

Compliance Assessment Report CAR_NRW0040115

Permit being assessed: RP3399FC.

For: Brecon Transfer Station - Cwrt Y Plyffin, held by Powys County Council

At: Llanwern, Brecon, Powys, LD3 0RW.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 28/04/2022 between 11:12 and 12:46.

Parts of permit assessed: Material Facilities Inspection

NRW Lead Officer: Liz Park.

Report sent to: Martin O'Shea, Waste and Recycling Supervisor on 12/07/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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

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?

No action required.

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

Late issue of CAR: The site was aware that there would be a delay in issuing this CAR as Liz was not going to be available to write the CAR. Unfortunately, it has taken longer than expected for which Liz would like to apologise.

Liz Park arrived at Brecon Transfer station to undertake an announced Material Facilities Inspection under Schedule 9 of the Environmental Permitting Regulations 2016 (England and Wales) as amended. Liz met with Laura Samuel - Contracts Manager - Waste and Recycling, Martin O'Shea - Waste and Recycling Supervisor, and Mike Howard - Site Foreman. Also present was Collette Evans - Waste and Recycling Area Manager - South and Curtis Ross who produces the Material Facilities Waste Return.

Sample analysis

The compositional analysis was observed on the specified output of mixed plastic. The sample was taken straight out of the hopper at the end of the picking line and was of sufficient weight (20kg for plastic target material). It was taken the previous day and stored in a labelled wheelie bin. An output sample is analysed for every artic load that goes out.

Liz was provided with a copy of the recording sheet for 'Outgoing Loose Mixed Plastics'.

Martin and Mike undertook the sampling. The sampling is normally undertaken indoors. However, on this occasion it was undertaken outside to allow the people observing more space.

The sorting table was large enough to accommodate two samplers. It had a maximum steel mesh of 45mm x 45mm.

Martin and Mike first took the Non-Target Metals out separating the aluminium tins, cans and foil from the steel tins and cans. There were no other non-target metals in this sample.

The non-target plastics were then removed separating out the bottles, pots, tubs and trays from the film and hard plastics.

Any liquids were weighed. Other Non-target recyclables were then removed and weighed.

The material particles that fell through the screen were captured, the weight recoded, and assigned between the weighed proportions for the rest of the sample.

The scales and weighbridge are calibrated once a year.

There were no issues noted with the sample analysis that was undertaken. Martin and Mike understand the sampling process and are competent in undertaking the analysis.

The data on the sampling form is inputted onto an excel spreadsheet which produces the standard deviation. Electronic versions of the relevant waste transfer notes were observed in the office on Powys Country Council's computer system.



Plastic bale with visually a very small amount of non-target material

Output sampling

Aluminium and Steel, when sampled, are taken straight out of the bay. This sample can be taken using a 'slice of pie' method or where this is not possible, sampling from a bale. This will be reviewed when reviewing the new EMS when produced.

The specified output materials for each material specification must be sampled at the following rates:

Glass - 50 tonnes
Paper - 60 tonnes
Metal - 20 tonnes
Plastic - 15 tonnes

It is understood that target plastic, aluminium and steel are sampled for each artic load going out. This may not meet the rates above for all of the output materials. Please check and confirm.

There were no other issues noted on the rest of the site at the time of the inspection.

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.

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.