

Compliance Assessment Report CAR_NRW0041719

Permit being assessed: AB3690CP.

For: Glamorgan Recycling Limited, held by Glamorgan Recycling Limited
At: Berth 31 Wimbourne Rd, Barry Docks, Barry, CF63 3DH.

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

On 21/12/2022 between 11:55 and 12:25.

Parts of permit assessed: B2, B3, C3, C4, D1

NRW Lead Officer: Elysia Lovelock, accompanied by Alex Grabham.

Report sent to: Russell Scott-Worthington, Health, Safety & Environment Manager on 24/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B2 - Infrastructure - Closure and decommissioning	C3 Minor	1.1.1 and 1.1.2
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C3 - General Management - Materials acceptance	C3 Minor	2.3.1
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	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
B2	Please provide a waste transfer note for the surface water run-off removed from within the holding tank on Berth 31, post operations. In accordance with the procedures outlined within sites Environmental Management System, as required under permit condition 1.1.1 requiring the operator to manage and the operate the activities in accordance with a written management system. This evidence is required to confirm that the site is in a satisfactory state for surrender, ensuring removal of any potential source of pollution produced as a	05/05/2023

Criteria	Action needed	Complete by
	result of the permitted activities undertaken on site during the lifetime of the permit.	
C3	Please provide date and time stamped photographs by Friday 5th May 2023 confirming removal of the waste. Removal was required following the visit in December 2022. Evidence is required to confirm that the breach has been rectified and for the purposes of the surrender application, to ensure that the site is considered to be in a satisfactory state for surrender. This was subsequently provided on 3rd May 2023.	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.

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

[COMPLIANCE ASSESSMENT AMENDMENT as of 24/05/2023 as follows - On the 03 05 2023 Senior Industry and Waste Regulation Officer Elysia Lovelock received confirmation that the skip containing waste has now been removed as requested. Please note. This does not affect the scoring as the non-compliance/breach is recorded to capture the condition of the site on the date of the assessment.]

I, Senior Industry and Waste Regulation Officer Elysia Lovelock and Environment Officer Alex Grabham attended the permitted facility of Glamorgan Recycling Limited, Berth 31, Wimborne Road, Barry Docks, Barry, Glamorgan, CF63 3DH on Wednesday 21st December 2022.

The purpose of the site visit was to assess the condition of the site, in respect of the permit surrender application, reference PAN-020061, received by Natural Resources Wales on 2nd December 2022, for environmental permit reference EPR-AB3690CP. The operator holds standard rules permit, SR2011 No4, allowing the operator to store and treat waste wood for recovery at the above location. Operators of permitted sites have a responsibility to ensure that land and groundwater is protected, throughout the lifetime of a permitted operation.

On arrival at approximately 1155 hours, we were met by the Site Manager and the Operations Director of Glamorgan Recycling Limited. The weather remained overcast during the visit with light intermittent showers. At the time of the visit, the site was not in use.

During the visit, we discussed the interceptor. The Site Manager advised that the interceptor does not reside within the sites permitted boundary and is situated quayside of the railway line.

Drawing title: Glamorgan Recycling Barry Layout, dated 23.6.2022, shown below, shows that the interceptor is located dockside of the railway line, but sits just outside of the permitted boundary

Since operations on site concluded November 2022, the site has been vacant and a natural accumulation of surface water run-off during the wetter months would be expected within the holding tank, however upon the removal of the wood waste, any potentially contaminated surface-water is required to be correctly disposed of, post operations, providing assurance that any surface water run-off going forward within the holding tank is unlikely to be impacted by the storage of wood waste activities previously undertaken on site. As in the event of a drainage system failure, i.e. pump failure or overflow, there would be a potential for an illegal discharge to occur, as drainage systems can fail if they are not regularly inspected and emptied.

Until the permit is surrendered, this remains the responsibility of the operator to prevent illegal discharge. As per the requirements of the permit, only clean surface water from areas of the site that are not being used in connection with storing and treating waste, may be discharged directly to surface water, or to groundwater by seepage through the soil via a soakaway. Liquids may be taken off-site in a tanker for disposal or recovery or discharged into a foul sewer subject to consent.

PERMIT BREACH: Due to the potential presence of residual contamination in the surface water run-off collected during operations in the holding tank above ground, a category 3 (C3) Minor non-compliance has been recorded under (B2) Closure and Decommissioning, as a breach of permit condition 1.1.1, which states, 'The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and 1.1.2 which states, 'Records demonstrating compliance with rule 1.1.1 shall be maintained.

I note the Site Closure Plan submitted as part of the surrender application did not specify the removal of potentially contaminated residual site run-off within the holding tank and NRW have not yet received evidence that the holding tank was emptied post operations, in the form of a waste transfer note for the water from the holding tank, which the Environmental Management System states, will be tankered off site when required.

ACTION REQUIRED: Please provide a waste transfer note for the surface water run-off removed from within the holding tank on Berth 31, post operations. In accordance with the procedures outlined within sites Environmental Management System, as required under permit condition 1.1.1 requiring the operator to manage and the operate the activities in accordance with a written management system. This evidence is required to confirm that the site is in a satisfactory state for surrender, ensuring removal of any potential source of pollution produced as a result of the permitted activities undertaken on site during the lifetime of the permit.

ACTION DUE: Friday 5th May 2023

The infrastructure of the site appears to be in visibly good condition and the site is clear of wood waste, as shown below and has been for some time. The operator confirmed the site has been clear of wood waste since November 2022. We were advised that the weighbridge, Maltese cross, blocks, and water tank were to be left in situ, as agreed with Associated British Ports.



Next to the quarantine area, as shown below, there was a skip containing waste. From discussions on site, it appears the skip is not as a result of the permitted activities of the operator, as wood waste operations have ceased on site and has been free of wood waste since November 2022.

Blocks have been strategically placed at both entry points onto the site by the Operator to inhibit unauthorised access as shown below, however as explained on site, that as the permitted operator for the site and for the purpose of surrender, Glamorgan Recycling Limited remains responsible for all waste on the site, until the process of surrendering the permit has been completed. As such, it is the responsibility of the Operator to ensure the condition of the site remains suitable for surrender and to inhibit any unauthorised access to prevent unauthorised activity.

I advised the Operator that the skip would need to be removed and that they speak with Associated British Ports regarding this issue, should it persist. I also informed the Group Commercial Director of the above, via email following the visit on the 23rd December 2022.



PERMIT BREACH: Due to the presence of unpermitted waste on site, a category 3 (C3) Minor non-compliance has been recorded under (C3) Materials Acceptance, as a breach of permit condition 2.3.1, which states ‘Waste shall only be accepted if: (a) it is a type listed in table 2.3 of these standard rules;’

The Operator was required to provide photographs confirming removal of the waste shown above, following the visit in December 2022. This was requested post site visit in December 2022. In attending site on 27th April 2023 to confirm removal, it was found that the waste had not been removed as requested and the below photographs were taken.



ACTION REQUIRED: Please provide time and date stamped photographs confirming removal. This

is required to evidence that the breach has been rectified and for the purposes of the surrender application, to ensure that the site is considered to be in a satisfactory state for surrender.

ACTION DUE: Friday 5th May 2023

COMPLETED: Wednesday 3rd May 2023

ADVICE & GUIDANCE: Please ensure the site remains secure and clear of waste. Until the permit is surrendered, the operator remains responsible for any waste deposited on site.

The site visit concluded at approximately 1225 hours. We wish to thank the Site Manager and Operations Director for their time during the site visit and the Health, Safety & Environment Manager and Group Commercial Director of the Jack Moody Group for their assistance following the site visit.

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.