

Compliance Assessment Report CAR_NRW0041128

Permit being assessed: TB3190HN.

For: Brecon Recycling Centre, held by Sundorne Products (Ilanidloes) Limited

At: Brecon, Powys, LD3 8LA.

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

On 30/01/2023 between 12:23 and 13:15.

Parts of permit assessed: Permitted activities, waste storage, amenity

NRW Lead Officer: Liz Park, accompanied by Malcolm Dines.

Report sent to: Mark Phillips, TCM, Site Manager on 09/02/2023.

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)	
F1 - Amenity - Odour	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	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?

No action required.

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

Liz Park (Senior Officer- Waste Regulation) and Malcolm Dines (Officer - Waste Regulation) arrived at Brecon Recycling Centre to undertake an unannounced compliance visit. At the time of the visit the weather was cold and dry. The site was open for the

acceptance of waste from members of the public.

Liz and Malcom met with Mark Phillips the TCM and site manager who showed them around the site. This was the first time Liz or Malcolm had visited the site, so this visit was an opportunity to learn how about the site and permit.

It is understood that work is being undertaken with an aim to improve the facilities at the site.

Environment Management System

Whilst the permit refers to a working plan and doesn't specifically require a management system due to the age of the permit, The Environmental Protection (Miscellaneous Amendments)(England and Wales) 2018 inserted the following: *Condition A is that the operator must manage and operate the waste operation in accordance with a system (a "written management system"), described in a document or documents, which identifies and minimises the risks of pollution arising from the waste operation .*

Liz asked Mark for a copy of the management system whilst on site. He was unable to locate a recent copy on the company's electronic filing system. This was located directly after the officers left the site and emailed to Liz Park.

The management system was originally written in 2015 and had been reviewed in October 2022. Whilst the permit does not currently require a written Fire Prevention and Mitigation Plan, one has been produced for the site.

Please ensure that all that all relevant staff are aware of the management system and it's contents, and have received appropriate training.

The management system needs to be easily available to all relevant staff.

Technically Competent Manager (TCM)

The TCM for the site is Mark Phillips. His continuing competency is up to date. As he is based at the Brecon Recycling Centre it is considered that he is on site for the required period of time. You must ensure that when Mark is not available, alternative TCM attendance is provided.

Tyres

Please note that tyres are not listed in the permit but are listed in SOP03 Waste storage and handling and FPMP as a waste received. Should you wish to continue to accept tyres then you would need to submit a variation to add the additional waste code.

Edible oil & fat - cooking oil

Cooking oil is required to be stored on impermeable surface with sealed drainage. This permit due to its age in permit condition 2.1.4 section vii states that liquid from the sealed drainage system can be disposed of via an approved discharge which is in place.

However, it would be best practise to provide secondary containment, and this would be required when the permit is updated.



Cooking oil storage showing staining on ground

Chem safe

This is within the workshop building on site. It is not suitable for public access. Site operatives must ensure that the public are able to pass waste chemicals to them so that they can be stored in the Chem safe and not put in with the general waste.

Battery boxes

Sealed battery boxes were available near the entrance to the workshop building. Please ensure that the public has safe access.

Removal of waste from site

The land adjoining the site which is outside the permitted area is used to store skips awaiting collection under a S2 Storage of Waste in a secure place (NRW-WME076864). Please ensure that the management of waste to this exempt site is recorded in the management system and that only wastes which can be stored on a S2 are removed from the permitted site to the exemption.

Site drainage

At present all drainage on the site runs to an Aco drain, via an interceptor, and is discharged to a watercourse under a separate environmental permit to discharge.

SOP - 05 Site engineering and drainage states that all site drainage is to foul sewer which is not the case.

Please update and amend SOP -05 and the details on site drainage, and provided a copy

to Liz Park along with drawings of the site drainage.

Permit

The permit as it was issued in 2004 requires consolidating and updating to a modern permit and the operators is aware of this. The operator has already considered changing the layout of the site and updating the permit to a Standard Rules Permit if suitable.

In addition, the proposed amendments to the waste exemptions by the Government would affect how the site is operated.

[Supplementary government response - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Pre-application advice can be requested from the following link

[Natural Resources Wales / Pre application advice for environmental permits](#)

In this document 'Natural Resources Wales' means the Natural Resources 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.