



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Our ref: GDH/RE/R36_cover

Your ref:

Address:
Rivers House
St Mellons Business Park
Fortran Road
St Mellons
Cardiff
CF3 0EY
Epost/Email: www.naturalresourceswales.gov.uk

Ffôn/Phone: Customer services line: 0300 065 3000

Mr. David Neal,
Atlantic Recycling Ltd,
Newton Road,
Rumney,
Cardiff,
CF3 2EJ.

Date: 06th June 2016

Dear Mr Neal,

Please find enclosed an Environmental Permitting (England and Wales) Regulations 2010, Regulation 36 Notice. The notice has been served on Atlantic Recycling Limited for the non-compliances against permit condition 2.1.1 in that it requires, in the case of the transfer station activities, "Storage of all hazardous and non-hazardous wastes shall be on an impermeable surface with sealed drainage".

This notice requires that the tarmac area within the transfer station be improved so that it complies with the requirements of the permit. For example, the surface must be impermeable with a sealed drainage system. The dates provided in schedule 1 of the notice are the dates that Atlantic Recycling Limited provided and therefore committed to throughout the discussions surrounding the withdrawal of the Regulation 37 Notice served on you on 17th December 2015.

If you have any questions, please do not hesitate to ask.

Yours Sincerely,

Gareth Danter-Hill

Environment Officer Vale & Valleys

Ffôn/Tel 029 20245357
Ffacs/Fax 029 20369810
Ebst/Email gareth.danter-hill@cyfoethnaturiolcymru.gov.uk

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

Environmental Permitting (England and Wales) Regulations 2010
Regulation 36

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

To: David Neal,
Atlantic Recycling Limited,
Atlantic Ecopark, Newton road,
Rumney,
Cardiff,
CF3 2EJ
Company number: 05788239

Environmental permit: EPR/PP3993VS
Regulated facility:

Atlantic Recycling Limited
Atlantic Ecopark Newton Road
Rumney
Cardiff
CF3 2EJ

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

Condition 2.1.1 Permitted Activities The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities"). **Table S1.1 A2 Waste Transfer Station with Treatment states that "Storage of all hazardous and non-hazardous wastes shall be on an impermeable surface with sealed drainage."**

Because:

Activities are not being carried out in compliance with requirements set out within the above permit conditions. The area of the transfer station (that currently has a tarmac surface (identified in Schedule 7 of the Permit and the site plan attached) is subject to degradation and resultantly is not fit for purpose. This area and consequently the waste that is treated and stored upon it, does not benefit from the required infrastructure, namely an impermeable surface with sealed drainage.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date 6th June 2016

Signed WRH

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

Rhys Hughes
Team Leader Industry & Waste Regulation
Ely and Taff catchments

Please see over for notes.



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Statutory Notice

Environmental Permitting (England and Wales) Regulations 2010 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 2010 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(2)(f) of the Environmental Permitting (England and Wales) Regulations 2010. 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:

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.

**Environmental Permitting (England and Wales) Regulations 2010
Regulation 36**

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
2.1.1 Table S1.1 A2: Waste transfer Station with treatment	Remediate or replace the existing tarmac infrastructure within the transfer station so as to provide an impermeable surface with sealed drainage. <i>Milestone</i> Provide NRW with a CQA from a suitably qualified engineer for the infrastructure that has been completed prior to use for the storage and/or treatment of waste.	31st January 2017* *based on the date provided by Atlantic Recycling Limited in writing on 12th April 2016 for the completion of the improvements.

Site Plan

Approximate area that
has a tarmac surface,
required to be replaced.



