

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: Enovert North Limited
3-5 Greyfriars Business Park,
Frank Foley Way,
Stafford
England
ST16 2ST

Company number 02773558

Environmental permit: EPR/PP3139GB

Regulated facility: Hafod Quarry Landfill
Bangor Road
Johnstown
Wrexham
LL14 6ET

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

2.7.1 Leachate levels and;

2.9.1 Landfill gas management

3.3.1 Odour

Because leachate heads are in exceedance of the 2m limit as specified in table S3.1 of the permit (refer Compliance Assessment Report CAR_NRW0043016) and; the operator has failed to take appropriate measures to collect landfill gas in Cell 5a leading to an offsite odour impact outside the site, as perceived by an authorised officer of Natural Resources Wales (refer Compliance Assessment Report CAR_NRW0042993).

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

Date: 21/12/2023

Signed 

Jim McClymont
Team Leader,
Industry Regulation Team North East

Natural Resources Wales
Buckley Office
Chester Road
Buckley
CH7 3AJ

Please see over for notes.

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

Website: Planning and Environment Decisions Wales | GOV.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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<p>SCHEDULE 1 STEPS TO BE TAKEN</p>		
Condition number	Steps to be taken	By date
Action 1 Conditions 2.9.1 and 3.3.1	Complete temporary capping on the northern flank of Cell 5a including installation of linear low density polyethylene (LLDPE) to minimise landfill gas emissions as far as reasonably practicable.	31/01/24 Midday
Action 2 Conditions 2.9.1 and 3.3.1	Complete temporary capping on the top of Cell 5a including installation of LLDPE to minimise landfill gas emissions as far as reasonably practicable.	31/01/24 Midday
Action 3 Conditions 2.9.1 and 3.3.1	Complete temporary capping on the western flank of Cell 5a to minimise landfill gas emissions as far as reasonably practicable.	31/01/24 Midday
Action 4 Conditions 2.9.1 and 3.3.1	<p>For the period 01/01/24 to 31/03/24 monitor the gas collection system fortnightly at all well control valves, manifolds (as applicable) serving Cell 5a.</p> <p>Monitoring to include methane, carbon dioxide, oxygen, carbon monoxide, gas flow rate or suction, % balance gas plus gas well liquid levels (dip to liquid, dip to base (m)).</p> <p>Submit a report of the above data to NRW by the last day of each month.</p>	01/01/24 – 31/03/24
Action 5 Condition 2.7.1	Provide NRW with an Action Plan stating how you will achieve compliance with the leachate level limits (2m) specified in Table S3.1 of the permit by 28/06/24.	31/01/24
Action 6 Conditions 2.9.1 and 3.3.1	During the period 01/02/24 – 16/02/24 carry out a fugitive emissions FID walkover survey encompassing the temporary capped area of Cell 5a. Submit a report of the findings to NRW by 22/02/24. The report shall include details of any remedial measures that have been taken, or are to be taken to reduce fugitive emissions as far as reasonably practicable.	22/02/24

<p>Action 7</p> <p>Conditions 2.9.1 and 3.3.1</p>	<p>During the period 01/03/24 – 15/03/24 carry out a fugitive emissions FID walkover survey encompassing the temporary capped area of Cell 5a. Submit a report of the findings to NRW by 22/03/24. The report shall include details of any remedial measures that have been taken, or are to be taken to reduce fugitive emissions as far as reasonably practicable.</p>	<p>22/03/24</p>
<p>8</p> <p>Conditions 2.9.1 and 3.3.1</p>	<p>Install new 180mm gas main on internal bench of Cell 5a and reroute gas extraction currently going to Manifold 16.</p>	<p>31/01/24</p>

