



**Cyfoeth
Naturiol
Cymru
Natural
Resources
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: Rees Metals Limited
Pencoed Works
Saron Road
Bynea
Llanelli
SA14 9LT**

**Environmental permit: LLN/SM/003 (EAWML 34065) (EPR-LP3098FJ)
Regulated facility: Pencoed Works, Saron Road, Bynea, Llanelli, SA14 9LT**

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

1. Condition 1.2.1 Permitted wastes.
2. Condition 1.2.3 Excluded waste types.
3. Condition 1.1 and table 1.1.a. Specified waste management operations and no waste shall be stored on site for a period of more than 3 years.
4. Condition 2.1.2 and table 2.1 a. Engineered Hardstanding areas.


Because:

1. Unpermitted waste types have been accepted and are stored at the site.
2. Excluded waste types have been accepted and are stored at the site.
3. Waste has been stored on site for more than 3 years.
4. Hardstanding areas have not been maintained in accordance with table 2.1 of the permit in that they are not even, they are subject to rutting by vehicles, they are not able to be cleaned by scraping and they are not free of standing water.

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

0101 100 800113

Date: 29th March 2017

Signed: 
Jonathan Willington
Team Leader, South West Waste Regulation

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(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.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 36

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
1.2.1	Remove all unpermitted waste types (wastes not detailed in table 1.2.A of the permit) from site. This waste includes the insulation material, tyres and plastic noted during our last inspection and our site meeting on the the 20 January 2017.	26 June 2017
1.2.3	Remove all excluded waste types (wastes detailed in 1.2.B of the permit) from site. This includes End of Life Vehicles and the LPG cylinders noted during our last inspection and our site meeting on the the 20 January 2017.	26 June 2017
1.1	Remove all waste that has been stored on site for more than 3 years in consultation with NRW during the notice period.	23 March 2018
2.1.2	The hardstanding areas of the the site must be engineered and maintained in accordance with table 2.1.a of the permit in that it must; remain even, shall not be subject to rutting even when wet, shall have sufficient durability to allow cleaning e.g. by scraping and shall remain free from standing water.	23 March 2018