

Compliance Assessment Report CAR_NRW0040635

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: Incident Response (Incident number 2207932).

On 01/11/2022 between 10:00 and 10:30.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner.

Report sent to: Mr. Alun Price / Ms. Jennifer Price, Director / Site Manager & AD Plant Manager on 11/11/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	1.1.1
E1 - Emissions - Air	C3 Minor	3.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
E2 - Emissions - Land and groundwater	Assessed (A)	
E3 - Emissions - Surface water	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
2	8

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	Review FPMP paying particular attention to adding additional control measures to prevent sparks occurring as an ignition source	31/01/2023
E1	Waste fire emitted smoke to the surrounding environment for a few of hours. Breach recorded to reflect the emission to air.	Already completed
G4	If any potential environmental incidents occur, please ensure that NRW are informed at the earliest opportunity.	Already completed

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 01 November 2022 to Bryn Recycling Limited located at Gellia'r-gwellt Uchaf Transfer & Composting Station, Hengoed, Caerphilly, CF82 8FY under permit number, EPR-WB3993HE. NRW Officer Greg GARDNER attended the Bryn Recycling Limited site, following a fire incident that occurred on 29/10/22, at 10:00am where I met with Mr. Alun PRICE (Director / Site Manager). The weather was overcast, raining and reasonably mild 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**(D2) – ACCIDENTS, EMERGENCY AND INCIDENT PLANNING**

"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."

- Control measures identified within FPMP not sufficient to minimise risk / management of ignition sources

Please see report content for further justification

CATEGORY 3 BREACH – PERMIT CONDITION 3.1.1**(E1) – EMISSIONS TO AIR**

"There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2 and S3.3 "

- Waste fire emitted smoke to the surrounding environment for a few of hours
- Breach recorded for emissions to air

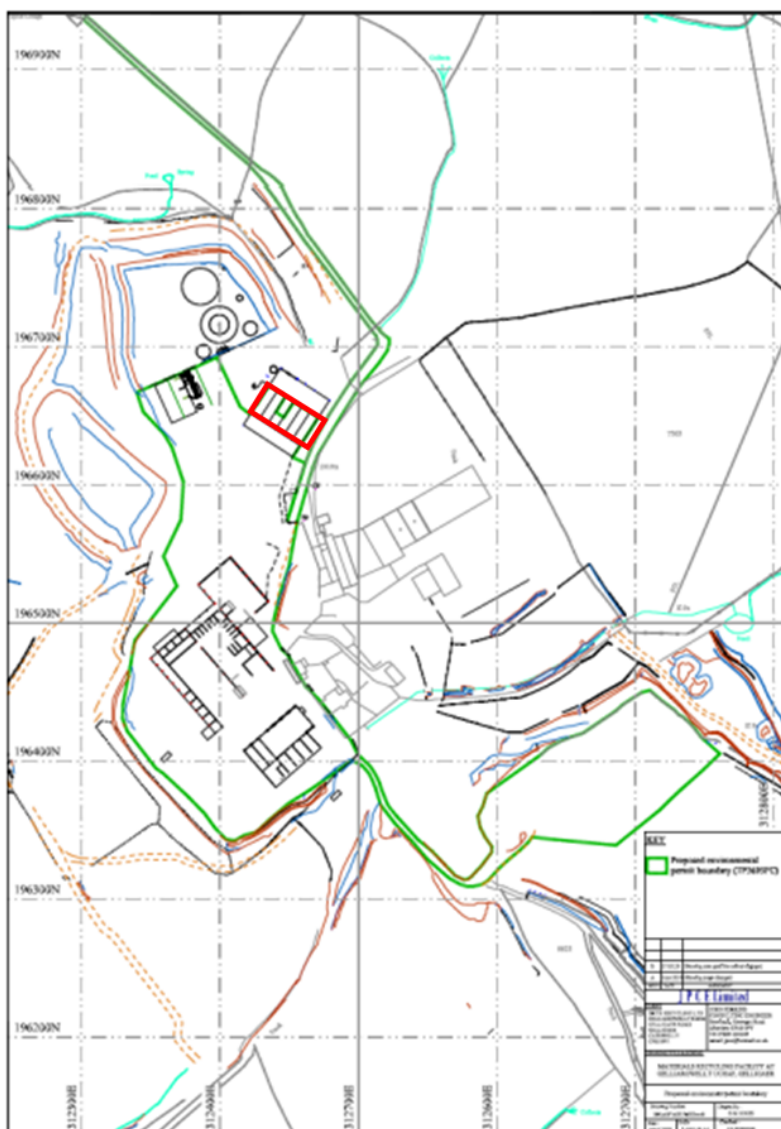
Please see report content for further justification

INCIDENT RESPONSE - 29/10/22 - WIRS 2208061

At 08:30am on 29 October 2022, NRW were informed by the South Wales Fire and Rescue Service (SWFRS) that Bryn Recycling Ltd had reported that a small waste fire was occurring in one of their drying sheds. This drying shed is located within their permitted boundary for waste operations as regulated by NRW under permit EPR/WB3993HE (see image 1).

Following this report, at 10:30am NRW Officer Susan LENTHALL attended site and substantiated the incident. The SWFRS were present on site and successfully extinguishing the fire, with Bryn Recycling management suitably controlling the affected waste. Discussions between the SWFRS, NRW and Bryn Recycling management indicated that the cause of the small fire was due to a spark being generated by a loading bucket scraping on the concrete floor whilst attempting to move the waste. This subsequently ignited the nearby waste material which consisted of woodchip and manure with approximately 10 tonnes of waste material affected.

The fire was extinguished by the time the NRW Officer arrived on site and the affected material removed from the drying shed and laid outside in a segregated quarantine area for further management. There is damage sustained to the drying shed building, however no other areas of site have been affected. Surface water runoff was contained on site within the sealed drainage system / lagoon and emissions to air were kept to a minimum due to the quick response time to the fire, and the wet weather conditions at the time. The SWFRS left site at 15:30pm the same day. See photos 1-3 of photos taken by NRW Officer Susan LENTHALL on 29/10/22.

Schedule 7 - Site plan

 = Location of fire

Image 1 - Bryn Recycling Ltd permitted boundary with location of small waste fire incident



Photo 1 - Photo of fire incident taken by NRW Officer Susan LENTHALL on 29/10/22



Photo 2 - Photo of fire incident taken by NRW Officer Susan LENTHALL on 29/10/22

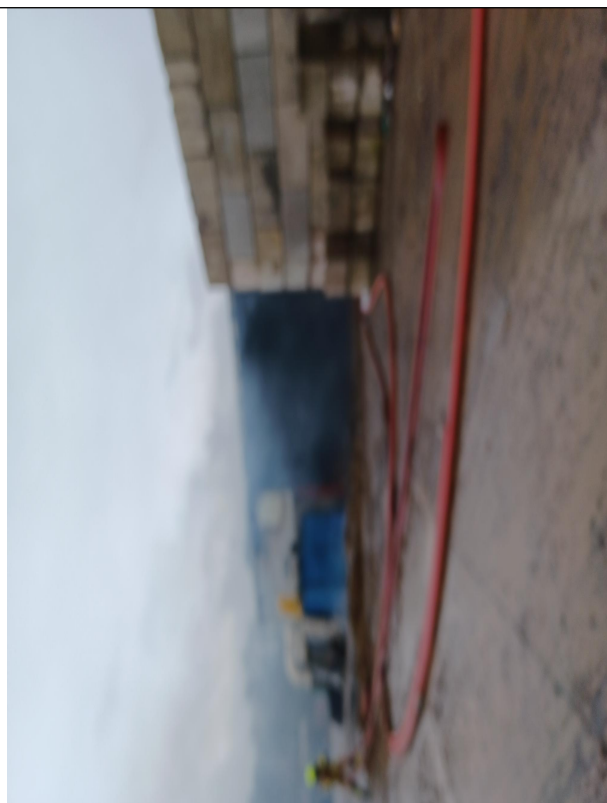


Photo 3 - Photo of fire incident taken by NRW Officer Susan LENTHALL on 29/10/22

SITE ATTENDANCE - 01/11/22

NRW Officer Greg GARDNER attended Bryn Recycling Ltd at 10:00am on 1 November 2022, for a follow up visit where I met Mr. Alun PRICE to assess the damage and impact of the small waste fire that occurred on 29/10/22. The weather was overcast, raining and reasonably mild which it had also been the previous day. Mr. PRICE was cooperative throughout the visit and explained the events that occurred prior, during, and following the extinguishing of the small waste fire.

Mr. PRICE reiterated the events that occurred on 29/10/22 which reflected the events as outlined by NRW Officer Susan LENTHALL. Within the drying sheds there are 6 individual drying bays where 5 of these drying bays were affected by the fire (see photo 4). There was some damage sustained to the roof of the drying shed building (see photo 5) however this was undertaken by Mr. PRICE to allow access for the SWFRS to gain access to the affected area(s) to extinguish the fire. The waste material, which consisted of woodchip and manure, was still located within a defined segregated area (see photo 6) where it had remained present from 29/10/22.

NRW Officer Greg GARDNER outlined to Mr. PRICE that a review of the sites Fire Prevention and Mitigation Plan (FPMP) will need to be undertaken to implement further control measures regarding the prevention of sparks from waste movement operations. These further control measures could include sourcing alternative loading buckets to help reduce the risk of sparks and ignition sources as well as using a spotter to observe the loading operations.



Photo 4 - Photo of fire incident taken by NRW Officer Greg GARDNER on 01/11/22



Photo 5 - Photo of fire incident taken by NRW Officer Greg GARDNER on 01/11/22



Photo 6 - Photo of fire incident taken by NRW Officer Greg GARDNER on 01/11/22

NRW Officer Greg GARDNER left site at 10.30am the same day.

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

I look forward to working with the site in the future.

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.