

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

**ENFORCEMENT NOTICE OF SUSPENSION AND REQUIREMENT TO TAKE
STEPS**

To: The Managing Directors
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 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 other than those listed in Schedule A.

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 The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.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: 13/03/2017

Signed: Caitriona Harvey
Caitriona Harvey
Taff & Ely Industry & Waste Regulation Team Leader

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

Please see over for notes.

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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 within 2 months of the date of the notice. The Appeal does not have the effect of suspending the Notice.

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.

SCHEDULE 1
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED
Extent
All acceptance of waste imports from outside of the permitted facility shall be suspended until schedules 2 and 3 are complied with, with the exception of those codes listed below which are to be accepted and treated in the areas below: Hangar A 02 01 04, 02 01 10, 03 03 07, 03 03 08, 07 02 13, 15 01 01, 15 01 02, 15 01 04, 15 01 05, 15 01 06, 15 01 07, 17 02 02, 17 02 03, 17 04 01, 17 04 02, 17 04 06, 17 04 07, 19 12 01, 19 12 02, 19 12 03, 19 12 04, 19 12 05 Outside Hangar A Specified wastes as listed and defined in the permit can be treated outside as per normal operations provided these operations do not affect FRS activities. They should only be carried out as specified in Table 2.3 (2)

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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 confirmaiton with Natural Resources Wales of completion of listed actions
Provide weekly updates (every Friday) on waste removal from site, including EWC codes, tonnages and where applicable, location of permitted site being used to Laoni Tye, Regulating officer (Laoni.tye@cyfoethnaturiolcymru.gov.uk) to include: - Wastes received at Hangar A - Wastes removed from Hangar A - Waste removed from 'Hangar B' (to include all wastes from the previous activity in this building, including that which is currently being stored on hardstanding outside the building), with a copy of the relevant Duty of Care note	

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SCHEDULE 3 ADDITIONAL STEPS FOR NON-SUSPENDED OPERATIONS	
Steps to be taken	By date
For all waste activities permitted to be carried out in Hangar A:	Ongoing
A physical cordon is to be put in place separating activities from the ongoing incident management by the FRS, once they are in agreement this will not hinder their operations on site	Immediately
All wastes are to be stored in line with FPMP measures and in line with NRW's Fire Prevention Mitigation Plan guidance	Immediately
If the wind direction changes and the smoke from the burning waste is taken towards Hangar A, for Health and Safety reasons also, Hangar A will not receive material and the roller shutter doors will remain closed. This can be managed hourly on site and in real time.	As occurs
The FRS will have priority access to all areas of the site should the need require it. If for example, access is required at the front of the building no inputs will be accepted at hangar A until the FRS are satisfied that it is safe to do so.	As occurs
The roller shutter doors of Hangar A will <u>ONLY</u> be opened when waste is accepted on to and removed off site. When no trucks are moving materials on or off site, the doors will remain closed.	Immediately