

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0033928**

**This form will report compliance with your permit as determined by an NRW officer**

Site	Cardiff Energy Recovery Facility	Permit Ref	LP3030XA		
Operator/Permit holder	Viridor Waste Management Ltd				
Regime	Installations				
Date of assessment	06/09/2018	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	As indicated below				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Mr Gwyn Jones/ EHS Manager	Date issued	14/09/2018		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	A	
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	

**KEY:** See Section 5 for breach categories, suspended scores will be indicated as such.  
**A** = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,  
**O** = Ongoing non-compliance, not scored.

<b>Number of breaches recorded</b>	<b>0</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0</b>
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**If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response**

## Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

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|--|--|
| ➤ The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)        | ➤ Information on the compliance score accrued inc. |
| ➤ Where the type of assessment was 'Data Review' details of the report/results triggering the assessment | ➤ Details of advice given                          |
| ➤ Any non-compliances identified   | ➤ Any other areas of concern                       |
| ➤ Any non-compliances with directly applicable legislation   | ➤ Any actions requested                            |
| ➤ Details of any multiple non-compliances  | ➤ Any examples of good practice                    |
|  | ➤ A reference to photos taken                      |

Viridor EFW Routine Site Inspection 6<sup>th</sup> September 2018 at 10am with Mr Gwyn Jones and Stuart Davies (Viridor)

### Agenda Items

- Burning odour complaint on the 24<sup>th</sup> May 2018
- Particulates Monitoring on the 19<sup>th</sup> August 2018
- Improvement Conditions

#### Burning Odour Complaint on the 24<sup>th</sup> May 2018

NRW received and odour complaint on the 24<sup>th</sup> May 2018. It must be noted that the complainant was generally referring to odour and especially burning rubber on the above date. NRW apologises for the delay in forwarding this complaint to you, but it was emailed to a colleague who was subsequently on leave at the time it was received.

During this site inspection NRW met with Rhys an operator in the Control Room and was presented with data and evidence relating to the date the complaint was received. It was noted that waste was not being burnt at the time and the graphs demonstrated that the Hopper Waste Load was at 0% and therefore the odour at this time cannot be associated with the activities on site. NRW are satisfied with this response.

Viridor commented that at this time they were experiencing very dry weather and they had noticed regular occurrences of odour and dust from local premises in the vicinity.

NRW request that in future you note in detail in your site diary any odour or dust issues you notice / experience during your daily checks around the perimeter of your installation.

#### Particulates Monitoring on the 19<sup>th</sup> August 2018 – Schedule 5 Notification

NRW received the above Notification for elevated dust ½ hr mean (Limit 30mg/m<sup>3</sup>) – Various results were noted on the CEMS between (00:00 - 03:00). Results were 0.56 mg/m<sup>3</sup>, 542 mg/m<sup>3</sup>, 996 mg/m<sup>3</sup>, 1026 mg/m<sup>3</sup>, 232 mg/m<sup>3</sup> and 0.61 mg/m<sup>3</sup>. As per your notification and the measures taken, NRW are satisfied with your response as the duty analyser was running in parallel at this time and you provided further evidence during this inspection. The evidence provided demonstrated that the CEMS was giving spurious results and did not correlate with the duty back up analyser.

#### Improvement Conditions

NRW also note that we have now received Improvement Conditions 1- 4 and we will respond to you separately once we have assessed these responses.

#### Subsequent HCl elevated Emission Limit Value 12<sup>th</sup> September 2018

Further to our discussions on the 13<sup>th</sup> September 2018 and the elevated HCl limit value. As discussed this

was a marginal elevated value and no further action required. NRW note that the HCl ELV is now below ELV limit. Please note that any further increases in this ELV then you must provide a detailed Route Cause Analysis (RCA) and notify NRW immediately via Schedule 5 Notification

Permitted Daily Limit    10.00mg/m<sup>3</sup>

Actual Daily Mean        10.07mg/m<sup>3</sup>

Operator Monitoring Assessment (OMA)

NRW plan to undertake this Audit at the end of October 2018

## EPR Compliance Assessment Report

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Operator/Permit holder	Viridor Waste Management Ltd	Date	06/09/2018

### Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

## Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

**See our Enforcement and Civil Sanctions guidance for further information**

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

### Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

**Operational Risk Appraisal (Opra)** - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

## Section 6 – General information

### Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

### Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

### Customer charter

#### What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk). If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.