

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 37(1) and (5)**

SUSPENSION NOTICE AND REQUIREMENT TO TAKE STEPS

To: **The Directors
Treatment Hub Limited
Brook House,
Moss Grove,
Kingswinford,
West Midlands,
DY6 9HS**

Environmental permit number: EPR/ZP3933NJ

**Regulated facility: The Treatment Hub Swansea, Building 2, Westfield Industrial Park,
Wunarlwydd, Swansea, SA5 4SF**

Under Regulation 37(1) and (5) of the Environmental Permitting (England and Wales) Regulations 2016, **Natural Resources Wales** may suspend an environmental permit if, **Natural Resources Wales** consider that the manner of operating a regulated facility contravenes an environmental permit condition, and that such contravention involves a risk of pollution. Accordingly, **Natural Resources Wales** has decided to suspend the environmental permit to the extent specified in Schedule 1 with immediate effect.

In addition, you are required to take the steps specified in Schedule 2 to remove that risk. Further, in relation to any activities that you are still authorised to carry out under the environmental permit, you are required to take the steps specified in Schedule 3.

The reason for this decision is that, **Natural Resources Wales** consider that the operation of the regulated facility involves a risk of pollution namely: Failure to comply with condition 2.3.1(a) of the Environmental Permit EPR/ZP3933NJ. This condition states that *“The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales”*. The two operating techniques listed in table S1.2 are, EPR 1 - How to Comply With Your Environmental Permit and the document referenced SOL0113ESP01 received as part of the application EPR/ZP3933NJ/A001.

The Treatment Hub Limited has not operated the facility or undertaken the treatment activities listed in the document referenced SOL0113ESP01. Storing waste in volumes that exceed the permitted limit restricts the capacity to treat waste in segregated batches and has resulted in

mixing of hazardous wastes. Failing to store, treat and manage hazardous waste in breach of the permit, leads to a risk of pollution from these wastes leaving the facility and entering the environment at the receiving sites. These sites are not permitted to receive hazardous wastes and do not have the appropriate controls in place.

The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.

Date: 17th July 2020

Signed: 

Gavin Bown
Rheolwr Gweithrediadau / Operations Manager

Natural Resources Wales
Llys Afon
Haverfordwest
Pembrokeshire
SA61 2BQ

Please see over for notes.

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Notes:

General

1. This notice suspends the environmental permit to the extent specified in Schedule 1 because Natural Resources Wales consider the manner in which the regulated facility is being operated contravenes an environmental permit condition and that contravention involves a risk of pollution. Consequently, operating any of the activities which this notice has suspended is an offence and legal action may be taken against you.
2. You remain bound by any conditions of the environmental permit that are not specified in Schedule 1.
 1. Failure to comply with these conditions is an offence and legal action may be 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 2 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	
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED	
Extent	
The following parts of the Environmental Permit are suspended with immediate effect:	
Input of waste within the boundary of the permit (defined by Schedule 7) pursuant to condition 2.2.1.	

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SCHEDULE 2 STEPS TO BE TAKEN TO REMOVE RISK OF POLLUTION	
Steps to be taken	By date
STEP 1: Cease the acceptance of waste onto site. The Operator shall cease to receive waste onto site with immediate effect.	With immediate effect
STEP 2: Reduce the quantity of stored waste to 5,250 tonnes as authorised by the Environmental Permit The Operator shall reduce the quantity of stored waste on site to 5,250 tonnes as authorised by the Environmental Permit. The quantity of waste must be reduced on site to enable wastes to be treated in the manner authorised by the permit.	31 st January 2021

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SCHEDULE 3
ADDITIONAL STEPS FOR NON-SUSPENDED OPERATIONS

Steps to be taken	By date
STEP 3: Classify stored waste and submit to NRW prior to commencing removal. The Operator must classify the waste stored on site in accordance with Guidance on the classification and assessment of waste (1st Edition v1.1) Technical Guidance WM3 and HWR06 Classifying and coding wastes from physio-chemical treatment facilities version 5. Prior to the removal of any waste from site, the Operator must submit to Natural Resources Wales for agreement, the determined waste classification and details on the intended destination of the waste.	With immediate effect all waste must be assessed and classified prior to removal.