



Cyfoeth Naturiol Cymru Natural Resources Wales

To:
The Director / Company Secretary
Abertawe Metal Recycling Limited
2 Glyndefaid Cottage
Ynysymond Road
Glais
Swansea
SA7 9JA

Our ref: 180406/HB3490HK

Your ref:

Date: 6th April, 2018

Company Number: 09269451

**Environmental Protection Act 1990 Section 59(1)(a)
Environmental Permitting (England and Wales) Regulations 2016**

Dear Sir/Madam

Following our site meeting on the 3rd April, 2018, I am writing to confirm that you have complied the Environmental Protection Act 1990 S59(1)(a) Notice.

Please be reminded that End of Live Vehicles can only be stored in this area, once it is covered by an appropriate Environmental Permit.

Further to our discussion regarding the Environmental Permitting Regulations 2016 Reg 36 Notice, please find enclosed a new Notice with amended timeframes that have been agreed with Mr. James Lerner. This Notice replaces the existing one and extends the deadline to the 1st June 2018.

If, for any reason, you believe you will be unable to comply with this deadline, please get in touch.

If you have any questions, please do not hesitate to contact me.

Regards

A handwritten signature in black ink, reading 'Rhian Beech-Weekes'.

Liane Bacon-Weekes

Tîm Rheoleiddio Gwastraff (DG Cymru)/Waste Regulation Team (Southwest)
Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn / Telephone: 03000 65 3571

E-bost / E-mail: liane.bacon-weekes@cyfoethnaturiolcymru.gov.uk
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Gwefan / Website: www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Mae Croeso i chi Cyfathrebu a ni yn y Gymreag neu yn Seisneg/

You're welcome to communicate with us in either Welsh or English.

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

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.

Statutory Notice

**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: Abertawe Metal Recycling Limited
2 Glyndefaid Cottage
Ynysymond Road
Glais
Swansea
SA7 9JA**

Environmental permit: HB3490HK

**Regulated facility: Abertawe Metals Ltd Transfer Station, Dyffryn Close, Swansea
Enterprise Park, Swansea, SA6 8QG**

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

Condition 1.1.1(a) – The operator shall manage and operate the activities in accordance to a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidences and non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

Condition 1.1.4 - The operator shall comply with the requirements of an approved competence scheme.

Condition 4.2.2 - Within one month of the end of each quarter, the operator shall submit to the Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

Because:

Condition 1.1.1(a) – The operator is not managing and operating activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidences, and non-conformances, closure and those drawn to the attention of the operator as a result of complaints. The existing

management system (Working Plan December 2011 V0.01) and site plan do not accurately reflect current activities on site.

Condition 1.1.4 – The operator is not complying with the requirements of an approved competence scheme and is operating the facility without an appropriately qualified Technically Competent Manager.

Condition 4.2.2 – The operator has not submitted to Natural Resources Wales, quarterly waste returns detailing the waste accepted and removed from the site during the previous quarter.

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

Date: April 2018

Signed: [Signature]
Jonathan Willington
Team Leader South West Waste Regulation Team

Natural Resources Wales
Llys Afon
Hawthorn Rise
Haverfordwest
Pembrokeshire
SA61 2BQ

Please see over for notes.

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(2)(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.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 36

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
1.1.1(a)	STEP 1: Review and update the existing written management system and site plan, so that it accurately reflects activities on site and identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidences and non-conformances, closure and those drawn to the attention of the operator as a result of complaints.	1 st June 2018
1.1.1(a)	STEP 2: Submit a copy of the written management system to Natural Resources Wales.	1 st June 2018
1.1.4	STEP 3: Submit copies of the Technically Competent Manager's (TCM) qualification certificates to Natural Resources Wales	1 st June 2018
4.2.2	STEP 4: Submit to Natural Resources Wales outstanding quarterly waste returns from quarter 1 2016.	1 st June 2018