

Compliance Assessment Report CAR_NRW0040231

Permit being assessed: WB3993HE.

For: Gellia'r-gwellt Uchaf Transfer & Composting Station, held by Bryn Recycling Limited
At: Gellia'r-gwellt Uchaf Transfer & Composting Station, Hengoed, Caerphilly, CF82 8FY.

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

On 04/08/2022 between 10:00 and 12:00.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner, accompanied by Chris Burge.

Report sent to: Alun Price & Jennifer Price, Director / Site Manager & AD Plant Manager
on 08/08/2022.

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	3.6.1
B4 - Infrastructure - Containment of stored materials	Action only (X)	
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
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
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	Reduce height and size of waste stockpiles, notably unprocessed green waste stockpile, to ensure all waste(s) on site are stored in accordance with your FPMP (and EMS) and in compliance with the FPMP guidance.	04/11/2022

Criteria	Action needed	Complete by
B4	Reduce height and size of stockpile of unprocessed waste wood on the 'top yard' to ensure compliance with your FPMP (and EMS) and FPMP guidance.	31/08/2022

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 report details the site visit made on the 4 August 2022 to Bryn Recycling Limited located at Gellia'r-gwellt Uchaf Transfer & Composting Station, Hengoed, Caerphilly, CF82 8FY under permit number, EPR-WB3993HE. NRW Officers Greg GARDNER and Chris BURGE attended the Bryn Recycling Limited site for a routine site inspection at 10:00am where we met with Ms. Jennifer PRICE (Anaerobic Digestion Plant Manager) and Mr. Alun PRICE (Director / Site Manager). The weather was dry, bright, and reasonably warm which it had also been the previous day.

To remind the operator, following each assessment Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 2 - Significant impact or effect on the environment/people/property
- 3 - Minor impact or effect on the environment/people/property
- 4 - A non-compliance which has no potential environmental effect

PERMIT HISTORY

See below extract from permit regarding variation history.

Status log of the permit

Description	Date	Comments
Waste management licence EAWML 30276	21/05/2003	Original waste management licence issued to Bryn Quarry
Modification determined	05/12/2003	
Modification determined	21/04/2004	
Modification determined	07/02/2006	
Variation determined EPR/TP3695FC/V005 (formerly EAWML 30276)	15/09/2011	Variation to add in additional waste codes
Variation determined EPR/TP3695FC/V006	05/09/2012	Variation to increase permitted boundary, add waste codes and consolidate and modernise the permit
Transfer determined EPR/WB3993HE/T001 (full transfer of permit EPR/TP3695FC)	30/04/2015	Full transfer from Bryn Quarry Limited to Bryn Recycling Limited
Variation determined EPR/WB3993HE/V002	26/02/2018	Regulator initiated variation to add in conditions relating to fire risk mitigation. Varied permit issued.
Variation determined EPR/WB3993HE/V003	14/05/2021	Varied and consolidated permit issued in modern condition format.
NRW-led variation (variation and consolidation)	25/08/2021	NRW-led variation to remove several waste codes added to the permit in error during permit variation EPR/WB3993HE/V003
NRW Variation determined EPR/WB3993HE/V004	07/09/2021	Varied and consolidated permit issued to Bryn Recycling Limited.

End of introductory note

PERMIT BREACHES

Below are permit breaches that were identified during the site inspection.

CATEGORY 3 BREACH – PERMIT CONDITION 3.6.1**(C4) – STORAGE, HANDLING LABELLING AND SEGREGATION**

"The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention and mitigation plan guidance."

- Stockpile of unprocessed green waste not being stored in compliance with FPMP guidance and sites FPMP document.

Please see report content for further justification

WASTE TRANSFER STATION

NRW Officers were escorted in and around the waste transfer station area - see photo 1. The waste transfer station area was operational at the time of the site inspection. Housekeeping in the area was in good condition with no excess loose debris present. Due to the recent warm and dry weather conditions, the site have implemented dust suppression via an on site water bowser to mitigate any excess airborne dust which was evident at the time of the site inspection. Flooring infrastructure was in good condition with no visible damage present. Waste(s) stored within the buildings were separated, not overlapping bays and not in exceedance of the sites Fire Prevention and Mitigation Plan (FPMP) - see photo 2. No offensive waste odours were noted by NRW Officers in this part of the site during the site inspection.



Photo 1 - View inside waste transfer station building



Photo 2 - View inside waste transfer station building

To the south west area of the waste transfer station, an improvement has been made to the storage of waste fines. During the previous site inspection conducted at Bryn Recycling Ltd (CAR_NRW0039228), it was noted that the stockpile of waste fines was in excess of the FPMP guidance and sites FPMP. During this site inspection however it was assessed that the current stockpile of waste fines has been brought back into compliance with the FPMP

guidance and the current site FPMP document. - see photo 3.



Photo 3 - Stockpile of waste fines at south west area of waste transfer station

NRW Officers were then escorted to the 'top yard', to the north of the waste transfer station buildings, where stockpiles of wood waste(s) were present with some of this wood benefiting from being stored within segregated concrete bays - see photo 4. There was a stockpile of unprocessed wood material that required being brought back into compliance with the FPMP guidance and sites current FPMP document - see photo 5. This was discussed with the operator and although there has been an improvement on this stockpile compared to what was witnessed on the previous site inspection (CAR_NRW0039228), further reduction in size was required to ensure compliance with the FPMP guidance. Again, housekeeping in this area was in good condition with no excess loose debris present and the flooring infrastructure was in good working order.



Photo 4 - Stockpiles of wood waste(s) stored within segregated concrete bays



Photo

5 - Stockpile of unprocessed waste wood located on the 'top yard'

ACTION ONLY: Reduce height and size of stockpile of unprocessed waste wood on the 'top yard' to ensure compliance with your FPMP (and EMS) and FPMP guidance.

COMPOSTING STATION

NRW Officers were then escorted to the composting station area - see photo 6. There was no treatment of green waste taking place at the time of the site inspection. There were incoming loads of green waste material being unloaded within the permitted area. The site have made improvements to help reduce contamination of incoming green waste by installing a vacuum to the composting treatment station - see photo 7. This will assist in removing contamination (such as plastic) when processing / treating the green waste.

Whilst the majority of composting windrows present were in compliance with the FPMP guidance and sites FPMP, there was one stockpile of unprocessed green waste that was in exceedance of this - see photo 8. This was discussed with the operator and a realistic timescale was given to reduce the size of this stockpile and bring back into compliance. The flooring infrastructure was in good working order and no excess loose debris was present. No offensive composting odours were noted by NRW Officers in this part of the site during the site inspection.



Photo 6 - View of the composting station area



Photo 7 - Vacuum installed on composting treatment station



Photo 8 - Stockpile of unprocessed green waste in composting station area

CATEGORY 3 BREACH: Reduce height and size of waste stockpiles, notably green waste stockpile, to ensure all waste(s) on site are stored in accordance with your FPMP (and EMS) and in compliance with the FPMP guidance.

NRW officers continue to respond to incident reports relating to odours from the permitted facility (waste transfer station and composting station area) and other permitted facilities at the wider site. It has been noted that the operator continues to proactively update NRW and Caerphilly Council Environmental Health staff regarding upcoming activities taking place as part of the permitted and wider site activities which may give rise to odour. It is reminded that the operator should continue to log and, if appropriate, respond to incident reports sent by the NRW Incident Communication Centre (ICC) as part of the standard notification procedure.

NRW Officers Greg GARDNER and Chris BURGE left site at 12.00pm the same day.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource 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.