

Compliance Assessment Report CAR_NRW0040328

Permit being assessed: SP3031SJ.

For: Cardiff Waste Management Resource Centre NRW/EPR/SP3031SJ/V002, held by Biffa Waste Services Ltd

At: Curran Embankment , Riverside, Cardiff, South Wales, CF10 5FX.

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

On 17/08/2022 between 10:00 and 11:30.

Parts of permit assessed: Site Inspection

NRW Lead Officer: Dale Padfield, accompanied by Mostyn Wall.

Report sent to: Alex Gee, Depot Manager on 31/08/2022.

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)	
D2 - Incident Management - Accidents, emergency and incident planning	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
D2	Action 1 Biffa 31st August 2022: Please send copies of the sites Accident Management Plan (AMP) and Fire Prevention Mitigation Plan (FPMP) and any supporting documentation for these procedures.	09/09/2022

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

Biffa Waste Services Ltd

EPR/SP3031SJ

The purpose of this compliance visit was to hand regulation of the site under EPR from Mostyn Wall to Dale Padfield, conduct a brief site inspection to familiarise the new regulatory officer with the site and to discuss how the site is progressing with plans to move to a new location and subsequent closure of the site at this location.

Natural Resources Wales (NRW) officers Dale Padfield and Mostyn Wall arrived at the site at 10:00 on the 17th of August 2022. Introductions were made with the depot manager Alex Gee, who then gave a tour of the site. NRW were shown the off-loading / loading area, various storage bays and sorting areas and the drum crusher. The PH meter was seen, the reading was within the allowable range and was sat between 6 and 7.

The waste acceptance procedure was explained, including the procedure for non-conforming waste that the site is not permitted to accept, although these events are rare due to the pre-acceptance procedures in place and the extensive list of permitted EWC codes accepted at site. The site does however receive wastes that do not conform to the initial description and spends significant time in sorting wastes into their respective categories. The operator tries to mitigate such occurrences by raising the issue with the waste producers.

Discussions were held on the future of the site at the Curran Embankment location and the planned relocation to Lamby way. The permit for the new installation (EPR/CB3394CM) was issued on the 29th of December 2021. However, construction of the new site has not yet begun. There's significant uncertainty surrounding the timeline of the closure and relocation. This is partly due to the limited control the operator has over the process, as the arrangements are being made by the site developer. The operator estimates that the site will likely be operating for a minimum of two years at the Curran Embankment location, however this was a rough estimate due to the complexity of the re-location and possibility of delays.

The site did not go through the permit review for the revised BREF for Waste Treatment, this was possibly due to the fact the operator has been planning to relocate since 2016. However, as it's now envisaged that the site will likely remain operational at this location for a further two years, it would be pertinent to review some aspects of the sites operations and procedures against the relevant best available techniques (BAT). Our intention is not to review all site operations against BAT, but instead concentrate on aspects that are most likely to pose a higher environmental risk. As such, please see the following action.

Action 1 Biffa 31st August 2022: Please send copies of the sites Accident Management Plan (AMP) and Fire Prevention Mitigation Plan (FPMP) and any supporting documentation for these procedures. **Due 9th September 2022.**

Site closure and permit surrender were also briefly discussed. As mentioned, there are several guidance documents available for this, Horizontal guidance H5, Regulatory Guidance Note (RGN) 9 and the EC IED guidance on Baseline Site Condition Report (SCR), some of which can be found on the NRW website.

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.