Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0044135

Permit being assessed: CB3794FE.

For: Vale of Glamorgan Resource Recovery Facility, **held by:** VALE OF GLAMORGAN COUNCIL

At: Atlantic Trading Estate, Barry, Vale of Glamorgan, CF63 3RF.

Type of assessment: Site Inspection,

Reason: Routine.

On: 29/02/2024 between 11:15 and 12:00.

Parts of permit assessed: Permitted areas.

NRW Lead Officer: Amy Bailey, accompanied by Laoni Tye.

Report sent to: James Webber , Manager , on 29/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2F - Waste - Operations - Technical requirements	Action only (X)	
W4A - Waste - Information - Records	Action only (X)	

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
W2F	Action- Please provide NRW with copies of the TCM certification by 13.5.2024	13/05/2024
W4A	Please send documentation relating to the most recent inspection and emptying of the interceptor. Please send this by the 13th May 2024.	13/05/2024

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

Introduction

Industry and Waste Regulation Officer Amy Bailey, and Senior Waste Regulation Officer Laoni Tye attended the permitted facility of, Atlantic Trading Estate Waste Transfer Station, Atlantic Trading Estate, Barry, Vale of Glamorgan, CF63 3RF on the 29th February 2024 to undertake a unannounced inspection, arriving at approximately 11:15. The weather was dry.

Biffa Waste Services Ltd hold a Bespoke permit dated 12th December 2022 for a resource recovery facility station taking hazardous and non-hazardous waste from household and commercial premises collected by the Vale of Glamorgan Council and the household waste recycling centre (HWRC), adjacent to the site. Environmental permit reference EPR/CB3794FE

The purpose of the unannounced inspection was to assess the sites compliance with the conditions of the environmental permit.

We were met by the Recycling and Infrastructure Manager, James Webber who showed us around the site.

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Site Infrastructure

The site is exceptionally well run and organised.

Housekeeping in the area was in good condition with no excess loose debris present. Waste(s) stored within the buildings were well designated and easily identifiable. Waste was clearly separated, not overlapping bays and not in exceedance of the sites Fire Prevention and Mitigation Plan (FPMP) dated November 2022.

Since the previous visit, decibel readers have been installed to monitor noise levels on site.

An electrical opening mechanism has been installed on the food waste bin so that the bins are only open when waste is being deposited.

Flooring infrastructure was in good condition with no visible damage present. The site has an interceptor, this was not inspected as part of the visit.

Action- Please send documentation relating to the most recent inspection and emptying of the interceptor. Please send this by the 13th May 2024.

Technically Competent Manager (TCM)

Permit condition 1.1.4 requires the operator to comply with the requirements of an approved competence scheme. It was mentioned during the visit that James Webber is currently completing his WAMITAB certification to be the Technically Competent Manager (TCM) for the facility. James informed officers that while certification is being achieved, a consultant TCM, George Harvey, is visiting the site every four weeks. Please note, that in line with how to comply with your environmental guidance, The technically competent manager must be in a position to direct activities on the site. This will be reflected in the operator's management system and operational procedures. There is a minimum site attendance of one hour a week on all operational sites. This includes in-house facilities taking their own waste. A week runs from Sunday at midnight and ends on the following Sunday at midnight. Therefore, please ensure your TCM is visiting for the minimum requirements set out in the guidance.

Action- Please provide NRW with copies of the TCM certification by 13th May 2024.

Green waste

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James informed officers that there was a structural issue with the slab in the green waste storage area. Consequently, they are temporarily transporting green waste to a Household Waste Recycling Centre in Cardiff.
Construction workers were on site during the visit, rectifying the structural issue.
James informed officers that he would provide any pertinent updates as necessary.

Summary

No permit breaches were identified.

Many thanks for your time during the inspection.

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Amy Bailey on 0300 065 3000, or via email at Amy.bailey@naturalresourceswales.gov.uk

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 Waste compliance criteria (used in section 1 and 2):

1. Management
- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations
- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring
- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information
- W4A – Records
- W4B – Reporting
- W4C – 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.