



Statutory Notice

Environmental Permitting (England and Wales) Regulations 2016 Regulation 37(1) and (2)

ENFORCEMENT NOTICE OF SUSPENSION AND REQUIREMENT TO TAKE STEPS

To:
Grant Haines
Riverside Garage
Unit 8 Newtown Industrial Estate
Crosskeys
Newport
NP11 7PZ

Environmental permit number: EPR/EB3433RE

Regulated facility: NAG Recycling & Skip Hire, Unit 8, Newtown Industrial Estate, Crosskeys, Newport NP11 7PZ

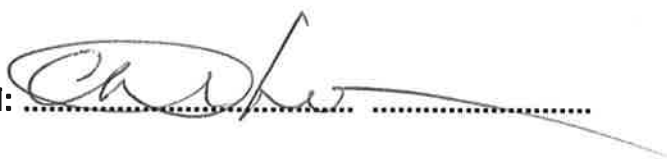
Under Regulation 37(1) and (2) of the Environmental Permitting (England and Wales) Regulations 2016, **Natural Resources Wales** may suspend an environmental permit if, **Natural Resources Wales** consider that operation of the regulated facility involves a risk of serious pollution. Accordingly, **Natural 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.

The reason for this decision is that, **Natural Resources Wales** consider that the operation of the regulated facility involves a risk of serious pollution. Namely the risk of fire caused by excessive amounts of waste being stored on site in excess of permitted amounts. Said waste presents an immediate fire risk which if allowed to occur would cause serious pollution of the Ebbw River due to poor site infrastructure; namely the drainage and site surface. The drainage in its current state would offer no ability to contain water used to douse the fire on site. The site surface has cracks and defects in many areas which may allow contaminated water to permeate in to the sub soil around the site. Also as water on site is currently draining off site in to the highway drainage system, it is feared that water would then exit site and enter the drainage network which discharges in to the Ebbw river, causing serious damage to the river ecology. There are interceptors on site which due to them being inaccessible due to too much waste on site, have the potential to fill with firewater and discharge to the watercourse. A fire

on site would have a significant impact on local communities and businesses from air emissions, causing a serious risk of pollution relating to air emissions off site. The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.

Date: 4/2/19

Signed: 

Caroline Drayton

**Arweinydd Tîm Rheoli Diwydiant a Gwastraff – Rhymni
ac Ebwy & Wysg a Gwy / Industry and Waste
Regulation Team Leader – Rhymney and Ebbw & Usk
and Wye**

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

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016 Regulation 37(1) and (2)

Notes:

General

1. This notice suspends the environmental permit to the extent specified in Schedule 1 because Natural Resources Wales consider operation of the regulated facility involves a risk of serious 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. 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 from 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	
1.0 – All acceptance of waste imports from outside of the permitted facility shall be suspended until schedule 2 is fully complied with.	

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SCHEDULE 2 STEPS TO BE TAKEN TO REMOVE RISK OF SERIOUS POLLUTION	
Steps to be taken	By date
1. Waste currently stored on site is an immediate fire risk. The quantities of waste on site must be reduced in order to reduce to the permitted level of <80m³, stored correctly in appropriate bays as outlined in section 2.7.1 of the EMS, to minimise the risk of fire. 1.1. Fire breaks will be inserted in between the waste piles across the site to reduce the risk of any fire spreading and engulfing the site. Fire breaks must be in line with NRW guidance as outlined in graph 1, page 20 of the Fire Prevention and mitigation guidance (attached). 1.2. Fire management controls will be implemented during the removal of the material from the mixed waste mound to ensure any flare ups whilst removing waste can be suppressed. 1.3. Temperature monitoring equipment should be implemented within stockpiles to detect any changes in temperature due to self heating leading to flare ups and fires during the removal of the waste.	
2. Weekly updates on the removal of the waste material are to be emailed to the relevant Environment Officer with evidence to support in the form of duty of care (waste transfer) notes.	Weekly from date of notice
3. Site infrastructure is to be improved to the standards of those required to operate the site in line with the permit. 3.1. The site drainage interceptor is currently inaccessible due to a large pile of waste wood covering the access man hole. All waste is to be removed from the site to ensure that this is accessible at all times should an incident occur and water need to be pumped from site. 3.2. The drainage channel at the front of the site requires immediate maintenance to ensure that all fluid leaving the site is captured by the site interceptor, and not allowed to flow on to the public highway and in to the surface water drainage system. 3.3. The waste pressing against the fence will need to be removed immediately, and a buffer zone will need to be established to prevent any such reoccurrences. The fence is to be repaired and maintained in line with the permit condition outlined above.	