

## Compliance Assessment Report CAR\_NRW0040693

**Permit being assessed:** LB3290HK.

For: New Inn Waste Transfer Station, held by FCC Recycling (UK) Limited

At: Panteg Way, New Inn, Pontypool, Torfaen, NP4 0LS.

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

On 09/11/2022 between 09:00 and 10:00.

Parts of permit assessed: Various

**NRW Lead Officer:** Greg Gardner.

**Report sent to:** Mr. Paul Smith, Technically Competent Manager on 17/11/2022.

### 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   | Action only (X)   |                  |
| A1 - Specified by permit   | Assessed (A)      |                  |
| B3 - Infrastructure - Site drainage engineering (clean and foul)   | Assessed (A)      |                  |
| B4 - Infrastructure - Containment of stored materials  | Assessed (A)      |                  |
| C4 - General Management - Storage, handling labelling and Segregation  | Assessed (A)      |                  |
| 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 | 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 |
|--|----------------------------|
| 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 |
|----------|---|-------------|
| C2       | Please submit a Fire Plan that addresses the various sections of the FPMP guidance document to NRW. | 03/03/2023  |

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 report details the site visit made on the 09 November 2022 to FCC Recycling (UK) Ltd, Permit number EPR-LB3290HK.

NRW Officer Greg GARDNER attended the FCC Recycling (UK) Ltd Site at New Inn Transfer Station, Panteg Way, New Inn, Pontypool, Torfaen NP4 0LS, for a routine site inspection at 09:00am where I met with Mr. Paul SMITH (Technically Competent Manager) for this site. The weather was intermittent rain and mild all through the site visit. The site was very hospitable and cooperative throughout the inspection.

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 extract from EPR-LB3290HK regarding permit history.

**Status log of the permit**

| <b>Description</b>  | <b>Date</b>        | <b>Comments</b>   |
|---|--------------------|---|
| Waste Disposal Licence issued. Licence no 15                                  | 02/06/94           | Waste Disposal Licence issued by Torfaen Council to Terry Adams Limited   |
| Modification determined EAWML 30130 (formerly Waste Management Licence no 15) | 30/03/99           | Conditions relating to record keeping added to the licence  |
| Licence Informative Issued  | 03/12/02           | Licence informative issued to change licence holder name from Terry Adams Limited to Viridor Waste Exeter Limited                                   |
| Modification determined   | 08/05/03           | Licence Modified to completely replace and update all conditions  |
| Variation determined EPR/YP3599FQ/V005 (formerly EAWML 30130)                 | 07/01/13           | Varied and consolidated permit issued to Viridor Waste Exeter Limited.  |
| Transfer determined (full transfer of permit EPR/YP3599FQ) EPR/LB3290HK       | 13/05/15           | Permit has been transferred to FCC Recycling (UK) Limited.  |
| Application EPR/LB3290HK/V002   | Duly made 03/02/16 | Application to vary the permit to include additional waste types, increase the permitted site boundary and include a surface water discharge point. |
| Variation and consolidation determined EPR/LB3290HK                           | 08/09/2016         | Updated, consolidated and varied permit issued to FCC Recycling (UK) Limited.   |

**COMPLIANCE BREACHES**

There are no outstanding actions or identified compliance breaches following this site visit.

**GENERAL OBSERVATIONS**

FCC Recycling (UK) Ltd operate under a tier 3 bespoke environmental permit which allows the operator to operate a hazardous & non-hazardous household, commercial and industrial waste transfer station with treatment and asbestos storage (WTS) and a household waste recycling centre (HWRC). The site was in operation at the time of the visit and there was no waste of any type was stored outside of the permit boundary at the time of the visit. The total quantity of waste accepted on site as a whole shall not exceed 74,999 tonnes a year.

The treatment activities permitted under the waste transfer station are limited to compaction, sorting, bulking up, and dewatering of roadsweeper/gully wastes for either disposal or recovery. The treatment activities permitted under the household waste recycling centre are limited to sorting, compactions, and bulking up of waste for either disposal or recovery. All asbestos waste must be double bagged and stored in a secure lockable container.

**FIRE PLAN**

Section 4.3 of your sites working plan, details fires on site. This section is lacking key

information that NRW would expect to address to prevent / mitigate potential fire risk. If this is all the information regarding fire mitigation or no independent fire plan is available, please see below link to guidance on how to comply with your environmental permit and the Fire Prevention and Mitigation Plan (FPMP) guidance document.

[Natural Resources Wales / Guidance to help you comply with your Environmental Permit](#)

It is best practice for permitted waste facilities to operate their activities in accordance with a site specific FPMP.

**ACTION: Please submit a Fire Plan that addresses the various sections of the FPMP guidance document to NRW**

The management system NRW possesses on file is labelled as a working plan. This needs to be updated to an EMS (Environmental Management System) in accordance with permit condition 1.1.1. and how to develop a management system guidance.

[Develop a management system: environmental permits - GOV.UK \(www.gov.uk\)](#)

### **SITE INFRASTRUCTURE**

The general housekeeping on the site was in very good condition with very little amounts of loose debris located on the floor (as seen in photo 1 & 2). A regular cleaning regime is in place during most operational days to maintain this standard. An onsite streetsweeper was in operation during the site inspection. It was also noted that the concrete impermeable flooring was generally in good condition. The site has an interceptor drainage system which was operational at the time of the site inspection with Mr. SMITH indicating that it is regularly maintained / emptied. The site was secured with anti-climb fencing and cameras and was of no concern at the time of site inspection.



**Photo 1 - Good housekeeping standards on site**



**Photo 2 - Good housekeeping standards on site**

### **WASTE ACTIVITIES - WASTE TRANSFER STATION**

During the site inspection, the waste transfer station was in operation however the general housekeeping of the transfer station was in good condition with very little amounts of loose debris located on the floor (see photo 3). It was also noted that the concrete impermeable flooring was generally in good condition. There were no concerns raised with the waste transfer station during the site inspection.

The area of site where the food / green waste is delivered for storage pending further treatment was inspected (see photo 4). There was no issue with regards to odour I.E. not excessive / offensive as well as very little presence of scavengers which could potentially cause an issue. This is managed by only operating this storage area at set times during the operational day. Housekeeping in this area was maintained to a good standard with no concerns raised during the site inspection.



**Photo 3 - Good housekeeping standards at the waste transfer station**



**Photo 4** - Good housekeeping standards at the food collection area

### **WASTE ACTIVITIES - HWRC**

During the site inspection, the HWRC was inspected and again, as per site in general, the housekeeping was maintained to a good standard with the impermeable surface in good condition (see photos 4 and 5). The HWRC was operational and well managed by staff on site with no concerns raised during the site inspection. The site had numerous skip containers which were all clearly identified with the correct labelling waste type to determine which waste would be placed in the correct skip container without confusion to members of the public.



**Photo 5** - Good housekeeping standards at on site HWRC



**Photo 6** - Good housekeeping standards at on site HWRC

The site is permitted to accept hazardous waste such as chemicals and WEEE (Waste Electrical and Electronic Equipment). This was stored securely and clearly identified in a bunded area (see photos 7 and 8) with any potential loss of containment captured via the sites interceptor drainage system. The integrity of the sealed containers was good with no evidence of any loss of containment of hazardous substances. FCC Recycling are a registered Hazardous Waste Producer under registration number CAH164 which expires 22/04/23.



**Photo 7** - Good housekeeping standards of hazardous waste on site



**Photo 8 - Good housekeeping standards of WEEE waste on site**

### **WASTE RETURN SUBMISSIONS**

FCC Recycling (UK) Ltd, Pontypool have submitted their waste return data for permit, EPR-LB3290HK, on time and in full. For Q3, 2022 the site has received 9,382.29 tonnes of waste(s) and removed 9,382.29 tonnes of waste(s). There are no unauthorised wastes that have been accepted on site and are within the annual permitted allowance for the amount of waste to be accepted on site (74,999 tonnes).

**No breaches have been identified with regards to this permit, EPR-LB3290HK.**

NRW Officer Greg GARDNER left site at 10.00am the same day.

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