

Compliance Assessment Report CAR_NRW0040508

Permit being assessed: NP3895FH.

For: RDA Recycling Ltd, held by Kayleigh Parsons

At: Yard 3 Commercial Lane, Risca, Newport, NP11 6AW.

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

On 15/09/2022 between 13:30 and 14:15.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: Carla Curtis, accompanied by Alex Bowder.

Report sent to: Kayleigh Parsons, Site Manager, TCM on 10/10/2022.

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)	
B4 - Infrastructure - Containment of stored materials	C3 Minor	5.4 (b) iii
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	5.1(d)
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	6.1.2

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
3	8.1

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
B4	Lead acid batteries should be stored in containers with an impermeable acid resistant base and a lid to prevent ingress surface water.	31/10/2022
C4	Control and remediation of leaks and spillages states that	31/10/2022

Criteria	Action needed	Complete by
	'minor spillages of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately, using sand or proprietary absorbent to clean up liquids and placed in alternative containers.'	
G4	A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month of the end of that year.	31/10/2022

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 15 September 2022 to RDA Recycling Ltd, Risca, permit reference number EPR-NP3895FH.

NRW Officers Alex Bowder and Carla Curtis attended the RDA Recycling Ltd site at Yard 3 Commercial Lane, Risca, Newport, NP11 6AN. for a routine site inspection at 13:30 where we met with Kayleigh Parsons.

The weather was dry, and sunny which it had also been the previous day. To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 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 regarding the permit history of EPR-NP3895FH for the RDA Recycling Ltd site.

Status log of the permit

Status log of the permit

Description	Date	Comments
Waste Management Licence issued EAWML 30327	10/05/04	Original waste management licence issued to Jeffrey Andrew Richards and Michael Leslie James.
Application EPR/NP3895FH/T002	Duly made 02/01/18	Application to transfer the permit in full to Kayleigh Parsons.
Transfer determined EPR/NP3895FH	05/02/18	Full transfer of permit complete.

PERMIT BREACHES

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

CATEGORY 3 BREACH – PERMIT CONDITION 5.1(d)

(C4) – STORAGE, HANDLING, LABELLING AND SEGREGATION

Control and remediation of leaks and spillages states that 'minor spillages of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately, using sand or proprietary absorbent to clean up liquids and placed in alternative containers.'

- Quantities of excess vehicle fluids located on flooring with no bunding or visible clean up to prevent potential pathway to surface water drainage
- Storage of ELV parts on site were not contained within designated bunded areas / containers

Please see report content for further justification

CATEGORY 3 BREACH – PERMIT CONDITION 5.4 (b) iii

(B4) Containment of stored materials

Lead acid batteries should be stored in containers with an impermeable acid resistant base and a lid to prevent ingress surface water.

CATEGORY 4 BREACH – PERMIT CONDITION 6.1.2

(G4) – REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES

'A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month of the end of that year.'

- Failure to submit annual waste return data to NRW for 2021 and 2022

Please see report content for further justification

GENERAL OBSERVATIONS

RDA Recycling Ltd, Risca operate an ELV (End-of-Life Vehicle) treatment and storage facility. The maximum quantity of waste accepted and processed on this site shall not exceed 2,499 tonnes per year. The site was

operational at the time of the site inspection. The operator stated that a third-party authorised facility had recently been to collect waste metal from the site, which had left residual waste fragments, and oils and fuels across the yard.

TECHNICALLY COMPETENT MANAGER

Kayleigh Parsons is the Technically Competent Manager for the site, the most recent WAMITAB on file expired 1 July 2021. This is a requirement of your permit you need to show an effective qualification, in line with the conditions. Please send most recent certification and, if not please complete a continuing competency module to validate qualification.

SITE INFRASTRUCTURE

The site has an on-site interceptor drainage system as well as an impermeable surface that was okay condition but worn in sections. Officers queried when the drainage lines were last maintained and cleaned. It was stated that this was carried out in-house within the past month. No blockages were visibly noted at the time of inspection.

During the site inspection NRW Officers noticed quantities of vehicle fluids that were staining and pooling on the site surface. There an expectation of small, residual pooling of vehicle fluids from the depollution process the amount of excess vehicle fluids and lack of countermeasures could potentially result in an environmental issue. Although the pooling of vehicle fluids was contained within the site boundary and there was no evidence of a pathway to a receptor, the potential risk may have increased if there was heavier rainfall ELV parts located on site (see photo 1).



Photo 1 - Pooling of oil on flooring with no countermeasures in place

Within the sites environmental permit under table 5.1 (d) it states:

'Control and remediation of leaks and spillages states that 'minor spillages of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately, using sand or proprietary absorbent to clean up liquids and placed in alternative containers.'

There was also no evidence of remediation of leaks and spillages or any evidence of countermeasures in place such as absorbent pads or replacement of absorbent pads or sawdust. The storage of ELV parts on site were not contained within designated bunded areas / containers. Whilst quantities of waste had recently been removed from the site, better efforts must be done to clean up any spillages at the time of witnessing.

'Once removed from vehicles, these components shall be segregated by type and stored within dedicated appropriate containers that are fit for purpose. These containers shall be clearly and unambiguously labelled regarding their contents. Lead acid batteries should be stored in containers with an impermeable acid resistant base and a lid to prevent ingress surface water.

Tyres will be stored in stable stacks with individual capacities of no greater than 20 cubic metres and to a height of greater and 3 metres. Individual tire stacks shall not be stored within 6 metres of each other. At the time of the inspection, there were tyres stored in various locations across the yard.

Advisory Note – Tyres were witnessed in future please ensure better housekeeping this has been raised in a previous CAR form (CAR_NRW0039371). Overall, the general housekeeping on site was in need of improvement to ensure safe access in the event of a potential incident (see photos 2 and 3).



Photo 2 - General housekeeping showing various tyre storage areas at RDA Recycling Ltd



Photo 3 - Batteries witnessed stored outside of a sealed container

PERMIT SURRENDER

Kayleigh Parsons mentioned that the site lease is up in December and they are not sure if the Landlord will be renewing the lease. Kayleigh enquired if she would be able to transfer the permit to another site as they may be looking for alternative premises. Officers advised the operator that the Risca site would need to apply for a surrender application with a completed Site Condition Report, if intended to cease operating at this location. A new a new Permit application would be required for a another site if this was to happen.

Please note, the operator would be liable for the remaining waste on site if the site were to be abandoned.

WASTE RETURN SUBMISSIONS

According to NRW records, RDA Recycling Ltd have failed to submit any waste return data for 2021 and 2022. Permit condition 6.1.2. states that: *'A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month of the end of that year.'*

As a reminder to the operator, please see below the waste return submission deadlines:

Waste Return Submission Deadline

Annual Return Period	Deadline
January 1 to December 31	January 31 of the following year

Site management need to put in place measures to ensure that the return data is submitted diligently annually. This can be done by setting calendar reminders or having a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance.

ACTION:

Ensure that all extracted ELV batteries are stored in an appropriate container.

ACTION:

Remediate all spillages of residual ELV fluids on site, ensure any future spillages are managed and install appropriate secondary containment measures, ensure all oil contaminated parts are stored within dedicated appropriate containers.

ACTION:

Please submit all outstanding Waste Returns documents to NRW for review by 31 October 22.

Officers left site at 14:15 on the same day. If you have any issues with this report, please contact NRW at Carla.curtis@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.