

Compliance Assessment Report CAR_NRW0040332

Permit number	ZP3334AQ	Operator name	Slicker Recycling Limited
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Site name	Slicker Recycling Limited
Site address	7 New Quay Road, Felnex Industrial Estate, Newport, NP19 4PL
Assessment type	Site Inspection

Date of assessment	24 August 2022	Time in	11:00	Time out	13:00
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Parts of permit assessed	Improvement Programme & Emissions of substances not controlled by emission limits
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NRW Lead officer	Guy Baskerville	Accompanied by	N/A
Report sent to – Name and position	Kieran Channon Group Technical Director	Date	01 September 2022

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
A1 Specified by permit	C3 Minor	2.5.1
B4 Infrastructure – Containment of stored materials	C3 Minor	3.2.3
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
3	12

2. What action is required?

Criteria	Action needed	Complete by
A1	Operator to satisfy the improvement programme. Where compliance with a BATc may only be achieved by additional/improved infrastructure (e.g. BAT19), the relevant submission must provide a <u>reasonable</u> timetable of work (where this work is expected to be completed beyond the revised date given above).	17 November 2022
B4	Operator to provide all containers of polluting liquid (including containers of items contaminated by polluting liquid) with secondary containment.	24 November 2022
C2	Operator to review management system(s) to ensure they are appropriate to the risk and complexity of the operation.	24 November 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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter NRW) findings following an assessment of Slicker Recycling Limited's compliance with the improvement programme linked to the Best Available Techniques (BAT) Reference document for Waste Treatment (hereafter the BRef).

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]

Slicker Recycling Limited

Kieran Channon [Group Technical Director]
Rob Booth [Managing Director]
Ernie Price [Plant Supervisor]

The European Commission published the BRef for the Waste Treatment sector on 17 August 2018. The BAT Conclusions (hereafter BATc) described therein determine the reference points used to set conditions in environmental permits which authorise waste treatment installations and are considered the appropriate standard from 17 August 2022 (4 years after BRef publication).

The varied and consolidated environmental permit issued to Slicker Recycling Limited on 09 August 2021 set an improvement programme comprising 10 improvement conditions to be satisfied by 17 February 2022. These improvement conditions require the operator to evidence compliance with all relevant BATc.

Condition 2.5.1 of the environmental permit states:

The operator shall complete the improvements specified in Schedule 1 Table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales.

Table S1.3 of Schedule 1 to the environmental permit is partially reproduced below.

Table S1.3 Improvement Programme Requirements		
Ref	Requirement	Date
IC10	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). - BAT 1. Implement and adhere to an environmental management system (EMS) that incorporates all of the following features: (III) planning and establishing the necessary procedures, objectives and targets, in conjunction with financial planning and investment; (XI) An inventory of waste water and waste gas streams; (XII) Residues Management Plan; (XIII) Accident Management Plan.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC11	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 3. In order to facilitate the reduction of emissions to water and air, BAT is to establish and to maintain an inventory of waste water and waste gas streams, as part	17 February 2022 or otherwise agreed in writing with Natural Resources Wales

	of the environmental management system (see BAT 1), that incorporates all of the following features: ○ information about the characteristics of the waste to be treated and the waste treatment processes; ○ information about the characteristics of the waste water streams (including analysis of PFOS and PFOA); and ○ information about the characteristics of the waste gas streams.	
IC12	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 6. For relevant emissions to water as identified by the inventory of waste water streams (see BAT 3), BAT is to monitor key process parameters at key locations.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC13	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 7. BAT is to monitor emissions to water with at least the frequency given within BAT 7 Table, and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC14	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 8. BAT is to monitor channelled emissions to air with at least the frequency given below, and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC15	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 14. In order to prevent or, where that is not practicable, to reduce diffuse emissions to air, in particular of dust, organic compounds and odour, BAT is to use an appropriate combination of the techniques described within BAT 14 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC16	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 19. In order to optimise water consumption, to reduce the volume of waste water generated and to prevent or, where that is not practicable, to reduce emissions to soil and water, BAT is to use an appropriate combination of the techniques described within BAT 19 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC17	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 20. In order to reduce emissions to water, BAT is to treat waste water using an appropriate combination of the techniques described within BAT 20 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC18	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 23. Energy efficiency Plan and Energy Balance Record.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC19	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). • BAT 24. Maximise the reuse of packaging as part of a Residues Management Plan.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales

IC20	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 44. In order to reduce emissions of organic compounds to air, BAT is to apply BAT 14d and to use one or a combination of the techniques described within BAT44 Table and Section 6.1.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
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Slicker Recycling Limited have **failed** to satisfy **any** of the improvement conditions detailed in the improvement programme.

As a result of this non-compliance a CCS Score [C3] has been recorded against compliance sub-criteria A1: Specified by permit.

A C3 score has been levied as it is reasonably foreseeable that the failure to satisfy the improvement programme, in particular improvement condition IC16, will result a minor pollution of the environment.

Action 1: Operator to satisfy the improvement programme by the revised date of 17 November 2022. Where compliance with a BATc may only be achieved by additional/improved infrastructure (e.g. BAT19), the relevant submission must provide a reasonable timetable of infrastructure work (where this work is expected to be completed beyond the revised date given above).

Condition 3.2.3 of the environmental permit states:

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

Intermediate bulk containers (IBCs) storing waste oil/lubricant are not provided with secondary containment (see photograph 1 and 2). Extensive areas of the site is used to store bins and drums containing oil/lubricant/solvent contaminated items including waste containers and oily rags. The bins and drums are not provided with secondary containment (see photograph 3 and 4). Leaks, spillages and residues from the IBCs, bins and drums were observed on surfaces across the site (see photograph 5). IBC, bin and drum storage areas are uncovered and therefore any spillage, leak or residue may be mobilised by rainfall dependent surface waters and enter the surface water drainage system. Observed surface water gulley pots were grossly contaminated with oil (see photograph 6). An inspection of the surface water interceptor was not possible due to the manhole cover being stuck in place, suggesting it had not been inspected in some time. The operator advised that the surface water emission point was not accessible due to overgrowth of surrounding vegetation. It is unclear how the operator intends to undertake the surface water monitoring programme required by the environmental permit.

As a result of this non-compliance a CCS Score [C3] has been recorded against compliance sub-criteria B4: Infrastructure – Containment of stored materials

A C3 score has been levied as it is reasonably foreseeable that the failure to provide polluting liquid in containers with secondary containment will result in a minor pollution of the environment.

Action 2: Operator to provide all containers of polluting liquid (including containers of items contaminated by polluting liquid) with secondary containment.

Recommendation 1: Operator to review monitoring programme required by the environmental permit.



Photograph 1 & 2: IBCs storing waste oil/lubricant not provided with secondary containment.



3 & 4: Bins/drums storing polluting liquid contaminated items not provided with secondary containment.



5 & 6: Liquid pollutant contamination of site surfaces and surface water drainage system gully pot.

Condition 1.1.1 of the environmental permit states:

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*
- (b) using sufficient competent persons and resources.*

Given the significant lead-in period with which the operator has had the opportunity to plan and deliver against the requirements of the improvement programme and comply with permit condition 2.5.1, we must determine that the root cause of this non-compliance is a management system failure and a failure to allocate sufficient resources.

Given the known risks associated with the storage of oils, lubricants and solvents and with consideration of the unambiguous wording of permit condition 3.2.3, we must determine that the root cause of this non-compliance is a management system failure.

The management system failures which led to the above non-compliances represents non-compliance with permit condition 1.1.1.

As a result of this non-compliance a consolidated CCS Score [C3] has been recorded against compliance sub-criteria C2: General management – Management system and operating procedures.

A C3 score has been levied as it is reasonably foreseeable that non-compliance with permit conditions 2.5.1 and 3.2.3 will result in a minor pollution of the environment.

Action 2: Operator to review management system(s) to ensure they are appropriate to the risk and complexity of the operation.

Recommendation 2: Operator to review guidance document: 'How to comply with your environmental permit version 8.0' (a copy will be provided alongside this Compliance Assessment Report).

Conclusion

Despite the significant lead in period and repeated prompts by the regulator, the operator has failed to direct the necessary effort and expertise towards complying with the improvement programme. Onsite waste storage practices continue to present a potential risk to land and the local water environment. Local and national management systems have failed to provide sufficient control in order to achieve compliance with the environmental permit. Further compliance inspections to be undertaken before calendar year end.

[END]

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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.