

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: Sundorne Products (Llanidloes) Limited
Potters House
Henfaes Lane
Welshpool
Powys
SY21 7BE**

Environmental permit: EPR/BU7766IC/V008

Regulated facility: Bryn Posteg Landfill, Tylwch Road, Llanidloes, Powys, SY18 6JJ

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

Permit Condition 3.7.1

Because: The operator is unable to monitor and demonstrate compliance with S3.1 because a number of the leachate chambers are not fit for purpose to allow leachate extraction to sufficiently low levels to comply with the permit for the site. Due to the chambers being not fit for purpose, this has limited the operator's ability to monitor 'actual' leachate levels.

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

Date: 19th November 2018

Signed:



**David Powell
Operations Manager
Mid Wales**

Natural Resources Wales
Chester Road,
Buckley,
Flintshire
CH7 3AJ

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:

Welsh Ministers
The Planning Inspectorate for Wales
Crown Buildings
Cathays Park
Cardiff. CF10 3NQ
Tel: 029 2082 3866
E-Mail: wales@pins.gsi.gov.uk
<http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to us.

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; and
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 Welsh Ministers in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Environmental Protection Division.

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.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

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SCHEDULE 1		
STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
2.5.5	<p>As per condition 2.5.5 of the permit, operator to complete a CQA plan for the re-drilling of the identified wells. The wells identified by the operator as requiring replacement to date are LCP2, LCP3, LCP6, RMPL9A, RMPL9B West, RMPL9D and RMPL9D South.</p> <p>The CQA plan will include any additional wells identified as requiring replacement as part of Summary Point 1 stipulated in the operators correspondence letter ref 3376-CAU-XX-XX-CO-V-9104.A0-C3 which stated</p> <p><i>“Complete repeat of dips to base of all wells where these were not possible previously (RMPL9A North, RMPL9B, RMPL9C South, RMPL9C North). To verify if the wells remain fit for purpose”</i></p>	30/11/2018

