

Compliance Assessment Report CAR_NRW0040010

Permit being assessed: MP3531MD.

For: J Reid Trading Ltd EPR/MP3531MD/V003, held by J REID TRADING LIMITED

At: FACTORY ROAD SANDYCROFT, DEESIDE, FLINTSHIRE, CH5 2QJ.

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

On 04/05/2022.

Parts of permit assessed: SEE NOTES

NRW Lead Officer: Emma Pierce.

Report sent to: Waste Manager, Waste Manager on 19/07/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
A1 - Specified by permit	Action only (X)	

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?

Criteria	Action needed	Complete by
A1	See notes section	04/08/2022

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

This CAR form is in relation to the Waste Treatment BREF permit variation and specifically Improvement Conditions IC9, 10, 11, 12, 13, 14, 15, 16 and IC17.

The Operator sent a response to the requirements of the permit improvement conditions on the 25th March 2022. This was in line with an agreed extension to the response date set out in the permit.

IC9 response:

Cleaner technologies and sectoral benchmarking requirements have been added to the management review document and shall be reviewed at least every year.

A residues register has been set up with the residues created and this is reviewed as part of the management review.

Having reviewed the requirements in the relevant BAT conclusions the above response is satisfactory for IC9 to be considered complete.

IC10 response:

The following waste procedures have been reviewed and updated.

- *WTO-P02 Characterisation and Pre-acceptance*
- *WTO-P04 Waste Tracking System*
- *WTO-P05 Storage and Segregation*
- *WTO-P06 Waste Processing (compatibility of waste)*
- *WTO-P07 Waste Dispatch and Output Quality Management*

Having reviewed the requirements in the relevant BAT conclusions and the documentation provided for each of the above waste procedures, the Operator has appropriate updated procedures in place. The above response is satisfactory for IC10 to be considered complete.

IC11 response:

The Waste Water/Gas stream Register (WTO-RG05) has been updated to reflect the water and gas streams and include information on characteristics. Due to the simplicity of these operations process integration is not considered viable.

Having reviewed the requirements in the relevant BAT conclusions and the documentation provided, the above response is satisfactory for IC11 to be considered complete. Please keep NRW informed of the progress in relation to the reduction techniques highlighted in WTO-RG05.

IC12 response:

The storage capabilities of the site have been updated in the procedure WTO-P05 Storage and Segregation. The locations of these are shown on the site plan as part of the permit.

Having reviewed the requirements in the relevant BAT conclusions and the documentation provided, the above response is satisfactory for IC12 to be considered complete.

IC13 response:

A procedure has been established (WTO-P16) for the assessment of diffuse emissions in accordance with BAT 21 and a risk assessment template set up for the assessment (WTO-RA03). All the process are to be assessed by the end of Apr-22, with any corresponding actions identified and a timescale for implementation provided.

ACTION: Provide an update to the process assessment including any actions and implementation timescale by 4th Aug 2022 at the latest.

IC13 not considered complete until this information has been reviewed by NRW

IC14 response:

The only emissions to water are as a result of rain water run off to the surface water soak away. This has been detailed in the Waste Water/Gas stream Register (WTO-RG05). No measures to reduce this are possible.

ACTION: Provide information with regards to the layout of the impermeable areas of your site, and any bunding you have in place by 4th Aug 2022 at the latest.

IC14 not considered complete until this information has been reviewed by NRW

IC15 response:

The accident management plan (WTO-P08) has been revised and updated. The Fire Risk Assessment (FRA-001) and DSEAR risk assessment (DRA-JRT01) are under review, with a completion date of End Apr-22. These will consider the BAT 21 protection measures aspects and determine if the current protection measures in place are suitable and if any corrective actions required.

ACTION: Provide an update to the review of the Fire and DSEAR Risk Assessments and any actions and implementation timescales by the 4th Aug 2022.

IC15 not considered complete until this information has been reviewed by NRW.

IC16 response:

The waste residues register (WTO-RG04) has been update to reflect the requirements of BAT24. This includes reduction measures and any possible improvements. These are reviewed as part of the management review process.

Having reviewed the requirements in the relevant BAT conclusions and the documentation provided, the above response is satisfactory for IC16 to be considered complete.

IC17:

The Operator shall submit to Natural Resources Wales for approval, updated operating procedures, emergency procedures and risk assessments specific to the Operation of the SF6 Recovery System following commissioning of the recovery system. 1 month after commissioning or otherwise agreed in writing with Natural Resource

ACTION: Can you confirm whether the commissioning phase is now complete and when the above procedures and risk assessments will be provided to NRW by the 4th Aug 2022.

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.