

**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**

To: Atlantic Recycling Limited
Atlantic Eco Park
Newton Road
Rumney
CF3 2EJ

Environmental permit: EPR/PP3993VS

Regulated facility: Atlantic Recycling Limited, Atlantic Eco Park, Newton Road, Rumney,
CF3 2EJ

Natural Resources Wales considers that the following condition of the environmental permit has been contravened:

Condition 3.7.1 - *“the operator shall manage and operate activities in accordance with a written fire prevention and mitigation plan using the current, relevant fire prevention plan guidance”.*

Because waste storage of loose Refuse Derived Fuel Stockpiles on Field 1 are not compliant with this condition. The heights of stockpiled material are being stored in excess of four metres and have been stored on site for over 6 months.

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

Date: 12 March 2020

Natural Resources Wales
Rivers House
St Mellons Business Park
Cardiff, CF3 0EY


Signed:
Gareth Davies
Team Leader Waste Regulation (South Central)

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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
1.	Reduce the height of all stockpiles above four metres.	01 May 2020
2.	Remove stockpile 6 from site.	01 July 2020
3.	Remove stockpile 7 from site.	01 September 2020
4.	Remove stockpile 5 from site.	01 November 2020
5.	Remove stockpile 1 from site.	01 January 2021
6.	Remove stockpile 2 from site.	01 March 2021
7.	Remove stockpile 4 from site.	01 May 2021
8.	Remove stockpile 3 from site.	01 July 2021