

Compliance Assessment Report CAR_NRW0045221

Permit being assessed: KP3636HB.

For: The Recycling Centre EPR/KP3636HB, **held by:** Egan Waste Services Limited

At: Egan Waste Services Recycling Centre Unit A15 Treforest Industrial Estate ,
Pontypridd, CF37 5TA.

Type of assessment: Site Inspection,

Reason: Routine.

On: 12/04/2024 between 09:45 and 11:45.

Parts of permit assessed: Site visit / Quarter one & two waste returns.

NRW Lead Officer: Dale Padfield.

Report sent to: -, Environment Manager, on 18/09/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2B - Installations - Operations - The site	Action only (X)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	Action only (X)	
IR1A - Installations - Management - General Management	C3 Minor	1.1.1(a)
IR2B - Installations - Operations - The site	Action only (X)	
IR4B - Installations - Information - Reporting	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
IR2B	Action 1: Please provide an update with regards to the re-surfacing work, and any copies of reports from a quality	15/11/2024

Criteria	Action needed	Complete by
	inspection. This relates to Improvement Condition 8 – BAT 19, site needs to demonstrate how the impermeable surface meets the requirements of CIRIA C736 or an equivalent engineering standard.	
IR3A	Please provide an update with regards to the sampling in relation to IC7. Please provide a report to satisfy the requirements of IC7 and enable an agreement to be reached on the expected compliance monitoring to be undertaken on site.	15/11/2024
IR1A	Action 3: Implement a more detailed checking procedure for the on-site storage tanks and associated bunds. Please provide NRW with a copy of the procedure once developed.	15/11/2024
IR2B	Action 4: Provide an update with regards to the tank overflow pipework repair and the instalment of a tank level measuring device. Please also provide an update with regards to the formal tank inspections.	15/11/2024
IR4B	Please provide clarification on why the waste consigned as 08 04 10 was allocated the HP 9 hazard statement within the consignment note.	15/11/2024

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

Egan Waste Services Limited

EPR/KP3636HB

This compliance assessment report (CAR) details the following:

- Site handover visit undertaken on the 12/04/2024.
- Assessment of quarter one waste returns 2024.
- Assessment of quarter two waste returns 2024.

Site handover visit

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Officers D.Padfield and M.Wall undertook a site visit on the 12/04/2024. The primary purpose of the visit was to introduce the new regulatory officer and conduct a familiarisation inspection of the site layout and operations.

The following observations were made during the visit:

- The process flow was described, from the waste inputs to the various operations of sorting and bulking waste for onward recovery or disposal. Site operations appeared well segregated, and the external areas were relatively tidy during the visit. The recycling building held various loose piles of waste, however this was all contained within the building, and is expected from the nature of the activity – Trommel & picking lines.
- Works were continuing the repair and re-surfacing of the concrete slab within the yard, this was being undertaken in a phased approach. Egan originally estimated the work to be completed by the end of August 2023, at which point a quality auditor was due to inspect the works.

Action 1 - Egan Waste Services 18th September 2024: Please provide an update with regards to the re-surfacing work, and any copies of reports from a quality inspection. This relates to Improvement Condition 8 – BAT 19, site needs to demonstrate how the impermeable surface meets the requirements of CIRIA C736 or an equivalent engineering standard. Due **15/11/2024**.

- The sampling programme was stated as close to completion during the visit, this was in relation to gathering data to satisfy Improvement Condition 7 (IC7). The nature of the discharge results in some difficulties obtaining samples, however, ample time has now been provided to enable a representative data set to have been obtained. As such, it is expected that Egan should now have enough data to satisfy IC7, and a report should be submitted detailing what determinands are proposed in and out of scope for the purpose of the ongoing compliance monitoring.

Action 2 - Egan Waste Services 18th September 2024: Please provide an update with regards to the sampling in relation to IC7. Please provide a report to satisfy the requirements of IC7 and enable an agreement to be reached on the expected compliance monitoring to be undertaken on site. Due **15/11/2024**

The various oil separator tanks and tank farm were seen. Several points were raised in relation to these.

- A hole for disused services penetrated through the bund wall of the tank farm. Best practice is to route any service pipework or cabling over the bund. A hole in the bund wall reduces the capacity of the bund and ultimately negates the usefulness of the bund. An email from Egan on the 18/06/24 stated the disused pipe had been removed and the hole had been sealed.
- On the oil-water separator tank a section of piping was broken in multiple areas. The pipe was part of the overflow system and Egan stated that the tank is never allowed to reach full capacity. However, had the tank been accidentally overfilled, the broken overflow pipework would have provided a pathway for potentially contaminated water to escape to the environment. The tank measuring device was also not functional, which increases the risk of an accidental overfilling of the tank. Egan

stated in an email on the 18/06/24 that the damaged overflow pipe would be scheduled for repair and a 'cat and mouse' float measuring device would be fitted to the tank.

It was evident the pipe had been broken for some time, as such the broken pipe should have been identified during the visual inspections conducted by Egan. As such, this is seen as a permit non-compliance and the following non-compliance will be issued.

Non-compliance: *A category 3 minor non-compliance is issued for failing to manage and maintain the plant & equipment in a safe operational condition, which had the potential to cause an environmental impact. This is a breach of permit condition 1.1.1. It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.*

Egan's weekly and monthly check sheets include a check for 'Tank farm condition' but there is no mention of a bund check on these sheets. The site would benefit from a more detailed check sheet specifically for the tanks and bunds, ensuring ancillary equipment and pipework are included as part of the routine checks.

Action 3 - Egan Waste Services 18th September 2024: Egan to implement a more detailed checking procedure for the on-site storage tanks and associated bunds. Please provide NRW with a copy of the procedure once developed. **Due 15/11/2024.**

The age and condition of the tanks was discussed and what planned preventative maintenance regimes Egan employed to ensure the continued safe functionality of the tanks and bunds. Egan stated that visual checks were undertaken of the tanks and the bunds are inspected for rainwater and emptied when required. Egan were unsure when the last formal inspection of the tanks was conducted and stated in an email on the 18/06/24 that an external company was being sought to provide periodic tank inspections.

Action 4 - Egan Waste Services 18th September 2024: Please provide an update with regards to the tank overflow pipework repair and the instalment of a tank level measuring device. Please also provide an update with regards to the formal tank inspections. **Due 15/11/2024.**

The containment aspects on site will form a future compliance topic and will be audited in more detail at a later date.

- Queries were raised on aspects of the drum store such as temperature monitoring of the oily rags storage and any means of fire detection within the building. At the time of inspection Egan did not employ any temperature monitoring of the oily rags nor was there a system in place for fire detection. Egan stated in an email on the 16/04/2024 that a temperature gun had been ordered and a procedure was being written to implement temperature monitoring of the oily rags storage. Further to this, a company had been contacted to quote for a fire detection system within the drum store.

Quarter 1 (January – March) 2024 Waste Returns

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The returns were submitted on time. One EWC code (08 04 10) was identified as accepted but not permitted. Egan stated the code was allocated in error, and the correct code should have been 08 04 09. The waste was from a customer 'Direct Healthcare' and the waste should have been assigned 08 04 09 – waste adhesives containing hazardous.

The consignment note for this waste provides the following details –

EWC 08 04 10 – Description -Proaqua Activator / Quantity - 300 kgs / Component – Zinc Sulphate / Concentration – 20% / Physical form - Liquid / Hazard code – HP 9 / UN number 3082 / UN Classes - 9

HP 9 is a hazard code associated with infectious waste and is linked EWC codes 18 01 03 / 18 02 02 / 18 01 04 / 18 02 03.

Zinc Sulphate has the following associated Hazard statement codes – H302 / H318 / H410

A hazardous waste assessment indicates the waste is hazardous by HP4 (concentration of H318 is greater than 10%), and therefore agree with Egan's conclusion.

However, it is unclear why the consignment note indicates the waste is hazardous by HP 9.

Action 5 - Egan Waste Services 18th September 2024: Please provide clarification on why the waste consigned as 08 04 10 was allocated the HP 9 hazard statement within the consignment note. **Due 15/11/2024.**

Several wastes were identified as leaving site with EWC codes not permitted as accepted wastes (and did not appear within the accepted wastes). Egan provided the consignment notes and a detailed explanation for each consignment. Situations can occur when unpermitted waste is identified within a consignment of permitted waste, and in these situations the operator must implement their procedures for dealing with unpermitted waste. Egan's non-permitted waste procedure includes the requirement to record the occurrence on a non-conformance form – (SHEQ-FOR-QAS-009).

Action 6 - Egan Waste Services 18th September 2024: Egan to provide copies of the SHEQ-FOR-QAS-009 form for the waste with the following EWC codes from the Quarter 1 2024 returns - 05 01 17 / 06 01 02 / 06 02 05 / 08 05 01 / 11 01 11 / 14 06 02 / 16 03 04. **Due 15/11/2024.**

Quarter 2 (January – March) 2024 Waste Returns

The returns were received on time. All accepted EWC codes are compliant with the permit. The returns are accepted.

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.