

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 37(5)**

**ENFORCEMENT NOTICE OF SUSPENSION AND REQUIREMENT TO TAKE
STEPS**

To: South Wales Wood Recycling Limited
Old Post Office,
Curwen Terrace,
North Cornelly,
Bridgend,
CF33 4AW

Environmental permit number: EPR/FP3095ET

Regulated facility: South Wales Wood Recycling Limited, Locks Yard, Heol Llan, Coity, Bridgend,
CF35 6BU

Under Regulation 37(5) of the Environmental Permitting (England and Wales) Regulations 2016, **Natural Resources Wales** may suspend an environmental permit if, **Natural Resources Wales** consider that the manner of operating a regulated facility contravenes an environmental permit condition, and that such contravention involves a risk of pollution. Accordingly, **Natural Resources Wales** has decided to partially 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, you are required to take the steps specified in Schedule 3.

The reason for this decision is that, **Natural Resources Wales** consider that the operation of the regulated facility involves a risk of pollution namely: Condition 2.3.1 (a) and 3.8.1 of the environmental permit EPR/FP3095ET requires the Operator to operate in compliance with an approved Fire Prevention and Mitigation Plan. Waste storage on site is not in compliance with these conditions, resulting in significant fire risk due to excessive quantities of wood waste stored on site without the required fire breaks. The potential risk of pollution is the wood waste catching fire. The waste is treated wood and therefore if it were to catch fire the waste smoke would contain toxins. There are residents in the vicinity of the site who would potentially have their health impacted by the smoke. There are limited water supplies for firefighting due to the low flows in the River Ogmore and lack of mains water supply to the site. Any fire water run off entering the River Ewenny has potential to cause water pollution. At current low flows pollution impacts would be increased.

The environmental permit ceases to have effect to the extent specified until this notice is withdrawn.

Date: 18th July 2018

Signed: 
Jonathan Willington
Team Leader Waste Regulation (Southwest)

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 2016 Regulation 37(1) and (5)

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 given before the date on which the partial revocation takes effect. Where an appeal is brought the revocation will not take effect until the final determination or withdrawal of the appeal.

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.

SCHEDULE 1
EXTENT TO WHICH THE ENVIRONMENTAL PERMIT IS SUSPENDED
Extent
The following parts of the permit are suspended with immediate effect: Input of waste within the boundary of the permit (defined by Schedule 4 of the amended site plan) pursuant to Condition 2.2, Table 2.2 and Table S2.2 as amended in permit variation EPR/FP3095ET/V003

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SCHEDULE 2 STEPS TO BE TAKEN TO REMOVE RISK OF SERIOUS POLLUTION	
Steps to be taken	By date
STEP 1: CEASE TO RECEIVE WASTE ONTO SITE. The Operator shall cease to accept any waste onto site with immediate effect.	18 July 2018
STEP 2: WOOD WASTE ON SITE AT THE DATE OF THIS NOTICE. The Operator shall remove the risk of pollution, namely risk of fire, by complying with your Fire Prevention and Mitigation Plan. The Operator shall take all steps as are necessary to prevent the risk of fire including but not limited to removing wood waste to enable the installation of fire breaks, reduction in stockpile height and removing wood waste stored against buildings.	30 August 2018

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**SCHEDULE 3
ADDITIONAL STEPS FOR NON-SUSPENDED OPERATIONS**

Steps to be taken	By date
STEP 3: MANAGEMENT SYSTEMS As per Condition 2.3.1 the Operator shall review the Fire Prevention and Mitigation Plan and Environment Management System incorporated into the permit and identify such appropriate measures to ensure that storage of wood waste on site will not cause serious pollution, namely fire risk, including but not limited to the following: (i) Fire Prevention and Mitigation Plan is produced in line with the current guidance. (ii) wood waste is stored in compliance with the Fire Prevention and Mitigation Plan. (iii) manage throughput of wood wastes. The Operator shall update the Fire Prevention and Mitigation Plan and Environment Management System incorporated in the permit to include all appropriate measure it has identified in compliance with paragraph above and submit the same in writing to NRW for its approval.	30 August 2018