

Statutory Notice

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

ENFORCEMENT NOTICE OF SUSPENSION AND REQUIREMENT TO TAKE STEPS

To: **Griffiths Waste Solutions (GWS) Ltd.
Pendell Buildings
Withybush Industrial Estate
Withybush
Haverfordwest
Pembrokeshire
SA62 4BW**

Environmental permit number: EPR/FB3390HM

**Regulated facility: Griffiths Waste Solutions, Park House, Withybush Industrial Estate,
Haverfordwest, Pembrokeshire SA62 4BW**

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 involves a risk of serious pollution namely: Failure to comply with waste acceptance and storage procedures has resulted in mixed waste filling the Waste Treatment Building and mixed, untreated waste is being stored outside. The site poses a significant fire risk as the site is insecure and because of the excessive volumes and type of waste being stored.

Cont/d.

There is a significant risk of pollution to nearby sensitive receptors. Mixed waste is being stored on hardstanding areas and part of the site drains to surface water, putting groundwater and surface water at risk. A potential fire incident may have a significant detrimental impact on other sensitive locations which includes neighbouring residents, Withybush Hospital and Withybush Airport, as all are in close proximity to the site. The type of waste deposited when burnt, could have an adverse affect on air quality

The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.

Date: 19 March 2021

Signed:
David Ellar
SW Waste Regulation Team Leader

Natural Resources Wales
Plas Gwendraeth
Heol Parc Mawr
Cross Hands
Carmarthenshire
SA14 6RE

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
No waste shall be accepted until steps in Schedule 2 are complete.

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SCHEDULE 2 STEPS TO BE TAKEN TO REMOVE RISK OF SERIOUS POLLUTION	
Steps to be taken	By date
All site boundary fences and gates to be repaired and secure to prevent unauthorised access	10 April 2021
Removal from site all mixed waste that is being stored outside the treatment building	10 June 2021
Provide a copy of all waste documentation showing the removal of waste between 1 February 2021 and 10 June 2021. Copies to be sent to cathy.lloyd@cyfoethnaturiolcymru.gov.uk	18 June 2021
Removal from site all mixed waste stored within the treatment building	10 August 2021
Provide a copy of all waste documentation showing the removal of waste between 11 June 2021 and 10 August 2021. Copies to be sent to cathy.lloyd@cyfoethnaturiolcymru.gov.uk	18 August 2021

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SCHEDULE 3 ADDITIONAL STEPS FOR NON-SUSPENDED OPERATIONS	
Steps to be taken	By date
To comply with all other conditions of the permit other than those suspended namely acceptance of waste. In particular the operator must comply with; 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, accident, incidents, nonconformances, closure and those drawn to the attention of the operator as a result of complaint; and (b) using sufficient competent persons and resources	Until compliance with this Notice and the suspension is lifted
Condition 1.1.4 The operator shall comply with the requirements of an approved competence scheme	10 April 2021