

Compliance Assessment Report CAR_NRW0044845

Permit number	CB3393ZB	Operator name	GLJ Recycling Limited
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Site name	GLJ Recycling Limited
Site address	Lower Chapel Bridge Yard, Cwmcarn, Cross Keys, Newport, NP11 7NL
Assessment type	Incident Response

Date of assessment	12 June 2024	Time in	10:00	Time out	12:00
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Parts of permit assessed	See Part 4
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NRW Lead officer	Guy Baskerville	Accompanied by	Wayne Grimstead
Report sent to – Name and position	[REDACTED] Director	Date	30 July 2024

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR3I - Emission and Monitoring - Fire	Assessed or assessed in part (A)	2.3.1(a) 2.3.2 3.7.1

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

Total number of non-compliances recorded	Total non-compliance score
0	0

2. What action is required?

Criteria	Action needed	Complete by
N/A	N/A	N/A

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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter NRW) findings following an investigation into the circumstances surrounding the fire that occurred at the installation on 04 June 2024.

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]
Wayne Grimstead [Team Leader]

GLJ Recycling Limited

[REDACTED] [Director]

Regulatory Context

Between around 10:15 and 13:00 on 04 June 2024, Natural Resources Wales received a number of complaints in relation to a suspected fire and explosions at GLJ Recycling Limited, Cwmcarn. At around 10:30 on 04 June 2024, the operator confirmed that a fire had occurred and was ongoing. The operator advised that the fire was believed to have been caused by the rupturing of a compressed gas container and that the fire had caused a number of other compressed gas cannisters to explode.

Condition 3.7.1 of the environmental permit states:

The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention and mitigation plan guidance.

Condition 2.3.1(a) of the environmental permit states:

The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.

Table S1.2 of the environmental permit is partially reproduced below.

Table S1.2 Operating Techniques		
Description	Parts	Date Received
Fire Management Plan revision 2	All parts	28/05/2021

A Fire Management Plan (version 2) was submitted to Natural Resources Wales on 28 May 2021 to support an application for a new bespoke environmental permit. The plan was reviewed by the NRW permitting officer during the determination of the permit application.

Condition 2.3.2 of the environmental permit states:

Waste shall only be accepted if:
(a) it is of a type and quantity listed in schedule 2 tables S2.1; and
(b) it conforms to the description in the documentation supplied by the producer and holder.

The operator is not authorised to accept waste compressed gas cylinders containing residual gases (European Waste Catalogue (EWC) code 16 05 04*, 16 05 05).

The operator is authorised to accept a range of other metal wastes, including metallic packaging (EWC 15 01 04), which may be the appropriate EWC code for fully discharged waste compressed gas cylinders in isolation. In some

circumstances, fully discharged waste compressed gas cylinders may exist in a mixed waste load (e.g. following mechanical sorting at a permitted facility) and the waste load would be attributed a different EWC code, relevant to the activity which gave rise to the waste load.

Waste compressed gas cylinders containing residual gases should always be assumed to be hazardous waste (pending a thorough assessment) and never mixed with other wastes.

On 7 June 2024 the operator provided CCTV footage of the events leading up to the fire and the actions undertaken after the fire began. The footage is date and time stamped, taking place between 09:23 and 09:50 on 04 June 2024. The footage portrays a high sided skip lorry deposit loose waste scrap alongside the edge of an existing waste scrap stockpile. The deposited scrap is partially obscured by a horse car in the fore ground of the footage. A crane mounted grab is observed transferring scrap from the existing waste stockpile into the pre-shredder whilst a loading shovel begins to push the newly deposited loose scrap towards the existing stockpile. At approximately 09:39, as the loading shovel is pushing the newly deposited scrap towards the existing scrap stockpile, a flash is observed within the waste mass, followed by flames and smoke. The crane mounted grab begins transferring the burning waste from the stockpile into an open area, away from other waste stockpiles, whilst site personnel use handheld fire extinguishers on the separated waste and the existing waste stockpile. Two further crane mounted grabs begin transferring the burning waste from the stockpile into the open area and several more fire extinguishers are used. Beginning at approximately 09:43, and continuing throughout the remaining footage, multiple audible pops can be heard alongside smaller outbreaks of flames observed in the separated waste and the existing waste stockpile. Towards the end of the footage, a significant amount of smoke is grounding across the site.

On 12 June 2023, an investigation was undertaken by NRW to identify whether the fire and resulting explosions were caused by non-compliance with any relevant permit condition(s).

The inspection involved a desk-based assessment of documentation and records to evidence compliance with the Fire Management Plan and permitted waste types.

Waste pre-acceptance and acceptance is a fundamental component of the Fire Management Plan; therefore they shall be addressed together.

Section 3.1. of the Fire Management Plan identifies waste compressed gas cylinders containing residual gases as potential sources of ignition/explosion and section 3.2.10 presents waste acceptance procedures as mitigation measures against accepting these wastes. However, the mitigation measures are presented in the context of waste gas cylinders containing residual gases hidden in waste *end of life vehicles* (ELVs) rather than in scrap metal waste loads.

Section 3.12 of the Fire Management Plan further describes waste acceptance procedures as mitigation measures against accepting potential sources of ignition/explosion, including but not limited to waste compressed gas cylinders containing residual gases.

Visual inspection of incoming waste loads in high sided skips is performed by observing the live feed from cameras mounted above the weighbridge. The operator explained that the feed from this camera is not recorded, so we were unable to inspect this footage as part of our investigation. We would expect any evidence of gas cylinders being present in a mixed waste load to trigger a more thorough investigation prior to waste being accepted but acknowledge that a visual inspection at this stage is limited to the surface of the waste mass.

A further visual inspection of the waste is performed upon its deposit. Where a waste load is made up of mixed loose articles of waste, a loading shovel is used to separate the waste and identify any non-conforming waste. The operator explained that a loading shovel is used given the health and safety risks associated with hand sorting waste scrap.

The producer, transferor and transferee of the waste load which contained the waste compressed gas cylinder containing residual gases was Merthyr Tydfil County Borough Council. Merthyr Tydfil County Borough Council are regular customers of the operator and routinely transfer waste scrap from their permitted household waste collection facilities using their own vehicles. Given the regularity with which waste is transferred between these facilities, and in accordance with the Waste Duty of Care Code of Practice, an annual season ticket is prepared in lieu of multiple duty of care waste transfer notes. A copy of the annual season ticket was made available by the operator, alongside the advice note and weighbridge ticket generated by the operator upon receipt of the waste load of concern. These 3 documents are presented below as figure 1, figure 2 and figure 3. The European Waste Catalogue (EWC) code

attributed to the waste load by the waste producer and recorded on the annual season ticket is 19 10 02. The catalogue description of this waste code is *non-ferrous metal*, and it is listed under the sub-chapter *wastes from shredding of metal-containing waste*. The European Waste Catalogue (EWC) code attributed to the waste load by the waste receiver (i.e. the operator) and recorded on the advice note is 19 12 02. The catalogue description of this waste code is *ferrous metal*, and it is listed under the sub-chapter *wastes from the mechanical sorting of waste*. The disparity between the two recorded EWC codes has not been accounted for by the operator or the waste producer, but it is very unlikely to have contributed to the fire event. The operator is permitted to accept both waste types and therefore no non-compliance has occurred.

Regardless of the disparity discussed above, the existence of waste compressed gas cylinders containing residual gases in the waste load is likely to result in a waste offence having been committed by Merthyr Tydfil County Borough Council, either as a result of the miscoding of the waste, the mixing of hazardous waste with non-hazardous waste, or both. This matter will be passed to the relevant NRW regulatory team for investigation.

The operator has instated dedicated bays for wastes transferred to site and deposited by itinerant 'rag and bone' waste producers, deemed to present the highest risk of bringing non-conforming wastes onto site. These bays allow the operator to undertake more robust pre-acceptance visual inspections of waste loads, at a discreet location away from the main stockpiles. Any suspicious waste articles are quarantined, and all gas cylinders are assumed to contain residual gases. Wastes transferred to site by local authorities are deemed low-risk and are assumed to have been subject to appropriate waste management controls at the receiving permitted facility prior to transfer. The operator has asserted that they have not received any non-conforming waste from Merthyr Tydfil County Borough Council operated facilities in the past.

Whilst it must be acknowledged that non-conforming waste was accepted by the operator, the EWC code and the waste description recorded in the documentation provided by the waste producer corresponds to a waste type that the operator is authorised to accept. Waste acceptance procedures were followed to the extent that the operator deemed appropriate to the risk of non-conforming waste being transferred by a local authority customer with no history of irregular waste loads. More thorough visual inspection of a waste load at the point of deposit may be possible if undertaken by hand but given the inherent health and safety concerns associated with this approach, we cannot advocate this.

Accordingly, we consider that no non-compliance with the environmental permit has occurred and the fire and resulting explosions were caused by failings by the waste producer, which are outside the control of the operator.

Following the fire, the operator has shared the outcome of their investigation with Merthyr Tydfil County Borough Council, who have acknowledged their role in causing the fire and resulting explosions. Emails between the operator and Merthyr Tydfil County Borough Council were presented to us as part of our investigation. Merthyr Tydfil County Borough Council have instated additional control measures at its facilities to reduce the potential for waste compressed gas cylinders to enter waste loads destined to be transferred to the installation.

The operator has stated an intention to undertake awareness visits to other customers, during which they will share CCTV footage of the fire and discuss the dangers posed by waste compressed gas cylinders containing residual gases.

The carcasses of the compressed waste gas cylinders were collected (as far as practicable) and moved to the quarantine area (see figure 4 below) prior to being transferred offsite.

[END]

1 **Duty of care: waste transfer note** Keep this page and copy it for future use. Please write as clearly as possible.

Section A – Description of waste

A1 Description of the waste being transferred annual note from 01/04/204 - 31/03/2025. **A2** How is the waste contained? Loose Sacks Skip Drum Other 40 cubic yard open top container

Ferrous Metals **A3** How much waste? For example, number of sacks, weight 1 x 40 cubic yard open top container weekly

List of Waste Regulations code(s) 19 10 02

Section B – Current holder of the waste – Transferor

By signing in Section D below I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011 Yes

B1 Full name Christian Jones **B3** Are you: The producer of the waste? The importer of the waste? The local authority? The holder of an environmental permit? Permit number EPR/ZB3197TJ/EPR/ZB3797TH Issued by NRW Registered waste exemption? Details, including registration number **B2** Name of your unitary authority or council MTCCB A registered waste carrier, broker or dealer? Registration number CBDU026143 Details (are you a carrier, broker or dealer?) carrier

Section C – Person collecting the waste – Transferee

C1 Full name Martin Price/Michael Davies/Wesley Jones **C3** Are you: The holder of an environmental permit? Permit number EPR/ZB3797TH Issued by NRW Registered waste exemption? Details, including registration number A registered waste carrier, broker or dealer? Registration number CBDU026143 Details (are you a carrier, broker or dealer?) carrier

Section D – The transfer

D1 Address of transfer or collection point GLJ LOWER CHAPEL BRIDGE YARD CHAPEL FARM INDUSTRIAL ESTATE, NEWPORT NP11 7NL Postcode NP11 7NL Date of transfer (DD/MM/YYYY) 01/04/2024 **D2** Broker or dealer who arranged this transfer (if applicable) Postcode Registration number Time(s)

Transferor's signature C. Jones Name Christian Jones Representing MTCCB Transferee's signature Amanda Kendall Name AMANDA KENDALL Representing GLJ RECYCLING LTD

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2 **J Recycling Ltd**

Lower Chapel Bridge Yard Cwmcam Newport Caerphilly NP11 7NL
Tel: 01495 272988
Email: mandy@gljrecycling.com
Fax: 01495 2 2988
SIC: 38320

Advice Note

Name & Address	Date	Time	Vehicle No.
Merthyr Council Waste Services Merthyr Tydfil County Borough Council Unit 5, Triangle Business Park Merthyr Tydfil CF48 4TQ	04/05/2024	14:44:22	KY24 MDV
Number	Acc. No.	SIC Code	
ADV120953	000477		

Ref	Description	Units	Weight
	Gross COMS 0 0		21 600
	Tare COMS 0 0		17 140
0	LIGHT IRON EWC Code: 191202		4 460
1	Waste by Load	1 000	0 000
2	CLEAN UP CHARGE	1 000	0 000

Evidence raised by GLJ Recycling Limited Total Weight: -4.460

Container: Loose Holder: License No: Signed: Signed: Full Name: Jessica Powell Full Name: Representing: G L J Recycling Ltd Representing: Merthyr Council

VAT Number: 269 4234 79
Waste Carrier No: CBDU8567 Site Permit No: EPR/CB3393ZB Registered In England No: 6345633

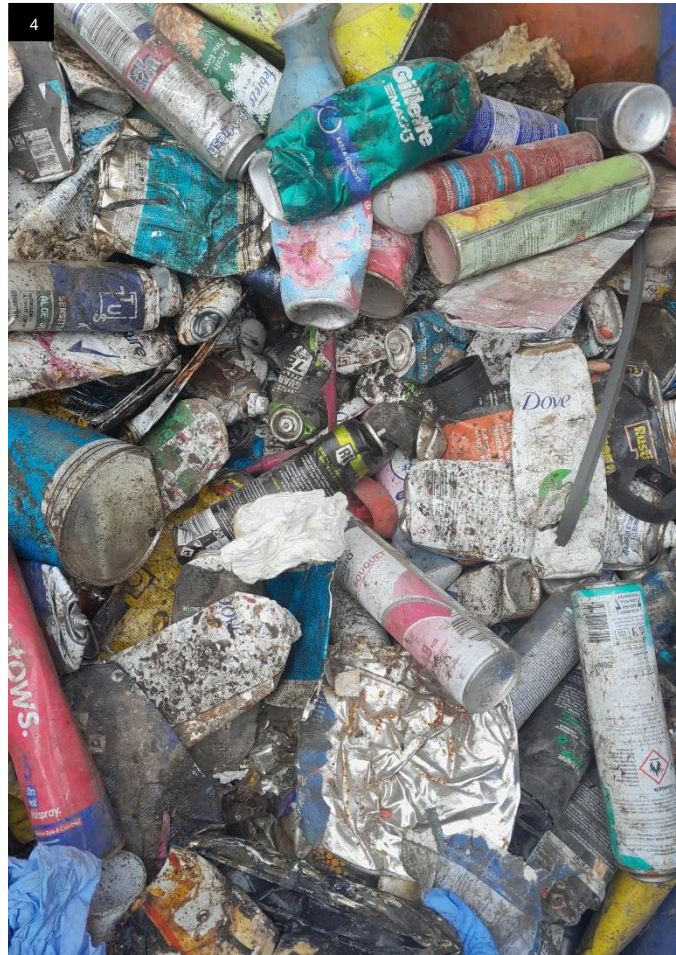
3 **GLJ RECYCLING** Lower Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcam, Newport NP11 7NL Tel: 01495 272988 Fax: 01495 270440 www.gljrecycling.com

TICKET No. 107387

21600 kg
04-06-24 09:21
21600 kg
04-06-24 09:29
17140 kg
4460 kg
-3500.74

CUSTOMER / SUPPLIER: Merthyr Council
DESCRIPTION OF LOAD: Light Iron
HAULIER: OT
VEHICLE REG'N. No.: KY24MDV
DUTY OF CARE No.:
Site/ELV Permit No: EPR/D83097/JT001 Waste Carriers Licence No: CBDU8567
DRIVER SIGNATURE: WEIGHMAN'S SIGNATURE

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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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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 – 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.