

Compliance Assessment Report CAR_NRW0043642

Permit being assessed: GP3337KD.

For: Tafarnaubach Waste Facility EPR/GP3337KD, **held by:** Envirowales Ltd

At: Unit 5 Tafarnaubach Industrial Estate , Tredegar, Blaenau Gwent, NP22 3AA.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2023 - 31/01/2024.

Parts of permit assessed: 4.2 Reporting.

NRW Lead Officer: Luke Burton.

Report sent to: Brian Kelly, EHS Director, on 01/03/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Information - Reporting	C4 No impact	4.2.2
IR4B - Information - Reporting	C4 No impact	4.2.2 (a)

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

Total non-compliances recorded	Total non-compliance score
2	0.2

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
IR4B	None	Already completed
IR4B	Interpretive review. Operator to submit to NRW an interpretative review as required by permit condition 4.2.2 (a).	08/03/2024

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

Condition 4.2.2 of the environmental permit states:

- 4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:
- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
 - (b) the annual production /treatment data set out in schedule 4 table S4.2; and
 - (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.

Table S4.2 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.2: Annual production/treatment

Parameter	Units
Total amount of waste treated	tonnes

Table S4.3 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.3 Performance parameters

Parameter	Frequency of assessment	Units
Water usage (slag crushing activity only)	Annually	tonnes
Energy usage (slag crushing activity only)	Annually	MWh
Tonnes of slag crushed and removed from site	Annually	tonnes
Generation of residues	Annually – Starting 17 th August 2022	Tonnes
Generation of waste water	Annually - Starting 17 th August 2022	m ³
Total raw material used	Annually - Starting 17 th August 2022	tonnes

Table S4.4 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.4 Reporting forms

Media/parameter	Reporting format	Date of form
Water usage (slag crushing activity only)	Form Water Usage1 or other form as agreed in writing by the Environment Agency	24/05/2010
Energy usage (slag crushing activity only)	Form Energy 1 or other form as agreed in writing by the Environment Agency	24/05/2010
Tonnes of slag crushed and removed from site	Form Performance 1 or other form as agreed in writing by the Environment Agency	08/10/2020
Other performance indicators	Form performance 1 or other form as agreed in writing by Natural Resources Wales effective from 17/08/2022	17/08/2022
Waste Subject to Conditions 4.2.5	Waste tonnage return form from the Natural Resources Wales website or other form as agreed in writing by Natural Resources Wales	N/A

Report(s) for condition 4.2.2 were submitted via email on 07/02/2024

The report(s) submission was not made inside the reporting window which represents compliance with the environmental permit.

The report(s) submitted include the parameters specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) submitted are for the reporting periods specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) have been submitted using the forms specified in schedule 4 table S4.4 which represents compliance with the environmental permit.

The monitoring report(s) submitted does not include an interpretive review and assessment as required by condition 4.2.2 (a) which represents non-compliance with the environmental permit.

Condition 4.2.2 has been breached as the reports were submitted late.

The late submission of reports has been scored a C4 (no environmental impact) non-compliance based on it not foreseeably having any impact on the environment, people and/or property due to report/s being received after the due date but containing all the required information (except interpretative review, scored below).

Due to the no environmental impact of the late submission this aspect of the permit breach has not been allocated an action.

Condition 4.2.2 (a) has been breached as no interpretive review of the data has been provided.

The non-submission of the interpretive review has been scored a C4 (no environmental impact) non-compliance based on it not foreseeably having any impact on the environment, people and/or property due to no known potential impact for not completing the review.

ACTION: Interpretive review. Operator to submit to NRW an interpretative review as

required by permit condition 4.2.2 (a).

NB There are no emission limits or associated monitoring requirements linked to the permit.

NB date of assessment is set at 31 December 2023 for NRW financial recording reasons.

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.