

Compliance Assessment Report CAR_NRW0041495

Permit being assessed: YP3695EV.

For: Central Depot, held by Blaenau Gwent County Borough Council

At: Brynmawr, Ebbw Vale, Blaenau Gwent, NP23 4YF.

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

On 28/02/2023 between 14:00 and 14:40.

Parts of permit assessed: 1,2,3 and 4

NRW Lead Officer: Jak Rose.

Report sent to: Lisa Jones, Team Leader, Waste Compliance and Development on 10/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	3.1.1 All surface water drainage shall be via a consented discharge to sewer.
D1 - Incident Management - Site security	C4 No impact	1.3.1 Site security measures shall prevent unauthorised access to the site, as far as practicable.
C2 - General Management - Management system and operating procedures	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
F5 - Amenity - Deposits on road	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	4.1

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
B1	Improve containment of liquid wastes on site and ensure these are discharged via the drainage system. Pooling of this water on unmade ground will likely be discharging off site.	28/04/2023
D1	Consider security improvements to ensure access is restricted to authorised staff and vehicles only. If this is not possible the site will continue to be in non-compliance with the permit.	28/04/2023
C2	Management Plan has not been updated since 2014. There are some details that need updating with current details.	28/04/2023

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.

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 compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on 28 February 2023 at: Blaenau Gwent County Borough Council, Central Depot Dewatering Facility, Barley Industrial Estate, Brynmawr, Gwent, NP23 4YF. EPR YP3695EV.

Waste Regulation Officer Jak ROSE arrived at 14:00 and met with Lisa JONES, Blaenau Gwent County Borough Council (BGCBC) Team Leader, Waste Compliance and Development. NRW's last site inspection was completed on 14 May 2018. It was requested that an entire site inspection was undertaken. The weather conditions were overcast and intermittent showers at the time of inspection. Site operations consist of a Municipal Street Cleaning and Gully Waste Dewatering Facility.

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 environment/people/property
- 2 - Significant impact on 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

Actions from previous NRW inspection 14th May 2018
CAR NRW0033349

Action: Arrange for skip to be located within the permitted area or progress permit transfer as previously discussed – **Skip no longer onsite**

Action: Improve security or progress transfer of permit to alternative site as previously discussed. – **incomplete**

Permit Breaches

B1 - Engineering for prevention and control of emissions – Permit Condition 3.1.1 - All surface water drainage shall be via a consented discharge to sewer – Cat 3 breach

You have been scored a category 3 breach because it was observed that some pooling around the right-hand side of the bay appeared to be migrating away from the drainage channels, these pools had an iridescent appearance on the surface of the water suggesting it to be contaminated. **Please see photos 1 and 2.**



Photo 1 – pooling of water next to dewatering bay flowing onto unmade ground



Photo 2 – to the right of the dewatering bay shows escape of water away from drainage channels.

It was observed that liquids are at risk of escaping the drainage system, especially during more adverse weather conditions. The eco drain on the *Site Plan* may be blocked and will prevent liquids entering the drainage channels.

Action required: Improve containment of liquid wastes on site and ensure these are discharged via the drainage system. Pooling of this water on unmade ground will likely be discharging off site.

Due date: 28th April 2023

D1 - Site security – Permit Condition - 1.3.1 Site security measures shall prevent unauthorised access to the site, as far as practicable – Cat 4 Breach

Following previous inspections, it has been identified that the current site layout does not comply with the permit. It has been highlighted in previous inspections that discussions have been ongoing between Silent Valley, BGCBC and NRW with a view to transferring the operation another location. Lisa mentioned that a transfer is still in the process of being completed. Until this is completed, or other action taken, the site will remain in non-compliance with its permit in respects of the site security.

The suitability of the site was a topic of discussion during the inspection. The aim is to transfer the operation to the waste transfer station operated by BGBG which would provide a better level of site security.

Action required: Consider security improvements to ensure access is restricted to authorised staff and vehicles only. If this is not possible the site will continue to be in non-compliance with the permit.

Due date: 28th April 2023

C2 - Management system and operating procedures - Action only

Action required: Management Plan has not been updated since 2014. There are some details that need updating with current details.

Due date: 28th April 2023

General Observations

Officer ROSE did not witness any offensive odours or excessive noise emanating from the permitted area during the inspection.

An abandoned vehicle was near the dewatering bay, and it was unclear as to how long this had been there. There was also a barrel with the remnants of burned material inside closer to the bay. See photo 3 (below) Lisa JONES made reference that the site is too close to the other businesses and has experienced issues with other businesses leaving unpermitted wastes within the permit boundary.



Photo 3 – abandoned vehicle and barrel with ash residues inside

The current stockpile of street sweeper residues appears to be within the bay heights. There is no longer a skip being stored on site for the dewatered wastes once they are dried. The permit states the drying bay shall be stored in skip prior to removal from site.

The water is collecting via a drainage channel which passes through into an interceptor and then to then discharged off site (see Photo 4) The site has a consent from Dwr Cymru for this.



Photo 4 – drainage channel flowing into interceptor

It was observed that the amount of passing vehicles on the estate may be an issue in respects of safety of moving vehicles. There are several business units opposite and adjacent to the site which consist of vehicles passing through the permit boundary.

Officer ROSE observed a street sweeper approach the bay and asked Lisa if it was possible to watch the street sweeper tip off into the bay. Please see photo 5.

**Photo 5 – road sweeper depositing residues into bay**

It was observed that the vehicle is prone to tracking the residues along the road when leaving site, but these were cleaned up after the residues were deposits.

Technical Competent Manager

Noel CHARD is acting TCM for this site and the expiry of his continuing competency is 21/02/2024

Waste Returns

The quantity of wastes, accepted at the site shall be less than 5,000 tonnes a year. The same quantity received at the site is the same removed from site. The total for 2022 was 1287.04 tonnes.

Quarter period	Amount (tonnage)
Q1	389.96
Q2	330.68

Q3	204.84
Q4	361.66

Thank you for taking the time and I look forward to working with you in the future. Officers left the site at 14:40

If you have any issues with this report, please contact Officer Jak Rose at jak.rose@naturalresourceswales.gov.uk or 07866 157281.

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.