

# Statutory Notice

**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 Company Secretary  
Maelor Foods Limited  
Salisbury House  
Vulcan Road  
Bilston  
West Midlands  
WV14 7HT**

**Environmental permit: AB3591ZQ**

**Regulated facility: Maelor Foods Limited, Maelor Poultry Processing Plant, Pickhill Lane, Cross Lanes, Wrexham, LL13 0UE.**

**Natural Resources Wales** considers that the following conditions of the environmental permit are being/likely to be contravened:

**Condition 1.1.1a** 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, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints;

Because;

Adequate procedures are not in place or being followed to prevent or reduce the likelihood of emissions around the sites effluent treatment plant. Resulting in the sump and the balance tank overflowing on separate occasions.

**Condition 3.1.1** There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1 and S3.2.

Because;

Untreated effluent has caused the contamination of unmade ground adjacent to the site boundary, with a potential risk to groundwater and local watercourses which are directly connected to the River Dee, a special area of conservation. Containment around sites effluent treatment plant is demonstrably inadequate to contain effluent during a spill event.



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Effluent has been observed outside the site boundary following the incidents on the 7<sup>th</sup> and 19<sup>th</sup> December 2022.

Effluent has been observed on unmade ground within the site boundary following incidents on the 20<sup>th</sup> October 2022, the 7<sup>th</sup> December 2022, the 19<sup>th</sup> December 2022 and the 6<sup>th</sup> January 2022.

*Frost*

**Date: 30 January 2023**

**Signed**

**Julia Frost**

Team Leader Industry Regulation NE

Natural Resources Wales  
Chester Road  
Buckley  
Flintshire  
CH7 3AJ

**Please see over for notes.**

# Statutory Notice

## Environmental Permitting (England and Wales Regulations 2016 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 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:

Planning and Environment Decisions Wales  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Tel: 0300 0604400

Email: [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

Website: [Planning and Environment Decisions Wales | GOV.WALES](https://www.gov.wales/planning-and-environment-decisions-wales)

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 PEDW 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 PEDW detailed above.



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

| <b>SCHEDULE 1<br/>STEPS TO BE TAKEN</b> |  |                                 |
|---|--|---------------------------------|
| <b>Condition number</b>                 | <b>Steps to be taken</b>   | <b>By date</b>                  |
| 1.1.1a                                  | The primary tank operating level shall be reduced to a maximum holding of 60% with immediate effect.   | Immediately                     |
| 1.1.1a                                  | The 60% maximum operating level of the primary tank shall be controlled by a level control system that includes an interlock to automatically shut off the pumps to prevent further input. | Immediately                     |
| 1.1.1a                                  | Submit an engineers report that demonstrates that the interlocks have received a service check and are functioning correctly to Natural Resources Wales                                    | 10 <sup>th</sup> February 2023  |
| 1.1.1a                                  | Confirm in writing to Natural Resources Wales that a back up level probe / device has been added for additional confirmation / check by the WWTP operatives.                               | 10 <sup>th</sup> February 2023. |
| 1.1.1a                                  | A structural integrity assessment shall be conducted by a suitably qualified engineer on both the primary effluent and divert tanks and a copy of the engineer's report submitted to NRW.  | 10 <sup>th</sup> February 2023  |
| 3.1.1                                   | Remediate unmade ground adjacent to the site bund, ensuring that any waste generated by the remediation works is sent to a site which is permitted to accept it.                           | 28 <sup>th</sup> February 2023  |
| 3.1.1                                   | Improve secondary containment measures in order to comply with the the CIRIA C736 guidance document. For example, sealing any holes within the existing secondary containment.             | 3 <sup>rd</sup> April 2023      |