

**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: Y Ffaldau Waste Recycling Centre
Llandegley
Llandrindod Wells
Powys
LD1 5UD

Environmental permit: LP3395FJ

**Regulated facility: The Graig Yffauldau Transfer Station, Llandegley, Llandrindod Wells,
Powys, LD1 5UD**

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

Condition 2.1.1 The licence holder is authorised to carry out the activities specified in Schedule 2, table 2.1

Table 2.1 Licensed activities	
Description of activities	Limits of activities
<u>Household, Commercial and Industrial Waste Transfer Station</u>	

D15: Storage of waste pending any of the operations listed in paragraphs 1 to 14 of this Part of this Schedule, but excluding temporary storage, pending collection, on the site where the waste is produced. R13: Storage of waste pending any of the operations listed in paragraphs 1 to 12 of this Part of this Schedule, but excluding temporary storage, pending collection, on the site where it is produced. D14: Repackaging of waste prior to the waste being submitted to any of the operations listed in paragraphs 1 to 13 of this Part of this Schedule.	All bulking or transfer of non-hazardous waste must be carried out inside a building. Non-hazardous wastes must be kept in a building or within a secure container. Asbestos waste must be double bagged and kept within clearly identified, secure lockable containers. The maximum quantity of asbestos waste received at the site shall not exceed 10 tonnes per day. The maximum quantity of asbestos waste stored at the site shall not exceed 10 tonnes. Hazardous and non-hazardous waste must be kept on an impermeable surface with sealed drainage. Inert wastes must be kept on hard standing or on an impermeable surface with sealed drainage.
D9: Physico-chemical treatment of waste not listed elsewhere in this Part of this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations listed in paragraphs 1 to 12 of this Part of this Schedule (for example, evaporation, drying, calcination). R3: Recycling or reclamation of organic substances which are not used as solvents, including composting and other biological transformation processes. R4: Recycling or reclamation of metals and metal compounds R5: Recycling or reclamation of other inorganic materials	Treatment consisting only of manual sorting, separation, screening, baling, shredding, chipping, crushing or compaction of non-hazardous or inert waste into different components for disposal, (no more than 50 tonnes per day) or recovery. Treatment of non- hazardous waste must be carried out within a building. Non-hazardous waste must be treated on an impermeable surface with sealed drainage. Inert wastes must be treated on hard standing or on an impermeable surface with sealed drainage. There <u>must</u> not be any treatment of asbestos waste

BECAUSE 1) non-hazardous waste is being kept outside a building and is not in a container, and BECAUSE 2) there is potential for the treatment of non-hazardous waste outside the building due to the picking line currently being located outside a building

Condition 3.8.1 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance
BECAUSE the activities are not being fully managed and operated in accordance with a fire prevention plan using the relevant fire prevention plan guidance.

You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention AND ensure any contravention does not occur.

Date: 5th February 202

Signed:



**Caroline Moscrop
Team Leader – South Powys Environment Team**

Natural Resources Wales
Government Buildings
Spa Road East
Llandrindod Wells
Powys
LD1 5HA

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:

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
2.1.1	Remove all non-hazardous waste from outside the building to either inside a building and kept on impermeable surface with sealed drainage or within a sealed container kept on impermeable surface with sealed drainage With the exception of: Those waste kept for use under the U4 Exemption NRW-WME048941 And The storage of waste uPVC window frames (EWC 17 02 03) under Low Risk Waste Recovery Option 484	03/08/2020
2.1.1	The treatment of non-hazardous waste must be undertaken within a building. To undertake this activity using the picking line, it must be placed within a building.	03/08/2020
3.8.1	Provide sufficient water or obtain confirmation from MWWFRS that the current water supply is adequate to manage a worst case scenario (please refer to Section 20 of the Fire Prevention & Mitigation Plan Guidance – Waste Management).	21/02/2020