

Compliance Assessment Report

Report ID:
CAR_NRW0020597

This form will report compliance with your permit as determined by an NRW officer

Site	Merthyr Borough Recycling Centre Ltd-transfer Station	Permit Ref	ZP3899FX		
Operator/Permit holder	Merthyr Borough Recycling Centre Ltd				
Regime	Waste Operations				
Date of assessment	17/05/2016	Time in	14:30	Out	16:00
Assessment type	Site Inspection				
Parts of the permit assessed	Specified Activities, Management and Infrastructure				
Lead officer's name	Ward, Adam				
Accompanied by					
Recipient's name/position	Nick Brannon/ Director	Date issued	23/05/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

MBRC Inspection – 17th May 2016, 14:30 – 16:00pm.

This inspection was conducted with Nick Brannon (Director) to check compliance with a recently agreed site improvement plan (SIP). The SIP required compliance with several permit conditions as exhibited by **Annex 1** below.

Compliance

Storage Issues: It was extremely positive to see that you have complied with the agreed plan and therefore with the relevant conditions of the permit. It was found that the majority of transfer station fine stockpiles (EWC Code 19 12 12) that had been stored incorrectly and were causing leachate (and a suspected build-up of Hydrogen Sulphide) had been removed from site. This has meant you have increased storage capacity to store bio-degradable wastes (including fines) on the concreted areas which benefit from sealed drainage and you are now compliant with [Permit Conditions 1.1.1, 2.1.1 and 3.1.1](#).

Litter, mud and debris: There appeared to be a major improvement on areas of hardstanding where there was previously a significant build-up of mud and litter which was being tracked into the ground during periods of inclement weather. While there continues to be a minor litter problem on site, this is understandable considering the volume of recyclate that is processed on a daily basis. It is therefore extremely important that you continue to comply with [Permit Condition 1.1.1, referring to sections 6.3.10 and 6.3.11 of your Environment Management System \(EMS\)](#), by continuing to control litter as well as mud and debris. It is important that you take the opportunity to fully remediate any area where there may be existing contamination during the dry summer months.

Other Comments

New Infrastructure: You had been previously extending the impermeable surface by producing concrete on

site using some of the left over inert fines from your recycling process. You have now changed your plans and will be installing a large building which will benefit from a concrete impermeable surface and will be sealed to prevent potentially contaminated run-off escaping from wastes stored inside. The purpose of the building is store stockpile and dry separated waste fractions such as wood, to ensure they are recyclable. If any of the existing concrete is dug up, please apply the usual waste controls.

Biomass Plant: You have installed a Biomass Plant which has a Part B permit and is regulated by the local authority. The plant will burn virgin timber to produce electricity and heat which will dry the waste stockpiles inside the new building.

Action: Please ensure your site plans are updated and written procedures are provided to explain how the biomass plant and new building will be operated and how you intend to manage the risks involved with the new operation. Please submit your updated EMS to your regulatory officer by Friday 26th August 2016.

Please contact your regulatory officer Adam Ward on 03000 653149 or via email on adam.ward@naturalresourceswales.gov.uk if you have any queries regarding this CAR form.

Annex 1

Action plan to resolve permit non-compliance

Permit number	Operator name	Site name
EPR/ZP3899FX/V002 EAWML 30044	Merthyr Borough Recycling Centre Limited Director: Nick Brannon	Merthyr Borough Recycling Centre

Permit condition not complied with & CAR ref. no.	Actions you propose to take Include important milestones and dates	Completion dates
2.1.1 151222	Ensure all mixed waste and transfer station fines, including inert material which is contaminated with plastics and wood etc., is stored on the impermeable surface with sealed drainage.	18/3/16
1.1.1 151222	Comply with storage and infrastructure conditions specified by your Environmental Management System (EMS) by ensuring all areas intended for the storage and treatment specified waste types benefit from an impermeable surface with sealed drainage.	18/3/16
3.1.1 151222	Ensure any waste that is causing odours, emissions of Hydrogen Sulphide and/or leachate is removed from site as soon as practicable. You should consider the serious health and safety implications of allowing the build of this hazardous waste on site.	Complete
1.1.1 151222	Ensure you comply with Sections 6.3.10 and 6.3.11 of your EMS to ensure you control litter as well as mud and other debris. All deposited material that is contaminated with litter should be dug up and reprocessed to separate bio-degradable wastes (such as plastics and wood) from the inert material.	Immediately

I confirm that I will carry out the above steps and return the activity to compliance with my permit by the dates specified.

Operator's signature..... *N. Brannon*

Date..... *5/2/16*

I confirm that I agree to suspend CCS scores while the above operator carries out the specified steps, subject to our Rules of Suspending Scores

Natural Resources Wales Team Leader's signature..... *W. R. W.*

Date..... *5/2/16*

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EPR Compliance Assessment Report

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Operator/Permit holder	Merthyr Borough Recycling Centre Ltd	Date	17/05/2016

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.