

Statutory Notice

Environmental Permitting (England and Wales) Regulations 2016 Regulation 36

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH OF PERMIT CONDITIONS**

To: Resources Management UK Ltd
Atlantic Eco Park
Newton road
Rumney
Cardiff
CF3 2EJ

Environmental permit: MP3330WP

Regulated facility: Withyhedge Landfill, Bowling Farm, Rudbaxton, Haverfordwest,
Pembrokeshire, SA62 4DB

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

- 3.1.1 because of an unauthorised point source emission of untreated surface water from a pond along the north-west corner of the site (approx. NGR SM 96333 21703). The emission was observed during a site inspection on 19 December 2023.
- 3.3.1 because odour was detected beyond the site boundary, attributed in part to the failure to follow appropriate measures by having a very large working area with inadequate or absent daily or intermediate cover over deposited waste, as observed during a site inspection on 19 December 2023.

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

Date: 21 December 2023

Signed:



Erin Smyth-Evans – Industry Regulation Team Leader

Natural Resources Wales
Maes Newydd]
Britannic Way West
Llandarcy
Neath Port Talbot
SA10 6JQ

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:

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

Tel: 0300 0604400

Email: 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.

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
3.1.1	• Implement appropriate control measures to prevent the unauthorised emissions from the untreated surface water pond at approx. NGR SM 96333 21703 • Operator must also ensure daily inspections of the landfill's surface water system to ensure that there are no unauthorised emissions from the site. The frequency of these inspections should be increased during and following periods of rain.	As soon as practicable but no later than 4pm on the 23 December 2023
3.3.1	Ensure that all exposed wastes in cell 7 have been covered with a layer of cover materials, of appropriate cohesion and thickness to reduce the risk of fugitive emissions from the underlying waste.	By 4pm on 23 December 2023