

**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: SL Recycling Limited  
Unit 9 Penallta Industrial Estate  
Hengoed  
CF82

**Environmental permit:** EPR/ZB3593HH

**Regulated facility:** SL Recycling Limited, Unit 9 Penallta Industrial Estate, Hengoed, CF82 7SU

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

Failure to comply with condition 1.1.1 of the Environmental Permit EPR-ZB3593HH.

The risk of groundwater, surface water and ground pollution caused by;

- **Inadequate standard of drainage infrastructure to areas of impermeable surface**

This conditions states that:

The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

## **BECAUSE**

On Wednesday 1 September 2021, a waste fire commenced at SL Recycling Limited, Unit 9 Penallta Industrial Estate, CF82 7SU. The South Wales Fire and Rescue Service used large volumes of water to extinguish and contain the fire. This quantity of liquid overwhelmed the operator's interceptor system, which allowed pollutants, namely oils and fuels, to enter the un-named tributary of the Nant Cylla, which runs parallel to the SL Recycling Limited site and the Nant Cylla which is a tributary of the River Rhymney. This has caused a significant environmental pollution.

On the 2 September 2021, the effects of the pollution from the incident were seen and smelt in watercourses up to 2,600 metres from the site. Various environmental containment measures have been implemented to capture the pollutants in the watercourses.

On 9 September 2021, the area received its first heavy rainfall since the fire incident. As a result of the increased water flow, further oil has entered the tributary from the drainage system, causing a further pollution incident. It is apparent that, the site's interceptor and the connecting surface water drainage lines leading to the watercourses, are not functioning effectively. This is allowing an illegal discharge to enter the adjacent watercourse which needs to be stopped and remedied as a matter of urgency.

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

**Date: 13/09/2021**

**Signed:**



**John Jowett**

Acting Team Leader

Waste Regulation Team – South East Wales

**Natural Resources Wales / Cyfoeth Naturiol Cymru**

Rivers House | St Mellons Business Park | Cardiff | CF3 0EY

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Correspondence available in English and Welsh



## **Environmental Permitting (England and Wales) Regulations 2016 Regulation 36**

### **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](mailto: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<br>STEPS TO BE TAKEN |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                   |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Condition number                | Steps to be taken                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | By date                           |
| 1.                              | <p><b>Service site interceptor system and clean drainage lines that lead to the above-named watercourse to remove pollutants.</b></p> <p>The Operator must clean its interceptor system as per manufacturer specifications to be fully functioning to prevent further contaminants from entering the watercourse.</p> <p>The Operator must clean the associated drainage lines between the interceptor and the watercourse of all contaminants, as far as reasonably possible, to prevent further pollutants entering the watercourse.</p> <p>NRW will require confirmation that this has been appropriately remedied. NRW will arrange urgent inspection to affirm that this has been actioned to a satisfactory standard.</p> | Wednesday 15<br>September<br>2021 |