

Environmental Permitting (England and Wales) Regulations 2010
Regulation 36

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH OF PERMIT CONDITION**

Ms Julie Young
JAY Metals
Wern Glyd
Cilhedyn
Llanfyrnach
Pembrokeshire
SA35 0AG

Environmental permit: EPR/FP3097EZ

Regulated facility: JAY Metals, Cilhedyn, Llanfyrnach, Pembrokeshire, SA35 0AG

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

1.1 1 the operator shall manage and operate the activities:

(a) 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

2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3.

Continued overleaf

Table 2.3 Operating techniques

1. Uncontaminated plastic and glass arising from the treatment of end-of-life vehicles, uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal waste shall be stored on hard standing or an impermeable surface with sealed drainage system. All other waste shall be stored on an impermeable surface with a sealed drainage system.
2. All waste shall be treated on an impermeable surface with sealed drainage system.
3. Lead acid batteries shall be stored in containers with an impermeable acid resistant base and a cover to prevent ingress of water.
4. Metal filings and turnings shall be stored in containers with an impermeable base and a cover to prevent the ingress of water. No more than 50 tonnes shall be stored at any one time.

Because:

Hard standing areas of the site on which waste is stored drain to an oil interceptor. The point source discharge from the site to ground via the oil interceptor is not permitted by condition of the permit or subject of an exemption.

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

Date 23rd August 2016

Signed 
Jonathan Willington
Team Leader, South West Waste Regulation

Natural Resources Wales
Maes Newydd
Britannic Way West
Llandarcy
Neath Port Talbot
SA10 6JQ

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2010 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 2010 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(2)(f) of the Environmental Permitting (England and Wales) Regulations 2010. 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:

Welsh Ministers
The Planning Inspectorate for Wales
Crown Buildings
Cathays Park
Cardiff, CF10 3NQ
Tel: 029 2082 3866
E-Mail: wales@pins.gsi.gov.uk
<http://www.planningportal.gov.uk/planning/appeals>

At the same time you must send a copy of the appeal notice and documents to us.

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; and
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 Welsh Ministers in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Environmental Protection Division.

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.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

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SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
2.3.1	(1) Cease the point source discharge via the oil interceptor from hard standing areas of the site to adjacent ground. (2) Ensure that activities on site are operated using techniques in accordance with Condition 2.3.1 and Table 2.3 of environmental permit EPR/FP3097EZ. (3) Update the written management system for the site to incorporate changes to drainage from hard standing areas	(1) 16 February 2017 (2) 16 February 2017 (3) 16 March 2017