



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

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

Environmental permit: EPR/CB3834RQ

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

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

Condition 3.1.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment because the 10,000 litre compost leachate tank has no secondary containment.

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

Date: 14 Jan 2020

Signed: 
Julia Frost
Team Leader – Industry Regulation

Natural Resources Wales
Chester Road
Buckley
Flintshire
CH7 3AJ

Please see over for notes.

Bryn Posted EPR Reg 36 secondary containment 13/01/20

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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:

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
3.1.3	<p>The Operator shall use competent personnel to design primary and secondary compost leachate storage in accordance with CIRIA C736 Containment Systems for the Prevention of Pollution. The design must consider and detail:</p> <ul style="list-style-type: none"> • the rate of leachate production in order to calculate the required storage capacity; and, • material specifications and construction quality assurance plans. <p>The design is to be submitted to Natural Resources Wales.</p>	14/02/20
3.1.3	The Operator shall use competent personnel to complete (construct and install) the compost leachate storage with primary and secondary containment as per the design provided above.	17/04/20
3.1.3	The Operator shall submit the construction quality assurance validation and as built documentation required to demonstrate complete installation of the compost leachate storage primary and secondary containment in accordance with the design as per above to Natural Resources Wales.	15/05/20
3.1.3	An inspection and maintenance plan for the completed installation of the compost leachate storage primary and secondary containment as installed above shall be submitted to Natural Resources Wales.	15/05/20

