

**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: JM ENVIROFUELS LIMITED
Meriden House
6 Great Cornbow
Halesowen
West Midlands
B63 3AB

Environmental permit: EPR/AB3690CP

Regulated facility: Berth 31, Wimborne Road, Barry Docks, Barry, CF63 4AB

Natural Resources Wales considers that the following condition of the environmental permit is being contravened: Permit Condition 2.1; Permitted Operations.

2.1.1 The operator is only authorised to carry out the operations specified in table 2.1 below ("the activities").

2.1 Permitted operations SR2011 No4 v5.1

Table 2.1 activities

Description of activities

R13: Storage of wastes pending the operation numbered R3.

R3: Recycling or reclamation of organic substances which are not used as solvents.

Limits of activities

Treatment of wood wastes listed in table 2.3 consisting only of sorting, separation, cutting, pulverising, shredding, and chipping for recovery. Secure storage of wastes listed in table 2.3 at the place where it is to be treated

Quantities of waste stored shall not exceed 10,000 tonnes in total at any one time. No waste must be stored for more than 3 months.

No more than 75,000 tonnes of waste shall be accepted at the site in any one year.

Because the waste wood stored in Maltese Crosses A & B has been on site for 11 months. You are required to take the steps set out in Schedule 1 by the date(s) specified in order to remedy the contravention.

Date: 19/12/18

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
Fortran Road
Cardiff
CF3 0EY

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(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

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 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
Permit Condition 2.1	All waste wood within Maltese Cross structures A & B as outlined in Plan A, to be removed from site with Duty of Care notes provided to Natural Resources Wales to evidence their removal to an appropriately permitted facility.	27/01/2018

