

Compliance Assessment Report CAR_NRW0042762

Permit being assessed: BJ5775IF.

For: Crymlyn Burrows, **held by:** Neath Port Talbot County Borough Council

At: Materials Recovery & Energy , Crymlyn Burrows, SWANSEA, West Glamorgan, SA1 8PT.

Type of assessment: Site Inspection,

Reason: Routine.

On: 25/10/2023 between 10:00 and 12:00.

Parts of permit assessed: Site Management, Operations, Emissions and Monitoring, Information..

NRW Lead Officer: Alex Bowder, accompanied by Rhydian Cox.

Report sent to: Mike Jones, Chris Roberts, Transfer Station Business Manager, Waste Manager , on 07/11/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR2A - Operations - Permitted activities	Action only (X)	
IR2B - Operations - The site	Assessed (A)	
IR2C - Operations - Operating techniques	Assessed (A)	
IR3C - Emissions and monitoring - Odour	Assessed (A)	
IR3F - Emissions and monitoring - Pests	Assessed (A)	
IR4B - Information - Reporting	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?

Criteria	Action needed	Complete by
IR2A	Submit a permit variation to reflect the current site activities and emissions points before the revised incineration BREF.	01/12/2023

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 Compliance Assessment Report (CAR) details the comments of Natural Resources Wales (NRW) Officers for the site inspection conducted on 25 October 2023 at Materials Recovery and Energy Centre, Crymlyn Burrows, Swansea, SA1 8PZ for activities held by Neath Port Talbot Country Borough Council (the operator) under the environmental permit **EPR-BJ5775IF**.

Monitoring return submissions will be assessed independently of this report.

Environmental Permit History

- Permit transferred in full to Neath Port Talbot Country Borough Council (NPCBC) in 2019
- The former operator ceased the waste incineration activities in 2013
- Last NRW compliance inspection in 2015
- Decommissioning of stack took place between March and July 2022
- Operator continues waste transfer activity with emission points still listed in permit

Since 2019, the operator has conducted a phased redevelopment and remodelling of the working areas for the waste transfer and materials recovery operation. The operator has been in discussions with NRW around submitting an application to surrender the incineration activity listed in the permit, recognising that the Waste to Energy Facility has not functioned since 2013.

General compliance comments

The visit purpose was to conduct a compliance assessment of the operator's permitted activities, and to substantiate that the Waste to Energy plant has been decommissioned and cleared with the view to surrender the MCP incineration activity. No non-compliance scores were recorded against the operator's permit conditions on this inspection.

Attendees

- Alex Bowder - Senior Regulatory Officer, NRW
- Rhydian Cox - Senior Regulatory Officer, NRW
- Mark Jones - Transfer Station Business Manager, NPCBC
- Chris Roberts - Waste Manager, NPCBC

- Ian Rees - Operations Manager, NPCBC
- Rob Cirillo - Senior Operations Control Officer, NPCBC

Inspection commentary

At 10:00 NRW officers arrived at the site's office reception and signed in. They were met by NPCBC personnel Mike Jones, Chris Roberts, Ian Rees, and Rob Cirillo in the meeting room and introductions given between parties. Mike Jones proceeded to give an overview of the site's history with a presentation that covered the remodelling works completed to date and the development intentions going forward. An outline of NPCBC's direction towards circular economy workings with decarbonisation at the centre of the improvements.

Prior to the inspection, the operator sent images to officers of the transfer station remodelling and room usage; NRW can confirm that these changes have taken place on site.

Officers left the meeting to begin a tour of process starting with the recycling rooms. Weather conditions were mild and dry at the time of inspection.

Recycling room

The storage and treatment of waste streams is conducted within the allocated buildings - no waste materials are stored outside of the units. The area is afforded with ample room for vehicle manoeuvring and material management. Once the mixed municipal material is deposited and sorted, the waste streams such as glass, aluminium, and food wastes are segregated and stored in appropriate concrete bays.

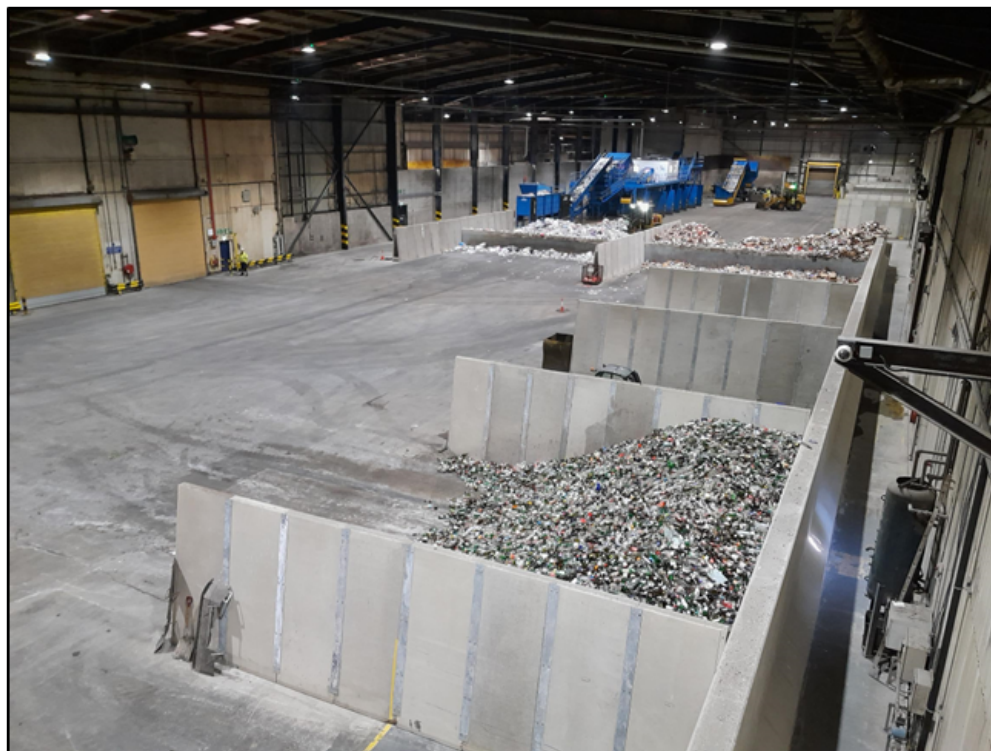


Image 1 – showing transfer station room with waste streams separated in bays, taken at 10:55 on 25 October 2023

The operator explained the odour and dust management systems in place. Officers were shown the interior air circulation pipework accompanied with the scent additive. There was no malodorous smell experienced at the time of inspection.

The flooring within the building was in good condition and fully impermeable displaying no signs of fracture or weakness. If areas become weakened over time due to wear and tear from heavy plant, these are scheduled for repair at the earliest opportunity.



Image 2 – showing recycling machine; process sections: bag splitter, ballistic separator, picking line, and eddy current separator, taken at 11:07 on 25 October 2023

No issues were noted with the site drainage system at the time of inspection. Officers were shown the interceptor system, which is alarmed and equipped with the ability to shut-off valves and isolate chambers in the presence of oil or in the event of an emergency incident. Spill kits were present in the various areas of the recycling building and contents checked by officers

Outside of the units there is a diesel fuelling station on site consisting of a double-skinned tank on impermeable standing surrounded by metal fencing. The site's perimeter is surrounded by secure fencing and the estate has its own manned site security station on site.

There have been no incident reports received by the operator or to NRW's Incident Communication Centre claiming amenity issues from odour in recent years. This is largely due to the facility ceasing the receipt and storage of black bag waste from kerbside collection.

Environment Management System (EMS)

Officers spoke about creating and implementing an EMS that is kept as a live-working document and reflects the current site layout and waste activities. The operator should endeavour to notify and send NRW updated versions whenever any significant amendments are made.

Fire Prevention and Mitigation Plan (FPMP)

Officers were told about the fire safety measures that are in place and implemented within

the recycling buildings to safeguard against fire risk. The recycling rooms benefit from thermal heat detectors and CCTV cameras that are monitored by a contracted surveillance company. Notifications sent to operational staff when any exceedance is detected. Sprinkler systems are installed in the ceiling.

There was no Refuse Derived Fuel stored on site. The site imposes fast turnover times of its stored waste streams, which reduces the storage period and lessens risk of materials igniting via self-heating. Waste volumes were suitably controlled and not excessive at the time of inspection.

Waste Return submissions

The site submitted its Q3 2023 return document on 10 October 2023 detailing that 15,941 tonnes of mixed municipal waste were received attributed with the EWC code 20 03 01, and that 15,741 tonnes were removed. No issues were found with the submission.

Permit Variation

The operator has dismantled the Waste to Energy incinerator plant and has not conducted such activities since 2013. As this activity is no longer being carried out, the permit must be varied to remove the emission point and reflect the true activities taking place at the site. The incineration BREF dictates the compliance deadline of **3 December 2023** for all associated activities and authorised emissions.

Until the application is determined, the existing permit and its listed activities and emissions points remain effective, which does not reflect the current activities taking place on site.

Partial Surrender

The operator has compiled information for an application that aims to coincide a permit variation with a partial surrender. This looks to remove listed activities from the permit and capture those activities currently permitted as directly associated activities for the ongoing operation:

- i. Section 5.1 Part A (1) (b) for the incineration of non-hazardous waste in an incineration or co-incineration plant with a capacity exceeding 3 tonnes per hour;
- ii. Section 5.4 Part A (1) (a) (ii) for the disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day by physico-chemical treatment.

The operator has the option to apply for a permit variation that looks to surrender the Installations activity and convert it to a Waste Facility permit. The level of information required to support the submission will depend on whether any land is being surrendered as part of the variation, or just the installation incineration activity. The operator has commented that it intends to retain the current permit boundary and remove the listed activity in isolation from the permit.

The operator will need to complete a Site Condition Report, which will need to cover all the relevant aspects in the H5 Horizontal Guidance. In this instance, the report would need to detail how the decommissioning and removal of the incineration activity has *not* given rise to any pollution risk and outline any remediation that has been carried out at the time of decommissioning.

Officer Observations

The operator submitted photographs of the incineration stack and associated plant dismantling prior to the inspection. Based on officer observations, the areas have been appropriately cleared with no signs of contamination or pollution in the immediate area. Given the time when the activity was last utilised, intrusive investigation would not be required to demonstrate lack of contamination and agree that, with the site's redevelopment and ongoing waste activities, this makes the operator eligible to apply for a low risk surrender - under *Regulatory Guidance Note 9: Surrender*.



Image 3 (a) – showing area cleared where incineration stack was situated, taken at 11:17 on 25 October 2023

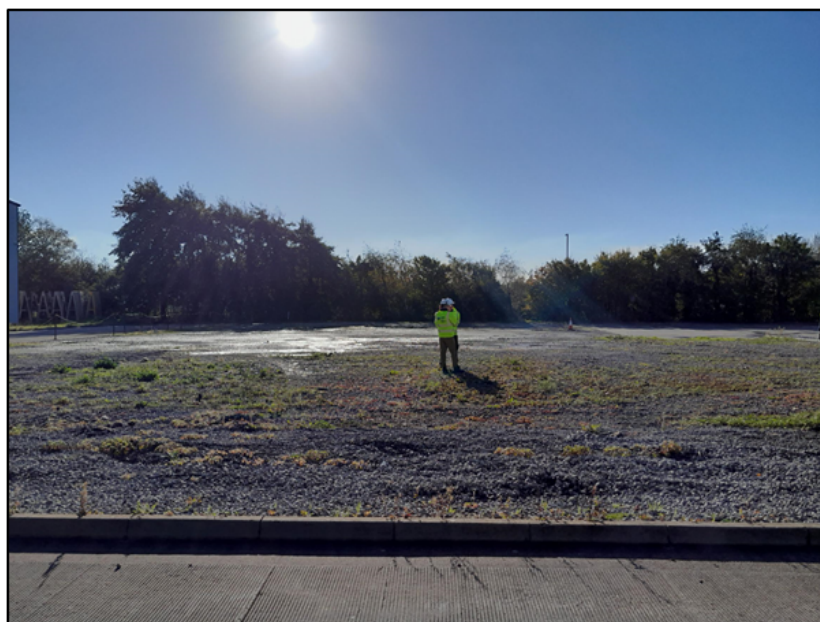


Image 3 (b) – showing area cleared where incineration stack was situated, taken at 11:18 on 25 October 2023



Image 3 (c) – showing the Waste to Energy plant room empty and clear, taken at 11:23 on 25 October 2023

ACTION: Submit a permit variation to reflect the current site activities and emissions points before the revised incineration BREF.

Deadline: 1 December 2023

Inspection conclusion

Officers concluded the tour of process and site inspection in the meeting room. Parties discussed the permit variation points and the requirement to submit application before the incineration BREF deadline in December. The operator indicated that the intention is on track for submission before this date.

Officers left site at 11:50.

If you have any issues with this compliance report, please contact Senior Regulation Officer Alex Bowder at Alex.Bowder@cyfoethnaturiolcymru.gov.uk.

END OF REPORT

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.