

Compliance Assessment Report CAR_NRW0042709

Permit being assessed: XP3833UB.

For: East Bank Road Facility, **held by:** G D Environmental Services Ltd

At: Unit 18a East Bank Road, Felnex Industrial Estate, Newport, South Wales, NP19 4PP.

Type of assessment: Site Inspection,

Reason: Routine.

On: 25/10/2023 between 10:30 and 14:30.

Parts of permit assessed: 3.3.1 Monitoring, BAT AEL compliance; hazardous waste audit.

NRW Lead Officer: Rebecca Green, accompanied by Liane Bacon-Weekes.

Report sent to: Claire Higgins, HR & Compliance Manager, on 10/11/2023.

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	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	
IR1E - Management - Avoidance, recovery and disposal of wastes produced by the activities	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

The main purpose of this visit was to audit parts of GD's hazardous waste documentation and procedures. The audit was conducted by Liane Bacon-Weekes, who will issue the report and findings.

GD's progress with completing the improvement conditions was also discussed. The only improvement condition outstanding is IPC 17, given below, which was delayed while Natural Resources Wales (NRW) came to a decision about which parameters GD would need to monitor.

"IPC17
BAT 7. Monitor emissions to water

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 is to monitor emissions to water with at least the frequency given within table for the relevant treatment type (Treatment of water-based liquid waste), and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality, taking into account the table footnotes. Information resulting from this improvement condition will be used to assess the relevance of the BAT AELs and monitoring requirements as set in Schedule 3 and 4 of this permit."

GD submitted detailed analyses of inputs and outputs for their waste treatment plant (in compliance with BAT 3 and IPC16). The results showed that several parameters listed in BAT 7 of the Waste Treatment BAT conclusions (BATc) were not present in the inputs to the plant. According to Note 3 to Table 6.2 in the BATc, the BAT AELs only apply when the substance concerned is identified as relevant in the waste water inventory mentioned in BAT 3.

Free cyanide, chromium, chromium VI and mercury were not found to be relevant and so **GD will not be required to monitor these parameters.**

Most of the remaining relevant substances identified in the inventory were found to be present at very low levels, some near the limit of detection and below the BAT AEL. Note 1 to the table for BAT 7 states that monitoring frequencies may be reduced if the emission levels are proven to be sufficiently stable.

NRW have therefore decided to reduce the monitoring frequencies to **monthly** for - AOX (adsorbable organically bound halogens), BTEX (benzene, toluene, ethylbenzene, xylene) HOI (hydrocarbon oil index), arsenic, cadmium, copper, zinc, nickel, lead and manganese.

PFOA and PFOS must be monitored every six months.

The emission limit values (BAT AELs) given in Schedule 3 (b), Table 3.2 and the reporting period given in Schedule 4 (b), Table 4.1, have not been changed.

GD must report analysis results from an ISO 17025/MCERTS accredited laboratory in their quarterly reports to NRW. An amended S1 reporting form will be sent to GD in due course.

Any exceedances of the emission limit values must be reported to NRW as soon as GD become aware of them, using the Schedule 5 Notification form. NRW can give further guidance if requested.

These monitoring requirements will apply from 1st January 2024. They may be reviewed in 2025.

Action: GD to comply with IPC17 by writing a monitoring procedure for all the parameters given above, including flow. ***NRW to receive the report on or before 8th December 2023.***

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.