

Compliance Assessment Report

Report ID:
CAR_NRW0032232

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

Site	Phase 2 Wrexham Recycling Park	Permit Ref	BB3436RA		
Operator/Permit holder	Waste Recycling Limited				
Regime	Installations				
Date of assessment	03/10/2017	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	All Below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	Gary Smith/ Operational Manager	Date issued	04/10/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.2 (Table S3.2)

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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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

G1 –Monitoring of emissions and environment – Bioaerosols

Permit condition 3.2 covers permit monitoring and references the requirement to undertake bioaerosol monitoring as specified in table S3.2. Table S3.2 stipulates that bioaerosol monitoring should be done in accordance with the industry standard protocol, and, for gram negative bacteria, together Natural Resources Wales 'Guidance on the evaluation of bioaerosol risk assessments for composting facilities.

The Sample dated 13th April 2017 taken at the MBT "downwind" sampling location (SP2), located adjacent to the south-east corner of the MBT building, exceeded the limit for gram negative bacteria of 300 cfu.m-3. It should be noted that the prevailing wind direction was reported as ranging between west-north-west and north-westerly in the submitted report, with the MBT biofilter emission stack located on the roof at the north end of the facility. It is therefore unlikely that emissions from the MBT biofilter outlet stack would contribute significantly to this exceedance. However, SP2 was located downwind of the IVC biofilter outlet stack which may have been a potential source of bioaerosols at the sampling location.

The Sample dated 25th May 2017 taken at the MBT "downwind" sampling location (SP1), located at the northern boundary of the MBT facility, and exceeded the limit for gram negative bacteria of 300 cfu.m-3. It should be noted that the prevailing wind direction was reported as originating from the south-east in the submitted report with the MBT biofilter emission stack located to the south-west of SP1's location. It would therefore be difficult to conclude that emission from the MBT biofilter outlet stack were the primary contribution to the elevated result in this instance due to the sample location deviating ~700 from the mean wind heading. All other ambient bioaerosol samples reported on the 13th April and 25th May 2017 for the MBT facility were below their respective limits.

Although there is a breach of limits, there is insufficient evidence and supporting information in your report to detail the source of these exceedances or exclude the site as a source (i.e are they produced by the IVC, MBT, or external sources). Your sampling methodology limits the sites ability to do this.

The site are currently not monitoring to the standards highlighted in the Industry standard protocol, which are highlighted in detail in the report reference C263_RP01. In summary, there is a failure to undertake concurrent sampling, obtain suitable meteorological measurements to identify prevailing local conditions and select suitable sampling locations.

Due to the fact that issues have been noted in your methodology in collecting the samples that could impact on the monitoring data and subsequent reports, a CCS breach of 3 has been noted against permit condition 3.2

ACTION 1 Operator/consultant to respond detailing what actions/improvements will be taken made to your sampling methodology to comply with the standardised protocol. Response must reference comments and recommendations highlighted in Natural Resources Wales C263_RP01 Report on bioaerosol monitoring results April 13th 2017 and 25th may 2017.

Please respond no later than 3rd November 2017.

G1 –Monitoring of emissions and environment – Biofilter

Thank you for submitting your report on the bio filter (reference FCCE16D_02_final) as per condition Table S3.1 of your permit.

Your report highlights that the geometric mean odour concentration of the air emitted from the biofilter was 1024 OUE/m3. This equates to a 71% removal efficiency.

The % removal efficiency is lower than your previous report undertaken in May 2016 which had a removal efficiency of 88%.

We advise that the site continue to monitor the bio filter performance closely and ensure that the Odour Management plan is followed. You have confirmed that that the site have the replacement of the bio filter media scheduled in for the beginning of next year (2018).

EPR Compliance Assessment Report

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Operator/Permit holder	Waste Recycling Limited	Date	03/10/2017

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			
G1	C3	Please refer to Action 1	03/11/2017

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 report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen 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.