

Compliance Assessment Report CAR_NRW0039928

Permit being assessed: NP3099FS.

For: Harp International Limited Gellihirion Hazardous Waste, held by Harp International Ltd
At: Gellihirion Hazardous Waste, Reclamation and Storage Facility, GelliHirion Industrial Estate, Pontypridd, Rhondda Cynon Taff, CF37 5SX.

Type of assessment carried out: Report/Data Review, Reason: Other.

On 19/05/2022.

Parts of permit assessed: Storage of materials

NRW Lead Officer: Dale Padfield.

Report sent to: Caroline Harries, Quality & Environmental Manager on 19/05/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	1.1

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
1	4

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C4	Harp to decide the fate of the Oil tank & bund. This decision will dictate if further actions are required.	03/06/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Harp International LTD

Permit EPR/NP3099FS

Following a physical site inspection conducted on the 12th of April 2022, NRW set two actions for Harp detailed in CAR_NRW0039714. These actions were:

Action 1 Harp 19th April 2022: Harp to identify and remove any items stored in the bund that could possibly be stored elsewhere on site, including 5 of the drums identified in the response.

Action 2 Harp 19th April 2022: Harp to remove biological material from bund and to consider implementing a cleaning schedule to prevent further build-up of biological material.

NRW received the photos (as shown below) of the oil bund on the 17th of May 2022. NRW are satisfied that the above actions are complete.



Photo 1

Photo 2

Upon reviewing the photos, NRW identified what appeared to be a crack running along the base of the bund (running left to right, in-between the two closest black drums) in photo 1. Harp were emailed on 17/05/2022 and asked to investigate and to confirm if this was a crack. A reply was received from Harp on the 18/05/2022 which confirmed that this was indeed a crack in flooring of the bund.

The crack in the bund could potentially provide a source-receptor pathway if there were a failure of primary containment. As a result, Harp initiated measures to mitigate the potential risk. These included having the 2000 litre oil tank emptied and relocating the oil containers to be stored on bunded pallets. NRW are satisfied that these measures will provide adequate environmental protection.

Both 'How To Comply With Your Environmental Permit and the waste treatment Bref' require appropriate measures to be undertaken to prevent or minimise leakage from bunds. Routine testing, inspections and maintenance procedures should be implemented as part of the site's appropriate measures. The crack in the bund was not detected and this would suggest the inspection regime in place is inadequate. Consequently, a

minor non-compliance will be issued.

Non-compliance: A category 3 minor non-compliance is given for failure to implement an effective inspection regime which untimely resulted in a damaged bund going undetected. This is a breach of permit condition 1.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Harp are unsure if repair of the bund will be economical, as the site no longer receives waste oil and very little waste oil is generated via the reclamation process. Harp are reminded that if repairs are not conducted on the bund, then the 2000 litre oil tank is not to be used, and no containers containing liquid or drums (containing liquid) should be stored within the bund. The bund in its current condition does not provide adequate secondary containment, storing containers or drums containing liquid in the bund would result in further breaches of your environmental permit.

If the decision to repair the bund is taken, then the bund should be repaired to meet the standard set out in CIRIA-C736. An effective inspection routine will also need to be implemented as part of your management system, to ensure any future defects are identified and appropriate measures can be implemented without delay.

Action 1 Harp 19th of May 2022; Update NRW with the conclusions to the fate of the bund / oil tank once Harp have held internal discussions and made a formal decision.

END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.