

**c/o Director and/or the Company
Secretary".**

South Wales Wood Recycling Ltd

Old Post Office Curwen Terrace,

North Cornelly,

Bridgend,

CF33 4AW

Company No. 05075417

Our ref: **EPR-QB3093HE**

Date: 13th April 2016

Dear Mr and Mrs Burke

Environmental Protection Act 1990 Section 59(1)(a) notice –

**Removal of wood waste from the Coal Yard, Alexandra Docks, South Dock,
Newport, NP20 2WE.**

Please find enclosed a legal notice (with accompanying photographs and plan) pursuant to Section 59 (1)(a) Environmental Protection Act 1990. The notice requires you to move all waste wood chip which is now being stored at the coal yard, South Dock, Alexandra Docks, Newport, in response to a fire at East Way Road, Alexandra Docks, Newport, NP20 2NP, by 31st December 2016.

Storage and blending of waste woodchip at Newport Docks Coal Yard and berth:

I am minded to reiterate the statement issued by Natural Resources Wales on 5th January 2016 which states;

With immediate effect, Natural Resources Wales are removing the local position statement issued on the 30th November for the coal storage yard/coal berth site. The position issued on the 26th November for the additional site on East Dock Yard will still apply, however please remember that this covers the storage of fire damaged waste only.

Cyfoeth Naturiol Cymru
Ffordd Hadnock, Trefynwy, Sir Fynwy NP25 3NQ
Llinell gwasanaethau cwsmeriaid: 0300 065 3000
Ebost: ymholiadau@cyfoethnaturiolcymru.gov.uk
www.naturalresourceswales.gov.uk

Natural Resources Wales
Hadnock Road, Monmouth, Monmouthshire NP25 3NQ
General enquiries: 0300 065 3000
Email: enquiries@naturalresourceswales.gov.uk
www.naturalresourceswales.gov.uk

With regards to the proposal we will agree the requirements below outlined by ABP and impose the following additional requirements:

- You will not cause nuisance through odour or noise.
- You will not cause nuisance or pollution through dust, where you have had a history of non-compliance at your permitted site. Effective dust mitigation and clean up measures must be employed during the activity.
- You will not cause further pollution or harm to the environment.
- Information listed below and required by ABP, is also to be forwarded to NRW.
- No other treatment of waste other than mixing prior to loading for export is to take place at the site
- No waste other than the affected fire damaged waste and the minimum additional waste required for the export is to be brought onto the site.
- Operations cease immediately if there is any sign of potential pollution.

We are required to remind South Wales Wood Recycling Ltd that this activity is unpermitted and we are only allowing this unpermitted operation to continue in light of the emergency situation. If you are found to be operating outside of any of these requirements we will remove this agreement immediately and require removal of all waste off site via other means.

Should you have any queries regarding the enclosed letter please do not hesitate to contact me.

Yours faithfully



Damien Downes

Swyddog Amgylchedd / Environment Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales
Ffôn/Tel: 03000653476

Damien.Downes@cyfoethnaturiolcymru.gov.uk
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**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Statutory Notice

**Environmental Protection Act 1990
Section 59(1)(a)**

NOTICE TO REMOVE CONTROLLED WASTE

To: South Wales Wood Recycling Ltd
Old Post Office
Curwen Terrace
North Cornelly
Bridgend
CF33 4AW

Under Section 59 of the Environmental Protection Act 1990, as amended, **Natural Resources Wales** can require removal of controlled waste or extractive waste.

Being satisfied that controlled waste, namely waste wood chip, as pictured in photographs DD01 – DD04, was deposited in or on land at East Way Road, Alexandra Docks, Newport, NP20 2NP, in contravention of Regulation 12 Environmental Permitting (England and Wales) Regulations 2010, Natural Resources Wales requires you to move the aforementioned waste which is now being stored at the coal yard, South Dock, Alexandra Docks, Newport, 2WE (as shown edged in red on the attached plan, DD05) in response to a fire at East Way Road, Alexandra Docks, Newport, NP20 2NP, by 31st December 2016.

Date: 13/04/2016

Signed: A. Lansdown
Ashely Lansdown
Team Leader
Industry and Waste Regulation Team Leader

Natural Resources Wales

Natural Resources Wales
Hadnock Road
Monmouth
NP25 Please see over for notes.

Environmental Protection Act 1990

Section 59(1)(a)

Notes:

General

- 1 You may wish to seek independent legal advice.
- 2 If you fail to comply with this notice, Natural Resources Wales may take the steps and recover from you any expenses reasonably incurred in so doing.
- 3 Failure to comply with this notice is an offence under Section 59 (5) of the Environmental Protection Act 1990, as amended, and may result in legal action being taken against you.

Appeal provisions

You are entitled to appeal against this notice under Section 59(2) of the Environmental Protection Act 1990, as amended. Notice of appeal must be made within a period of 21 days beginning with the service of this notice to a Magistrate's Court by way of a complaint. The requirements of this Notice shall have no effect pending the determination of the appeal.

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.