused by continuing to import combustible waste materials.

These risks will remain until normal operation of the facility is able to resume and the relevant conditions specified in Schedules 2 and 3 are complied with. The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.

Date: 05/03/2017

Signed: Caitriona Harvey

Caitriona Harvey

Taff & Ely Industry & Waste Regulation Team Leader

Natural Resources Wales
Rivers House
St. Melons Business Park
St. Melons
Cardiff
CF3 0EY

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016 Regulation 37(1) and (2)

Notes:

General

1. This notice suspends the environmental permit to the extent specified in Schedule 1 because Natural Resources Wales consider operation of the regulated facility involves a risk of serious pollution. Consequently, operating any of the activities which this notice has suspended is an offence and legal action may be taken against you.
2. You remain bound by any conditions of the environmental permit that are not specified in Schedule 1. Failure to comply with these conditions is an offence and legal action may be 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 given before the date on which the partial revocation takes effect. Where an appeal is brought the revocation will not take effect until the final determination or withdrawal of the appeal.

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

The Planning Inspectorate
Crown Building
Cathays Park
CARDIFF
CF10 3NQ

Tel: 029 2082 3866

Email: wales@pins.gsi.gov.uk

Website: <http://www.planningportal.gov.uk/planning/appeals>

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

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
- 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 The Planning Inspectorate in writing and sending a copy of that notification to Natural Resources Wales. Further information about making an appeal and the forms that you will need are available from The Planning Inspectorate detailed above.

Legislation note

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. On 01 April 2013 the Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

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SCHEDULE 1	
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED	
Extent	
All acceptance of new waste imports from outside of the permitted facility shall be suspended until schedules 2 and 3 are complied with. This includes all wastes as listed in Table 2.2 of the permit.	

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SCHEDULE 2 STEPS TO BE TAKEN TO REMOVE RISK OF SERIOUS POLLUTION	
Steps to be taken	By date
Take all steps necessary to ensure the fire is put out in a timely manner. This will include cooperation with stakeholders such as the regulator (NRW) and the Fire and Rescue Service.	
Take all steps necessary to ensure all residual risks to the environment and human health are reduced as far as practicable. This will include; a) Removal of burned or fire damaged waste from the permitted facility to a suitably permitted facility b) Removal of contaminated fire water to a suitably permitted facility c) Removal of temporary clay bunding used to contain fire water, which is to be removed only on agreement with Natural Resources Wales once the incident has ceased	On confirmation with Natural Resources Wales of completion of listed actions
Provide weekly updates (every Friday) on waste removal from site, including location of permitted site being used and copies of Duty of Care notes to Laoni Tye, Regulating officer (Laoni.tye@cyfoethnaturiolcymru.gov.uk)	

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SCHEDULE 3	
ADDITIONAL STEPS FOR NON-SUSPENDED OPERATIONS	
Steps to be taken	By date
For all waste currently being stored on site, currently unaffected by the fire: - Provide appropriate monitoring of any existing stockpiles of waste on site to ensure the fire does not spread - Ensure appropriate fire breaks are in place - Ensure the waste is accessible in the event of any incident	Ongoing