

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 36**

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

**To: The County Council of the City and County of Cardiff
County Hall
Atlantic Wharf
Cardiff Bay
Cardiff
CF10 4UW**

Environmental permit: JP3239ST

Regulated facility: Lamby Way Landfill Site, Rumney Moors, Cardiff, CF3 8EQ

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

Condition 2.3.1 – The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1 table S1.2 unless otherwise agreed in writing.

Because: The leachate treatment plant has not been operating, and leachate has been allowed to accumulate in the landfill body.

Condition 2.9.1 – The limits for the level of leachate listed in schedule 4 table S4.1 shall not be exceeded.

Because: the site is currently in breach of the leachate levels stated in the permit.

Condition 4.2.2 – Within 28 days of the reporting period the operator shall, unless otherwise agreed in writing, submit reports of the monitoring and assessment carried out.

Because: reports submitted do not include information on the volume of leachate discharged to sewer.

You are required to take the steps set out in Schedule 1 by the dates specified in order to remedy the contravention.

Date: 17/12/18

Signed: 

Caroline Drayton

**Arweinydd Tîm Rheoli Diwydiant a Gwastraff – Rhymni ac Ebwy & Wysg a Gwy /
Industry and Waste Regulation Team Leader – Rhymney and Ebbw & Usk and Wye**

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. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 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(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. 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.

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SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
2.3.1	Ensure the leachate treatment plant is operating so that leachate is managed in accordance with the permit.	17/01/19
2.9.1	Reduce leachate levels in Lamby Way East to the compliance limits in the permit.	17/05/19
4.2.2	Report the volumes of leachate that were discharged to sewer in 2018.	31/01/19