

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

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

To: KRS Recycling Ltd
Unit 2
Ludlow Road
Knighton
Powys
LD7 1LP

Environmental permit: EPR/EP3190LG

Regulated facility: Unit 2, Glynddwr Works, Ludlow Road, Knighton, LD7 1LP

Natural Resources Wales considers that the following condition of the environmental permit is being contravened:

6.1.1 Discontinued Operations In the event that the specified waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed within 2 months, then, notwithstanding the operational limits on storage times of wastes specified in the other conditions of this licence, the licence holder shall ensure that all wastes remaining on the site shall be removed by the date specified by the Agency in writing. This shall include, where required by the Agency, clearing of plant, equipment and engineered containment used in the specified waste management operations, and emptying of any sealed sumps or interceptors.

because Natural Resources Wales has reasonable grounds to believe that the specified waste management operations will not be resumed within 2 months. And as such the licence holder ("the operator") is required to ensure that all wastes remaining on site shall be removed by the date specified by the Agency in writing.

The specified waste management treatment operations ceased on or before 20/10/2016. They have not been recommenced.

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

Date: 25/2/2019

Signed: D. B. Lee
David Lee
Team Leader – NRM Montgomeryshire

Natural Resources Wales
Unit 15 B
Severn Farm Industrial Estate
Welshpool
SY21 7DF

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(2)(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
6.1.1	All wastes remaining on site to be removed including clearing plant, equipment used in the specified waste management operations, and emptying any sealed sumps and interceptors.	25/03/2019