

Compliance Assessment Report CAR_NRW0040239

Permit number	CB3393ZB	Operator name	GLJ Recycling Limited
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Site name	GLJ Recycling Limited
Site address	Lower Chapel Bridge Yard, Cwmcarn, Cross Keys, Newport, NP11 7NL
Assessment type	Inspection

Date of assessment	07 July 2022	Time in	10:00	Time out	14:00
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Parts of permit assessed	See Part 4
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NRW Lead officer	Guy Baskerville	Accompanied by	N/A
Report sent to – Name and position	Gareth Jones Director	Date	09 August 2022

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
B1 Infrastructure – Engineering for prevention and control of emissions	Assessed or assessed in part (A)	2.3.1(a) [EPR CB3393ZB] 2.3.1 [SR2008 No3] 2.3.1 [SR2008 No20] 2.3.1 [SR2008 No21] 2.3.1 [SR2008 No23]
B3 Infrastructure – Site drainage engineering (clean and foul)	Assessed or assessed in part (A)	2.3.1(a) [EPR CB3393ZB] 2.3.1 [SR2008 No3] 2.3.1 [SR2008 No20] 2.3.1 [SR2008 No21] 2.3.1 [SR2008 No23]
C2 General management – Management system and operating procedures	Assessed or assessed in part (A)	1.1.1 [EPR CB3393ZB]

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

Total number of non-compliances recorded	Total non-compliance score
0	0

2. What action is required?

Criteria	Action needed	Complete by
B1 Infrastructure – Engineering for prevention and control of emissions	Investigate surface water flow behaviour around the waste storage bays in the southern quarter of the site. Where the investigation identifies a risk of potentially contaminated rainfall dependent surface waters evading the drainage system, instate appropriate above and below ground infrastructure to redirect surface water into the site drainage system.	07/10/2022
B1 Infrastructure – Engineering for prevention and control of emissions	Investigate surface water flow behaviour at the edges of the impermeable pad. Where the investigation identifies areas where there exists a risk of potentially contaminated rainfall dependent surface water escaping the edges of the impermeable pad and evading the drainage system, instate appropriate above and (where necessary) below ground infrastructure to redirect surface water into the site drainage system.	07/10/2022
C2 General management – Management system and operating procedures	Review and update EMS to ensure that it is fit for purpose and reflects revised/new procedures/forms introduced since the environmental permit was issued. N.B. There is no requirement to submit these revised/new procedures/forms to NRW, but we will review them during a future inspection as part of our routine compliance programme.	N/A

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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter NRW) findings following an assessment of physical and procedural measures to maintain compliance with the requirement to store and treat permitted wastes on an impermeable surface served by a sealed drainage system.

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]

GLJ Recycling Limited

Gareth Jones [Managing Director]
Mark Tuckey [Consultant]

A requirement to store and treat waste (except certain uncontaminated wastes or *specified wastes*¹) on an impermeable surface served by sealed drainage is imposed by the environmental permit, in addition to the standard rule sets retained in the environmental permit.

Given the nature of the permit, the legal basis of this requirement is somewhat complex and is therefore set out below for completeness.

The introductory note of the environmental permit states:

*Permits DB3097TJ and LB3093HH have both been superseded by this permit. Permit DB3097TJ permitted both standard rules set SR2008 No20 and set SR2008 No21. Permit LB3093HH permitted both standard rules set SR2008 No23 and set SR2008 No3. **The activities and constraints included in the 4 standard rules sets are retained in this new permit, with the activities of SR2008 No21 having been replaced with the now increased capacity.***

The standard rule sets retained by the environmental permit include:

- SR2008 No3 Household, commercial & industrial waste transfer station with treatment
- SR2008 No20 Vehicle storage, depollution and dismantling facility
- SR2008 No21 Metal recycling site
- SR2008 No23 Waste electrical and electronic equipment authorised treatment facility (ATF) excluding ozone-depleting substances

Condition 2.3.1 of standard rule set SR2008 No3 states:

The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 of standard rule set SR2008 No3 is partially reproduced below.

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste:
 - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

¹ SR2008 No3 Interpretation: "*specified waste*" means the following waste codes in Table 2.2: 01 01 01, 01 01 02, 01 04 08, 01 04 09, 01 04 13, 02 04 01, 10 11 12, 10 12 08, 10 13 14, 15 01 07, 17 01 01, 17 01 02, 17 01 03, 17 01 07, 17 02 02, 17 03 02, 17 05 04, 17 05 08, 19 12 05, 19 12 09 and 20 02 02.

Condition 2.3.1 of standard rule set *SR2008 No20* states:

The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 of standard rule set *SR2008 No20* is partially reproduced below.

Table 2.3 Operating techniques

1. Fully depolluted end-of-life vehicles, uncontaminated plastic, glass and ferrous and non-ferrous metal wastes arising from the treatment of end-of-life vehicles shall be stored on hard standing or an impermeable surface with sealed drainage system. All other wastes shall be stored on an impermeable surface with sealed drainage system.
6. All wastes shall be treated on an impermeable surface with sealed drainage system.

Condition 2.3.1 of standard rule set *SR2008 No21* states:

The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 of standard rule set *SR2008 No21* is partially reproduced below.

Table 2.3 Operating techniques

1. Uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal wastes shall be stored on hard standing or an impermeable surface. All other wastes shall be stored on an impermeable surface with sealed drainage system.
2. All wastes shall be treated on an impermeable surface with sealed drainage system.

Condition 2.3.1 of standard rule set *SR2008 No23* states:

The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 of standard rule set *SR2008 No23* is partially reproduced below.

Table 2.3 Operating techniques

1. Treatment of WEEE
 - shall be carried out on an impermeable surface with sealed drainage system with provision of spillage collection facilities and, where appropriate, decanters and cleanser degreasers.
2. Storage
 - WEEE, disassembled spare parts, components or residues shall be stored on an impermeable surface with sealed drainage system with provision of spillage collection facilities and, where appropriate, decanters and cleanser degreasers.
3. Buildings, covered areas or containers shall meet the following requirements:
 - containers shall be stored on an impermeable surface with sealed drainage system.

Condition 2.3.1(a) of the environmental permit states:

The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.

Table S1.2 of schedule 1 to the environmental permit is partially reproduced below.

Table S1.2 Operating techniques		
Description	Details	Date
Best Available Techniques	Full Document	27/11/2019

Section 1.10 of the operating technique *Best Available Techniques* referred to in table S1.2 of schedule 1 to the environmental permit states:

Operational areas that are used for the storage and management of scrap metal and shredder residues are provided with an engineered concrete surface that drains to a series of interceptors prior to site discharge to storage tanks. Hazardous liquids are stored within appropriate secondary containment. Internal site checks ensure that damaged surfacing is identified and repaired within appropriate timescales.

Condition 1.1.1(a) of the environmental permit states:

The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints

The relevant documents of the Environment Management System (EMS) addressing maintaining compliance with the requirement to store and treat waste (except certain uncontaminated wastes or *specified wastes*) on an impermeable surface served by sealed drainage are presented below:

- EMS3.10 Procedure - Installation and maintenance of engineered site surfaces
- EMS3.19 Procedure - On-site checks
- EMS3.19.1 Site Log
- EMS6.1 Procedure - Non-conformity and Corrective Action
- EMS6.1.1 Record - Corrective Action Tracking Log

An assessment of records evidencing compliance with the above procedures was undertaken.

Whilst the operator was able to provide evidence that significant areas of the impermeable surface(s) had been maintained, repaired or extended throughout 2022, they presented little evidence that the above procedures were being directly complied with. However, the operator was able to present evidence that appropriate assessments of the condition of the impermeable surface(s) was being undertaken (and addressed as appropriate), having found that the procedures set out in the EMS were not fit for purpose.

The operator has been undertaking daily checks and recording findings in a revised version of *EMS3.19.1 Site log*. I undertook a partial assessment of a selection of completed EMS3.19.1 forms and the information recorded was appropriate to the operation and comprehensive.

The operator has introduced a new targeted 'impermeable surface check form'. This form did not have a title, reference number or version number and was not referred to in any existing EMS procedure. The form presents a plan drawing of the operational area, on which an assessor may mark areas where the impermeable surface has become damaged or needs to be extended. The operator advised that this information is fed into monthly internal Health, Safety & Environment (HSE) meetings for discussion before being incorporated into the wider concrete repair programme. I undertook a partial assessment of a selection of completed 'impermeable surface check forms'. The information presented in the selection corresponded with the works schedule of the wider concrete repair programme. The information presented in the selection did not indicate if the edge(s) of the impermeable surface are assessed for damage. The edge(s) of an impermeable surface must be engineered to ensure that rainfall dependent surface water is captured and directed to the sealed drainage system, taking into account the topography (i.e. 'falls') of the site surface. Any damage to the engineered edges (or poorly engineered edges) will render the

impermeable surface irrelevant if potentially contaminated rainfall dependent surface water is able to escape at the edges. The engineered edge(s) of the impermeable surface should be assessed for damage and effectiveness during routine checks and the relevant procedures/forms in the EMS should be reviewed and updated to reflect this. The number and dating of the selection of impermeable surface check forms assessed suggest that these assessments are undertaken sporadically and not at a set frequency, although the operator indicated that assessments will be carried out at weekly intervals in future. Weekly intervals are considered appropriate given the nature of the operation.

The operator presented no evidence that *EMS6.1 Procedure - Non-conformity and Corrective Action* was being complied with, or that *EMS6.1.1 Record - Corrective Action Tracking Log* was being utilised. Recording and tracking non-conformity and corrective action is a pillar of the PLAN-DO-CHECK-ACT approach set out in the ISO14001:2015 standard, on which the operator's EMS is based. Where the operator no longer intends to apply these procedures, the EMS should be revised to reflect that and an alternative method of recording and tracking non-conformity and corrective action developed.

Action 1: Review and update EMS to ensure that it is fit for purpose and reflects revised/new procedures/forms introduced since the environmental permit was issued.

N.B. There is no requirement to submit these revised/new procedures/forms to NRW, but we will review them during a future inspection as part of our routine compliance programme.

Update: On 11 July 2022, Mark Tuckey provided copies of revised versions of the below procedures/forms on behalf of GLJ Recycling Limited:

- *EMS3.10 Procedure - Installation and maintenance of engineered site surfaces*
- *EMS3.19.1 Site Log*

On 11 July 2022, Mark Tuckey provided copies of the below new procedure/form on behalf of GLJ Recycling Limited:

- *EMS3.10.1 Concrete repair record (referred to as the 'impermeable surface check form' above).*

Outstanding procedures/forms to be revised include:

- *EMS3.19 Procedure - On-site checks*
- *EMS6.1 Procedure - Non-conformity and Corrective Action*
- *EMS6.1.1 Record - Corrective Action Tracking Log*
- *Any other associated EMS procedure/form not fit for purpose and not addressed as part of this assessment.*

The operator presented documented evidence of significant repairs and extensions to the impermeable surface having been undertaken in 2022 to date. The operator also presented a schedule of works detailing further repairs and extensions to be completed by the end of 2022.

During the site inspection I observed extensive areas of newly constructed engineered concrete impermeable surface (see photographs 1- 4). I observed some pooling of rainfall dependent surface water (see photograph 4) which the operator confirmed would be addressed with the instating of additional drainage infrastructure. An area to the south of primary shredder had been cleared of all wastes and the surface was being prepared ready for concreting work to commence in August 2022. An area to the east of the primary shredder contained pockets of damaged concrete (see photographs 5 & 6). This area is a high traffic area where heavy tracked plant operate throughout the working day. The schedule of works indicated that this area is to be repaired by the end of 2022 (weather permitting). The northern quarter of the site is the subject of a planning application for a new shredded waste heavy fraction treatment building and is not currently used for any existing waste storage or treatment activities (but is inside the permit boundary). Works are to commence in this area pending the outcome of the planning application.



Photographs 1-4. Areas of newly constructed engineered concrete impermeable surface



Photographs 5 & 6. Areas of damaged concrete impermeable surface.

Whilst the majority of the waste storage and treatment areas of the site appear to be well served by drainage infrastructure, directing rainfall dependent surface water to 2 x above ground tanks via an oil interceptor, the southern quarter of the site has limited drainage infrastructure (e.g. gulley pots). There are a number of waste storage bays on the western flank of the southern quarter which appear to slope towards the main site entrance. It is likely that potentially contaminated rainfall dependent surface water in this area will flow towards the main site entrance and evade the drainage system.

Action 2: Investigate surface water flow behaviour around the waste storage bays in the southern quarter of the site. Where the investigation identifies a risk of potentially contaminated rainfall dependent surface waters evading the drainage system, instate appropriate above and below ground infrastructure to redirect surface water into the site drainage system.

Waste storage bays are enclosed on 3 sides by pre-cast concrete walls, with the open side sloping towards the middle of the site. Some of the pre-cast concrete walls appear to be key jointed into the surface concrete, assuring an impermeable seal between wall and surface. It was not possible to inspect every bay due to obstructing waste.

In other areas of the site, the perimeter of the impermeable pad is served by precast concrete curbing stones, similarly key-jointed into the surface concrete.

However, some areas of the site did not appear to have any engineered infrastructure preventing potentially contaminated rainfall dependent surface water escaping the edges of the impermeable pad and evading the drainage system (see photograph 7).



Photograph 7. Potentially contaminated rainfall dependent surface water may escape the edges of the impermeable pad and evading the drainage system.

Action 2: Investigate surface water flow behaviour at the edges of the impermeable pad. Where the investigation identifies areas where there exists a risk of potentially contaminated rainfall dependent surface water escaping the edges of the impermeable pad and evading the drainage system, instate appropriate above and (where necessary) below ground infrastructure to redirect surface water into the site drainage system.

Conclusion

The operator has deviated from the procedures in their EMS as presented in the permit variation application. However, an EMS is a dynamic document and is subject to change as an operation grows and develops. The operator has abandoned some procedures and reporting forms whilst introducing new and revised versions which it believes are more appropriate to existing site operations. Our assessment identified that the wider EMS has not been updated to reflect these changes and tracking of non-conformity and corrective action is largely absent. Our assessment also identified elements of these procedures which can be improved upon to ensure a more robust check programme. Whilst we are content that the revised approach to maintaining compliance with the requirement to store and treat permitted wastes on an impermeable surface served by a sealed drainage system is appropriate, we remind the operator of the need to update their EMS to reflect changes to the operation.

The operator has invested considerably in the integrity of its working areas and large areas of the impermeable surface have been repaired or extended, at significant financial cost. The operator has a schedule of works to undertake further repairs by the end of 2022, including an area of high traffic which is likely to cause some disruption to site activities during construction. We appreciate that this work may impact on business but are pleased that the operator recognises the importance of maintaining the impermeable surface to protect the environment. We observed some areas of the impermeable pad where potentially contaminated rainfall dependent surface water may escape the site and evade the drainage system. The operator acknowledged the issue and committed to undertaking the necessary work to understand surface water flow behaviour and instate the necessary control measures.

[END]

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

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

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.