

Compliance Assessment Report CAR_NRW0040334

Permit being assessed: AB3298HZ.

For: Project Yellow Recycling, held by Project Yellow Recycling Limited

At: Tynewydd Farm, Pendoylan Road, Groesfaen, Pontyclun, Rhondda Cynon Taff, CF72 8NE.

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

On 01/09/2022.

Parts of permit assessed: Dust emission management plan review

NRW Lead Officer: Laoni Tye.

Report sent to: Tom Prichard, George Harvey, Howard Oakes and Carl Holder, Director, TCM and Operations manager on 01/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1

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
C2	The DEMP needs to be updated taking into account comments provided within this CAR.	27/10/2022

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 is a review of the sites dust emissions management plan (DEMP) submitted to NRW on

the 22nd of September 2021. The document is referenced as Project Yellow Recycling Ltd, Emissions management plan 2021. The DEMP submitted requires more detail and additional mitigation measures, amongst other areas that require improving. We have included details of our review below, to outline what these are and assist you in developing a more robust plan. The plan is not currently considered satisfactory or in line with guidance including how to comply with your environmental permit. You have therefore been scored a minor breach.

C2 – Management systems. Category 3 breach.

Permit condition 1.1.1 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; and

You are being breached against this condition as following a review of the DEMP it is found to be insufficient.

How to comply with your environmental permit

As a minimum standard, the following control measures need to be considered, but you may need additional or other controls:

- carry out operations inside buildings
- avoid outdoor or uncovered stockpiles
- where you must use outdoor stockpiles, control them by means of sprays, binders, windbreaks, careful siting in relation to sensitive receptors, controlling the moisture content of the material delivered and orientation of long stockpiles in the direction of the prevailing wind
- design to minimise handling operations
- erect litter fences around the site
- enclose conveyors and minimise drops, or use pneumatic or screw conveying
- install filters to vents on silos, building extractors and conveying systems
- surface roadways
- plant grass or trees on open ground where appropriate, hydro-seeding can rapidly establish vegetation on waste tips, slag heaps or other apparently infertile ground
- cover vehicles, skips and vessels
- have rigorous maintenance standards
- minimise points of access from the public highway
- make sure vehicles stay on paved areas
- regularly clean and dampen roadways and vehicle wheels
- use water-filled troughs to slow trucks, wash wheels and keep roadways damp
- clean spillages with vacuum cleaners rather than washing down

- avoid certain activities when there are high winds
- clear litter and mud at the end of each working day unless it is impractical or unsafe to do so.

Not all the above appropriate measures have been included and there is not enough information around other measures to deem them satisfactory.

Overview and introduction

- The site name, address and operator details are missing from the front page
- Please include the version number and date at the start of the document, including who produced the document and signed by the director of the company.
- Please include the aim of the DEMP and any relevant permit conditions that need to be complied with.
- The document mentions that the site manager is responsible for implementing many measures throughout the document. Please include the name of the member of staff - ideally the TCM (with a substitute) who would oversee the implementation of the DEMP.

Sensitive receptors

- NRW require all sensitive receptors within 1000m to be identified in a table, these include environmental habitats and protected species sites.
- A map has been included which identifies the human receptors within 500 metres of the centre of the site. Please modify and expand this to take account of the site boundary (if relevant).
- The wind rose information has been included, however, we understand that due to the topography of the site and distance from the nearest weather station that this cannot always be relied on. You should consider installing a weather station which would assist with both dust and noise management.
- 'Although some detail has been included around sources, a source pathway receptor (and mitigation) model should be used, to clearly identify each source and potential impact on receptors. Please refer to how to comply with your environmental permit guidance and as an example:

Good house-keeping	Having a consistent, regular housekeeping regime that is supported by management, will ensure site is regularly checked and issues remedied to prevent and remove dust and particulate build up.	Easy to implement and requires minimal equipment. Encourages a sense of pride and satisfaction amongst the staff which promotes vigilance and a positive culture. Staff should target the areas not caught by the road sweeper and other cleaning apparatus. Details on the frequency, job roles and areas covered should be documented here.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?
Sheeting of vehicles	Prevents the escape of debris, dust and particulates from vehicles as they travel.	Relatively easy to implement at many sites. Should be identified clearly in the site management system and implemented as appropriate measures.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?

Hosing of vehicles on exit	May remove some dirt, dust and particulates from the lower parts of vehicles although likely to be less effective than a more powerful wheel wash.	May be worthwhile where wheel wash installation is not feasible, or where the wheel wash does not achieve the desired outcome. This should be in the site procedures and training. If the action works as a control measure, then consideration must be given to installing a wheel wash as the appropriate measure.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?
Ceasing operation during high winds and/or prevailing wind direction	Mobilisation of dust and particulates is likely to be greater during periods of strong winds and hence ceasing operation at these times may reduce peak pollution events.	Likely to reduce dust and particulate emissions, however, not a long-term solution. Procedures should be in place to identify when operations will cease. May require a weather station to be installed.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?
Installed wheel wash	Provides a high pressure wash of vehicle wheels and lower parts (including under body) using a series of jet sprays. More effective if vehicles drive through the wheel wash slowly in order that there is sufficient time for dirt to be removed.	Proven results where wheel wash is well designed and vehicles drive through slowly on entry and exit. Should be identified clearly in the site management system and implemented as appropriate measures. The range of wheel wash technology is rather large and to avoid any knowledge gaps, this section should detail specifics about the wheel wash. Consider using photos to assist. You should consider the placement and positioning of the wheel wash in this document too along with contingency plans for downtime or breakdown.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?
Easy to clean concrete impermeable surfaces	Creating an easy to clean impermeable surface, using materials such as concrete as opposed to unmade (rocky or muddy) ground within the site and on site haul roads. This should reduce the amount of dust and particulate generated at ground level by vehicles and site activities.	Considered good overall based on dust and particulate reduction but potentially costly and disruptive to retrofit. For sites that have concrete surfaces ensure there are maintenance and cleaning procedures in the management system and they are implemented.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?
Minimisation of waste storage heights and volumes on site	Minimising the height at which waste is handled should reduce the distance over which debris, dust and particulates could be blown and dispersed by winds. Reducing storage volumes should reduce the surface area over which particulates can be mobilised.	The amount of waste that can be managed on site without causing dust and particulate pollution should be identified in the management system and may have to be reduced if it is considered an appropriate measure.	Will this be used all the time the site is operational? If not explain what will trigger the use of this abatement measure. Are there any situations that this abatement measure will not be used or areas of the site that this won't be used on? Are there any limitations to this abatement measure?

Site layout and plan

- There is an overview of the site operations but no real detail in terms of where things are located, where material is stored, how the site is set up to reduce dust emissions (e.g., to stop double handling, reducing unnecessary moving of stockpiles etc). There should be a site plan included within the DEMP which includes:
 - A scale
 - A North arrow
 - Different site surfaces
 - Any storage bays (or areas of stockpiles)
 - Location of equipment and mobile plant
 - Location of wheel wash
 - Locations of visual monitoring points
 - Any bunds, treelines, or other mitigation measures
- A wheel wash is included in the plan and its location appears suitable.
- Details around the wheel wash and how it is managed to ensure it is effective have been included within the plan.
- The DEMP states that tree lined hedges and earth bunds are constructed throughout, but there is little detail as to how these have been constructed to stop dust leaving site. Details on the heights of the bunds for example need to be included, along with whether these are themselves vegetated. Has planning for any bunds been approved. How does the operator know these are going to be effective.
- The site has minimised the number of access points to the site in line with guidance.
- No detail has been given as to how the stockpiles are stored to reduce wind whipping. The DEMP states that dust emissions are not an issue from storage of stockpiles which NRW do not accept. This must be addressed in detail within the plan.
- Stockpiles are currently stored in significant quantities and the heights far exceed those of the boundary bunds. The stockpiles as a source of dust have not been properly considered within the plan.
- It is stated that storage piles will be sprayed as required during periods of excessive dry weather but the storage has not been considered as a source within other areas of the document. Clarification needed and detail such as what the site consider excessive periods.
- Wind screening around stockpiles has been detailed as unfeasible for the site due to the layout and changes. Additional measures need to be included within the plan, such as storage heights, directions, locations, bunds, water spraying etc.

Housekeeping

- The site is made up of hardstanding and tarmac, it details that road sweepers will be used and that the roads will be dampened 'as required'. Further detail around 'as required' needed.
- States there will be road sweeping but needs further detail on this such as frequencies, trigger points etc and any other good housekeeping procedures. Checklists should be included within this document. How is this recorded etc.
- As outlined above, a housekeeping schedule should be included within the DEMP, and records kept of compliance which can be requested by NRW. Consideration as to who manages this and whether TCM/senior managers have oversight of these. How are issues identified and how are these resolved?

Operations

- There are restrictions within the permit for accepting dusty wastes or loose fibres, this should be reflected within the DEMP. All waste types carry a different level or risk of dust when it comes to accepting, processing and storage etc. This should all be detailed within the DEMP on a risk basis and what mitigation measures are in place.
- Some of the infrastructure has been addressed in recent years to reduce dust emissions, such as the tarmacking of the site entrance and haul road.
- There are significant volumes of material on site, stockpiles are made of large volumes and significant heights. The volumes of waste and stockpile dimensions that the site can reasonably manage, to reduce dust emissions needs to be considered and included in the plan, in line with the effectiveness of any dust mitigation measures.
- An assessment of the potential risk of dust and emissions for the accepted waste codes, along with an outline of the handling and processes that they are subjected to has been included, but more detail is needed as referenced above.
- The DEMP states that the weighbridge operator has a full view of the wastes as they come in, please provide more detail around any types of wastes that would be rejected and how they identify these loads.
- The DEMP confirms that all vehicles carrying waste are either sealed or covered to prevent material escaping. These have been witnessed during site inspections and are routinely in use.
- The DEMP has confirmed that it will minimise drop heights as a recognised mitigation measure. Please provide detail around how it is ensured these are adhered to, how are staff trained etc. The DEMP currently states that the site manager manages drop heights (at all times) but unsure how this works practically.
- The picking station is covered but the conveyors are open. The DEMP states that they are fitted with water sprays however it does not state when these are used - detail required around this as per comments within document.
- Loads are not routinely sprayed on arrival to reduce emissions when tipping, there may be times with specific wastes and weather conditions that this needs to be considered.
- Regarding high winds, the DEMP states that this will be monitored by the site supervisor, but it does not state how or what mitigation measures will be utilised. More detail around this is required. What would be considered high winds, what would the triggers be to change operations. In what weather conditions would certain operations cease.
- The site has confirmed it will monitor unfavourable weather conditions but needs to explain and define what unfavourable conditions look like and how the operations will be reduced on site (and which ones).

Vehicle movement

- There is a speed limit in force on site to reduce re-suspension of dust, this is enforced by the site supervisor and via training.
- The site also has an anti-idling policy in place when vehicles are not in use.

Dust suppression and monitoring

- The DEMP mentions dust suppression using water sprays as part of its mitigation, but it is ambiguous in terms of when these will be used. Statements such as 'as required' and 'when reasonable' have been used throughout the document which is not satisfactory. It mentions 'during prolonged periods of dry weather' but how this is monitored and what the operator considers prolonged periods should be included. If the dust is being actively monitored in these times - what monitoring is done, by where and by whom, and how - what are the visual and/or other indicators? Dust suppression needs to be considered throughout the site and for all sources including loading and unloading, stockpiles/storage, crushing/screening,

and infrastructure. Stockpiles are large and consideration needs to be given for the dust that can be created once that stockpile is agitated (this may not be created purely after long periods of dry weather for example). Further detail needed.

- As above, confirmation needs to be provided as to whether the water systems can be used for all parts of the site and activities.
- Confirmation of water supply needs to be documented within the DEMP. Where does the water come from and how do you ensure it is always accessible for when the site is operational.
- You may want to consider a contingency plan for times of water shortage/drought depending on your source.
- Please include details of what will happen should the control methods within this plan fail.

Stockpiled wastes and open ground

- Stockpile heights as discussed need to be considered - heights amongst volumes and positioning must all be considered as part of dust mitigation measures. The DEMP does not address this in any detail.
- As mentioned above, information should be provided as to controlling the moisture content of the material within a stockpile.
- Some detail has been provided around tree planting, the location of these could be included on the map. You may wish to consider whether grass/hydro seeding would be useful on other open group areas to reduce dust.

Visual monitoring

- The DEMP should identify and include a frequency of visual on site monitoring (and a checklist with record maintained).
- No detail has been provided on specified locations for monitoring near the perimeter or frequency.
- A visual monitoring check sheet should be included with the DEMP
- You may want to consider whether any sort of out of hours arrangements need to be included.
- The DEMP has stated what will happen when visual monitoring detects signs of dust, but the mitigation measures need to be reviewed further.
- Senior management are notified when there are dust emissions, a procedure for reviewing the feedback and making necessary changes is likely in place but should be documented for clarity.

Complaints and community engagement

- Thank you for providing the complaints form and we understand there is already a procedure in place. Please include the reference to this document for ease.
- Confirmation that senior management review the complaints has been included.
- There is some detail around site operations ceasing should a complaint come in and the emissions can't be dealt with via the usual procedures.
- We understand you are already in communication with local residents, it would be useful to include any work around active community engagement within your plan.

We have made some comments on the DEMP itself via notes which we will also share with you for completeness.

Action: Please update the DEMP taking account of the comments provided and the minimum required measures within how to comply guidance. The deadline has been set for 8 weeks, please advise should there be any concerns with this.

We trust these comments are helpful, however please contact your regulatory officer Laoni Tye should you wish to discuss further.

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.