

Compliance Assessment Report CAR_NRW0042678

Permit being assessed: QP3198FU.

For: Rheidol Recycling Park, held by C B Environmental Ltd

At: Glan-yr-afon Ind Est, Aberystwyth, Ceredigion, SY23 3JQ.

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

On 20/10/2023 between 10:50 and 12:15.

Parts of permit assessed: See criteria listed below

NRW Lead Officer: Malcolm Dines, accompanied by Luke Taylor.

Report sent to: Pete Malvern, TCM on 01/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.1.1
E2 - Emissions - Land and groundwater	C3 Minor	3.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C4 No impact	1.1.1
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	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
5	16.1

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
B4	Ensure that the lawnmowers are moved to be stored on an impermeable pavement with sealed drainage	01/12/2023
E2	Move lawnmowers on to impermeable pavement	01/12/2023
C4	Ensure that there is a sufficient fire break between the ELV building and the waste wood stockpile	01/01/2024

Criteria	Action needed	Complete by
C2	Please update the EMS, completing the annex documents detailing storage techniques and quantities	01/01/2024
B3	Please ensure that the silt traps are cleared and the interceptor checked, emptying as required.	01/01/2024

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

This was a routine compliance visit carried out by Malcolm Dines and Luke Taylor, Waste Regulation officers from Natural Resources Wales. The officers met with Pete Malvern, the Technically Competent Manager (TCM) for the site, who accompanied them during part of the visit.

There was light rain at the time of the visit, however, there had been heavy rain in the hours prior.

The following non-compliance has been identified:

B4 - Containment of Stored Materials - Cat 3; Permit Condition 2.1.1.

E2 - Emission Land and Groundwater - Cat 3; Permit condition 3.1.1

You have been given these category 3 breaches under the above conditions because during our visit it was observed that there were lawnmowers being stored on a hard standing area of the yard, which you stated had been brought in from the adjacent household waste site as scrap metal. There was fuel/oil leakage witnessed which was running off in surface water across the hardstanding area, leaking into ground. Permit condition 2.1.1 requires you to operate in accordance with the activities set out in Table 1.2 which states for metal recycling, "All wastes must be stored on impermeable pavement with sealed drainage".

Permit condition 3.1.1 states 'Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution'

In addition, section 2.4 of the site EMS 'Preventing Accidents/Incidents and what to do if they happen' states:

Slow seepage of liquids from imported contaminated materials - Incoming materials that are contaminated will only be stored on impermeable surfaces that are drained to an oil interceptor.

'Section 1.1 Particle matter' of the EMS states '*as a matter of routine housekeeping all work*

areas are swept and kept tidy throughout the day; following the movement of any storage skip its designated site is cleared of any mud build up/wind-blown litter/over spill and swept prior to the return of the skip, this is of particular relevance to the formation of particulate matter where movement of plasterboard skips take place.

It was observed during the visit that there was plasterboard building up alongside the route into the drying building, leading to it becoming wet during rainfall. Cardboard had also been left piled by the skip area awaiting an empty skip. There were also several other areas of the site which require better housekeeping to ensure that loose material/litter is not left to build up.

Action - Please ensure that all undepolluted lawnmowers are moved to an impermeable pavement with sealed drainage. Deadline of 01/12/2023 has been set, with this action to be completed as soon as possible to avoid further escape of hazardous fluids. Ensure that areas of the yard are kept clear of debris build up and litter, especially the plasterboard storage area.





C4 - Storage, Handling, Labelling and Segregation - Cat 3; Permit Condition 2.3.1.

You have been given this category 3 breach under the above condition as it was observed that there was a significant quantity of waste wood being stored on the main yard, in front of the End of Life Vehicle building. There were no fire breaks between the ELV building and the wood being stored, which does not meet the requirements set out in the latest version of the Fire Prevention and mitigation Guidance (FPMP), further information on which can be found here:

<https://naturalresourceswales.gov.uk/media/684379/guidance-note-16-fire-prevention-mitigation-plan-english.pdf>

Whilst the wood was being processed during our visit, this breach was also detected on the previous site visit, with the wood pile being roughly the same size on this occasion, to the height of the top of the ELV building front elevation, extending around the side of it and being in direct contact with the building.

Permit condition 2.3.1 requires that you operate the site in accordance with the techniques set out in Table 1.2. This requires you to operate in accordance with all parts of the NRW document 'How to Comply with your Environmental Permit' which on page 36 states "You must ensure you have measures to prevent fires such as fire breaks and maximum storage quantities".

As it stands, there is no fire break between the ELV building and the waste wood. From review of the site EMS, version recently provided to NRW on 24/10/2023, there does not appear to be a maximum storage capacity for waste wood noted. As this breach has been highlighted previously, failure to comply with the actions below may result in NRW reconsidering the potential impact of the breach.

It is acknowledged that you have consulted with Mid Wales Fire and Rescue Service regarding this, however, it was stated during this visit that FRS had not conducted any formal assessment. Please arrange for FRS to attend and conduct a formal assessment of

fire risk at the site. Should the permit variation, which has been mentioned following the visit, be submitted, a FPMP will be required, which would also involve consultation with the FRS.

Action - Continue to process the waste wood, reducing the pile, ensuring that there is a sufficient fire break between the ELV building and the stockpile. Arrange a formal visit by Mid Wales Fire and Rescue Service to carry out a fire risk assessment of the site. Deadline of 01/01/2024 has been set for this to be completed. If there are issues relating to FRS being able to attend, please inform NRW.



(C2) Management system and operating procedures - Cat 3. Permit condition 1.1.1

You have been given this category 3 breach as Section 1.1.1 (a) of your permit states that you shall manage and operate the activities in accordance with a written management system that identifies and minimises the risks of pollution. Following the site visit you were requested to provide the most recent copy of the site EMS document for review, including information relating to the storage and quantities of materials. The document received, which is dated 22/11/2016, did not include this information. It is understood that this document is undergoing review and alteration, with a view to a permit variation being submitted in due course. From review of the EMS the appendix referred to as 2.3 List of Substances and Storage Facilities does not form part of the document.

This is the likely root cause of the wood waste stack being so large and so close to the ELV building, along with the lawnmowers not being stored on impermeable pavement. The EMS needs to be reviewed and updated fully, to include all aspects of operations at the site, including amounts, dimensions and containment criteria of the waste being processed. The updated document should also include a copy of the Schedule 13 Permit relating to the Biomass Boiler on site as, whilst regulated by the local authority, it will ensure any regulatory or permit boundary overlap can be identified and managed.

Action - Fully review and update the EMS. Provide a copy to NRW, including any appendices that form part of the document. A deadline for the submission of the EMS has been set as 01/01/2024.

B3 - Site drainage engineering (Clean and Foul) - Cat 4 Permit condition 1.1.1

It was observed during the visit that the silt trap on the wash bay, and those within the yard, were very silted up and will required emptying. Whilst it had been raining prior to the visit, there was a lot of standing water on the areas of the yard with impermeable pavement, resulting in large pools of water accumulating. The area to the rear of the ELV building, where the interceptor is located, was untidy and cluttered with various materials. You mentioned at the time of the visit that the interceptor may need emptying also. Section 1 Table 2B (Emissions to Water) the EMS titled 'Environmental Impacts Plan and Controls' states 'Site drainage and interceptor level routinely checked'.

Action - Ensure that drains are cleared of silt build up and review the interceptor to ensure it is not overloaded and provide to NRW details of the maintenance schedule, including records of when the interceptor has been emptied. Review EMS and ensure that the relevant sections relating to maintenance of the interceptor and drainage are included. Deadline of 01/01/2024 has been set for this to be completed.



Other observations

As has been documented thoroughly on previous compliance forms, within the site is a biomass boiler, authorised and regulated by the local authority, Ceredigion County Council. The drying of wastes from Rheidol recycling park takes places within the building, utilising heat ducts to direct the heat from the boiler into the drying bay and adjacent drying skips. It is noted that the transfer of the waste takes places between the two entities to facilitate this.

Whilst it is acknowledged that you are operating in accordance with the permit issued to you by the local authority, NRW do not believe that they are able to authorise this activity. Further investigation into this will be carried out to ensure that the activity is being

authorised and regulated correctly. This will be revisited as part of future compliance work.

The site was operational at the time of the visit and there was a lot of activity taking place within the various sections of yard, including with aggregates and the waste wood being processed. The noise level was acceptable, there were no strong odors and the entrance onto the carriageway outside the site was clear from any deposits.

From speaking with staff during the visit it is evident that they feel the management support them to carry out their roles and listen to any concerns they have relating to any aspect of the sites operations. Thank you to Mr Malvern for taking the time to accompany officers during the visit.

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.