

Compliance Assessment Report CAR_NRW0042069

Permit being assessed: VP3132LJ.

For: Mwyndy Solid Fuel Briquette Manufacturer EA/EPR/VP3132LJ/V002, **held by:** Maxibrite Ltd

At: Mwyndy Industrial Estate , Mwyndy, Llantrisant, Rhondda Cynon Taf, CF72 8PN.

Type of assessment: Site Inspection,

Reason: Routine.

On: 15/06/2023 between 13:00 and 16:00.

Parts of permit assessed: Water sampling.

NRW Lead Officer: Lewis Evans.

Report sent to: Simon Gilbody, Operations Manager, on 07/07/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits	Assessed (A)	
IR1A - Management - General management	Assessed (A)	

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?

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**Maxibrite Ltd - Permit Number – VP3132LJ**

Operations Manager: Simon Gilbody

NRW – Lewis Evans

This Compliance Assessment Report (CAR) has been produced following a site visit on the 15th of June 2023. The purpose of the visit was to talk through the changes required to the permit which include the water sampling.

Dust Management Plans

The site was not operating upon arrival on the 15th of June but water cannons, and lorry sweepers had been used as the concrete was wet and showed signs of recent activity. Simon also showed the pre-active/routines from May/June 2023.

This included pictures of the following activities:

- Road Sweeper which drives around the roadways and yard areas to minimise the likelihood of airborne dust.
- Brook/W1 inspection – shows the brook in typical dry conditions
- Water cannons and dust suppression sprays in use, which cover a large, targeted area and cover the weighbridge.
- Siltbuster and water samples

There have been no complaints directed at the site for noise, odour or dust.

Permit & Water Sampling Update

Discussions then moved onto the changes that are required to the permit to get it up to date with the activities on site. The site has removed the hot curing process from site and is now generating product through cold curing. Natural Resources Wales (NRW) had initiated a variation was to update the permit in March 2020 but due to the water sampling not being in line with M-18 and it was required for Maxibrite to gather water samples in line with M-18 to show the impact to the brook.

Maxibrite only discharge from site when the water storage on site is full and they cannot contain more on site. This is usually done during periods of prolonged rainfall/winter/wetter months. This means that building a data bank for Maxibrite has been difficult. Additionally, Maxibrite have found finding an analysis laboratory to test the samples with 48hours from being taken difficult as the labs have been unable to get the sample tested this quick, even

though the lab is accredited to UKAS and holds MCERTS. However, Maxibrite have now found a lab that are able to analyse the sample within 48hours and in line with M-18.

A test was done by Maxibrite where a sample was taken and split into two bottles and were sent off to the two laboratories for analysis. Of these two samples sent off, one was analysed within 24 hours which came back with a result of 8.8mg/l. The second sample which was analysed after 12 days and came back with a result of 12mg/l.

Interestingly, in this exercise the sample which was in 'holding' had a higher result than the sample that was analysed the same day as the sample being taken. However, this could be down to lab practice.

The W1 results Maxibrite have submitted to NRW in 2022 to date have not exceeded 18.9mg/l. With this in mind and the fact the double testing exercise showed that the M-18 standard of testing was better than what has historically been done on site, the site can be confident that the historic results they have submitted show a broad agreement. Maxibrite will, however, complete another couple rounds of joint sampling to get a better understanding of the differences.

END

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.