

Compliance Assessment Report CAR_NRW0042007

Permit being assessed: MP3531MD.

For: J Reid Trading Ltd EPR/MP3531MD/V003, **held by:** J REID TRADING LIMITED

At: FACTORY ROAD SANDYCROFT , DEESIDE, FLINTSHIRE, CH5 2QJ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 21/06/2023.

Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper.

Report sent to: Paul Leadbetter, Technical Manager, on 22/06/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2E - Operations - Improvement programme	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total 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
IR2E	See Actions in main text.	07/07/2023

Compliance 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 CAR form has been prepared in relation to the Waste Treatment BREF permit variation and specifically Improvement Conditions IC13, IC14, IC15 and IC17.

The Operator sent a response to the requirements of the permit improvement conditions on the 26th August 2022. This is after extension deadline of the 17th August 2022, however, the further delay was authorised by Natural Resources Wales.

The submitted information has been reviewed against the requirements for the relevant BAT conclusions, the operator responses which are shown in italics will be discussed in turn below.

Improvement Condition 13

The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to:

BAT 14 a) Minimising potential diffuse emissions sources

BAT 14 b) Selection and use of high-integrity equipment

BAT 14 c) Corrosion prevention

BAT 14 d) Containment, collection and treatment of diffuse emissions BAT 14 e) Dampening

BAT 14 f) Maintenance

BAT 14 g) Cleaning of waste treatment and storage areas

BAT 14 h) Leak detection and repair programme for organics

requiring the use of one or a combination of the above techniques.

"The diffuse emissions have been assessed in document WTO-RA03 with improvements identified and actions to be implemented by the end of 2022."

Improvements put forward by the operator are satisfactory.

Action 1: Confirm whether all improvements corresponding to IC13 were completed by the **7th July 2023**.

Improvement Condition 14

The operator shall submit to Natural Resources Wales information in order to evidence compliance with BAT Conclusion 19 of the Waste Treatment BRef Document (EU 2018).

"Provisional layout drawing JRT-DWG-WTO-01C shows the location of bunded areas where the oil is stored.

Whilst the whole area is concreted, it cannot be considered fully impermeable due to the joints in the concrete. However, this is not considered necessary as the product transfilled is a liquefied gas and does not pose a risk to ground water/soil contamination as it evaporates when depressurised to ambient."

NRW can confirm that based on site activities the implemented measures are satisfactory.

Improvement Condition 15.

The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to:

BAT 21 a) Protection measures (particularly in relation to fire and explosion protection and accessibility and operability in emergency situations).

“The Fire Risk Assessment (FRA-001) and DSEAR risk assessment (DRA-JRT01) have been updated. A change to the transfer system is to be completed in line with the improvements to the diffuse emission highlighted in IC13. These are to be implemented by the end of 2022, when an updated fire risk assessment and DSEAR risk assessment will be completed.”

The operators response satisfies requirements under BAT. Action provided to operator under Improvement Condition 13. This must be completed to demonstrate that improvements have been undertaken.

Improvement Condition 17.

The operator shall submit to Natural Resources Wales written procedure(s) (including updates to existing procedures .

“The SF6 system has yet to be installed or commissioned. We can confirm that when this is done, all procedures and risk assessments will be submitted to NRW. It is expected this will be done 1st half 2023.”

Action 2. Send an update to Natural Resources Wales stating whether the SF6 system has been installed. If it hasn't been installed send an expected installation date by the **7th July 2023**.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

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philip.harper@cyfoethnaturiolcymru.gov.uk

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.