

Compliance Assessment Report CAR_NRW0045040

Permit being assessed: MB3097TG.

For: Abergele Civic Amenity Site, **held by:** Bryson Recycling Ltd

At: Rhuddlan Road, Abergele, Conwy, LL22 9SE.

Type of assessment: Site Inspection,

Reason: Routine.

On: 18/07/2024 between 13:15 and 14:30.

Parts of permit assessed: see below.

NRW Lead Officer: Sorchá Barry, accompanied by Sarah Walton.

Report sent to: Gareth Walsh, General Manager , on 27/08/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2A - Waste - Operations - Permitted activities	C3 Minor	4.6.1
W4B - Waste - Information - Reporting	C4 No impact	6.2.2
W4B - Waste - Information - Reporting	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	
W3C - Waste - Emissions and monitoring - Odour	Assessed (A)	
W3F - Waste - Emissions and monitoring - Pests	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
2	4.1

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
W2A	Ensure fridges and freezers are stored in sealed,	31/10/2024

Criteria	Action needed	Complete by
	weatherproof containers.	
W4B	Submit outstanding waste return for quarter 2, 2024.	31/10/2024
W4B	Specify what waste code is assigned to fridges and freezers that are accepted to site and specify exactly what waste is being accepted to site under EWC code 20 01 06	31/10/2024
W1A	Please submit a copy of the most recent version of the working plan for Abergele CA site.	31/10/2024

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Site

Abergele Recycling Centre - Bryson Recycling Limited

Rhuddlan Rd, St George, Abergele LL22 9SE

Permit number - **MB3097TG**

Type of Inspection

Routine unannounced site inspection.

Present

NRW Waste Regulation Higher Education Placement Sorchá Barry and NRW Waste Regulation Officer Sarah Walton

Officers were accompanied by Bryson Recycling general manager for Wales Gareth Walsh

Description of Inspection

Site inspection conducted on the 18th of July 2024 at 1:15pm.

Weather conditions throughout the visit was dry and mild.

Upon arrival to site, the site entrance was tidy and clear of debris. There was clear signage with the permit/permit number present on one of the entrance gates.

Different points relating to the permit were assessed.

Permit condition 4.4.2 – W2A

Permit condition 4.4.2 states:

“All wastes accepted at site shall be handled, kept and recorded in accordance with the standards specified in Table 4.4”

Storage of mixed WEEE – most WEEE was stored in an uncovered skip (see photographs below), however TVs and monitors were stored in storage containers which were weatherproof.

Bays and containers were labelled appropriately in accordance with section c)i) and ii) of Table 4.4.

Waste vapes were stored in a plastic container (see photograph below). For your information, waste vapes should be classified as EWC code 20 01 35*. This is the most appropriate EWC code as there is currently no research that provides adequate evidence that waste vapes are non-hazardous.



Permit (MB3097TG) held at site was granted pre the WEEE Directive implementation and does not include a condition which references the requirement to comply with the WEEE Directive. As a result, the storage of WEEE under weatherproof covering is not a requirement in line with the permit in this instance.

Other permits held by Bryson Recycling Limited may have separate conditions that require WEEE to be stored under weatherproof covering.

The Producer Compliance Scheme/Distributor takeback scheme should also be considered. Conwy are [listed as providing designated collection facilities](#) via a number of Producer Compliance Schemes (Depending on the type of WEEE) and of course, any contractual agreements required in line with this would have to be met. It is good environmental practice to store such waste under cover in order to ensure the recyclability of the waste and reduce pollution risk at your sites.

For information, the present WEEE Regulations are in the process of being reviewed, with the Governments response to the consultation expected this year. A key driver for this reform is to increase the re-use,

collection, and recycling of electrical items (EEE) so we may possibly see some change later in the year.



Permit condition 4.6.1 – Storage of waste with specified hazardous properties or forms – W2A

Fridges and freezers from domestic properties were identified as being stored outside in an uncovered cage (see photograph below).

Waste fridges and freezers from domestic properties are classified as hazardous waste due to the refrigerants and other components they contain which can be harmful to both human health and the environment.

Fridges and freezers Fridges being kept outside and uncovered are at higher risk of degradation due to the elements therefore, they must be stored in weatherproof, sealed containers.

With reference to permit condition 4.6.1 of environmental permit MB3097TG which states:

“..wastes displaying any of the hazardous properties or forms specified in Table 4.6 shall only be handled and/or stored on the site in accordance with the standards specified in Table 4.6”

And section h of Table 4.6 which states that hazardous household waste:

“shall only be stored in sealed containers within a secure hazardous waste store”

A CCS Category 3 score has been recorded for this non-compliance against permit condition 4.6.1.

Action: Ensure fridges and freezers are stored in sealed weatherproof containers.

**Permit condition 6.2.2 – Summary records of wastes accepted and removed – W4B**

It was noted on waste returns for Q2, Q3, and Q4, 2023 and Q1 2024 that no fridges and freezers are declared as 'incoming'. It is queried what waste code is assigned to fridges and freezers that are accepted to site.

It was noted on the waste returns that EWC code 20 01 06 (absolute non-hazardous waste code) is describing incoming waste as WEEE and LDA (large domestic appliances). Please specify exactly what waste is accepted to site under this waste code.

Action: Specify what waste code is assigned to fridges and freezers that are accepted to site and specify exactly what waste is being accepted to site under EWC code 20 01 06.

Quarter 2 (April – June), 2024 waste returns have not been submitted to NRW within 1 month following the end of quarter 2.

With reference to permit condition 6.2.2 of environmental permit MB3097TG which states:

“A summary record of the waste types and quantities removed from the site shall be made for each quarter of the financial year and shall be submitted to the Agency within 1 month following the end of that quarter”

A CCS Category 4 score has been recorded for this non-compliance against permit condition 4.6.1 as there is no potential for any environmental impact.

Action: Submit outstanding waste return for quarter 2, 2024.

Permit condition 1.1.1 – W1A

Permit condition 1.1.1 of environmental permit MB3097TG states:

“No waste management operation shall be authorised by this permit unless: specified in and undertaken in accordance with the limitations in section 1.1 of the working plan..”

Action: Please submit a copy of the most recent version of the working plan.

Permit condition 2.1.1 – Provision and maintenance of site containment and drainage systems – W3B

Waste was segregated appropriately and stored on an impermeable surface with sealed drainage.

Permit condition 5.2.2 – emissions from site – W3C

Site was free of odour.

Permit condition 5.3.1 – pests – W3F

No pests were observed during the visit.

Permit condition 3.2.1 – Site security – W1A

Site security was good with well-maintained fence and lockable gate.

Permit condition 3.1 – Provision of site Identification board – W1A

Site had an appropriate identification board provided at the site entrance.

Thank you for assisting us during our visit.

Sorcha Barry

Lleoliad Addysg Uwch Rheoleiddio Gwastraff / Waste Regulation Higher Education Placement

Tîm Lleoliadau Rheoleiddio Gwastraff / Waste Regulation Placements Team

Cyfeiriad / Address: Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

In this document ‘Natural Resources Wales’ means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012

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.