

Compliance Assessment Report CAR_NRW0045335

Permit being assessed: NP3233XX.

For: Bridgend Waste Management Centre, **held by:** Tradebe Gwent Limited

At: Factory Lane, Pencoed, BRIDGEND, CF35 5BQ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 06/09/2024 - 02/10/2024.

Parts of permit assessed: Permit condition 4.2.3 and permit condition 3.1.3.

NRW Lead Officer: Geraint Harris.

Report sent to: Site Manager, Site Manager, on 02/10/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Installations - Information - Reporting	C4 No impact	Permit Condition 4.2.3.
IR1A - Installations - Management - General Management	Action only (X)	
IR4A - Installations - 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
1	0.1

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
IR4B	Submit the missing monitoring returns	Already completed
IR1A	Please explain why the sampling was left until the last day of the reporting period and please explain how you intend to prevent this from happening going forward?	01/11/2024
IR4A	Please submit an interpretation of the site condition report results	31/12/2024

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Waste Treatment BREF

NRW are a completely different entity to the E.A and therefore are not binding to any of their decisions. NRW feel that sufficient time has passed for improvements to be made since the issuing of the Waste Treatment BREF, in August 2018. Therefore, as stated within Tradebe Gwent's compliance report (CAR_NRW0044532), the BAT AEL's must come into effect and will apply from the start of September 2024. Additionally, the temporary requirement to submit S1 monitoring returns on a quarterly basis will now revert back to 6 monthly as stipulated in the permit.

EWC Codes

During a permit variation in 2021, EWC 200125 (which is present in the previous version of the permit) was inadvertently omitted from the new version. This appears to be an oversight since no specific reason for this omission is stated within the varied permit's decision document. Therefore, NRW will allow Tradebe to accept waste coded with EWC 200125 and ask that they ensure it is included in the next permit variation application.

Monitoring Returns

NRW received the monitoring returns for Q2 on the 22nd of July. The monitoring for a number of substances was missing from the report. Tradebe reported that delays from their external lab meant that the results would be another 3 weeks from the 22nd of July. The remaining results were received on the 27th of August. However, the sampling dates were incorrect. The forms were then resubmitted on the 6th of September with the correct dates. A review of the data shows that the samples were taken on the 30th of June which is the last day of the reporting period.

To provide sufficient time for processing and analysis, operators should plan the taking of samples early enough in the quarter to allow for this time and to allow for any process upsets. Taking samples on the last day is not good practice. Consequently, NRW are issuing Tradebe with **a category 4 non-compliance against permit condition 4.2.3** for failure to report in accordance with the timescales specified in their permit. Failure to submit reports by their due date usually indicates deficiencies in an operator's management system.

Systems should be in place to ensure that all samples are taken in sufficiently early time to ensure reports are submitted by their due date.

Action1: Please explain why the sampling was left until the last day of the reporting period and please explain how you intend to prevent this from happening going forward? **Due 1st November 2024.**

The monitoring returns revealed that quarterly monitoring of AOX was 1.49mg/l versus a limit of 1.0mg/l. All the other substances/parameters were within the permit limits. When taking into account the uncertainty budget for AOX (see later), 1.49mg/l will still be an exceedance of the ELV. Therefore, a noncompliance is being issued and suspended in line with the arrangement made in compliance form CAR_NRW0044643 . Please keep in mind that this arrangement finished in September 2024 and so will no longer apply to any future submissions.

AOX Monitoring

As stated in compliance report CAR_NRW0040524, BAT Conclusion 7 outlines the required monitoring frequencies for numerous parameters and substances. However, within the subtext at the bottom of the table of BAT 7 it states "Monitoring frequencies may be reduced if the emission levels are proven to be sufficiently stable". Tradebe were initially granted a reduction in the monitoring frequency of AOX based on 15 sets of low and stable data. However, since issuing this compliance report Tradebe have had intermittent elevated levels of AOX demonstrating that AOX levels are not stable. In response to this Tradebe have stated the following:

"We are still carrying out lab trials to try and identify the best activated carbon to reduce/remove the very low levels of AOX that we are seeing in the effluent.

Also, AOX covers a very broad group of chemicals, many of which are biodegradable. We would like to carry out further work to determine what form of AOX is present and if that form is actually hazardous to the environment.

While the above work is in progress can I suggest we move the monitoring frequency to monthly and review once work has concluded."

NRW agree with them increasing the frequency to monthly. However, If the results continue to show elevated AOX levels, this monitoring frequency may need to be reduced even further.

Uncertainty

For measurements to be fit for purpose some knowledge of these errors is required. Every measurement has an uncertainty associated with it, resulting from errors arising in the various stages of sampling and analysis and from imperfect knowledge of factors affecting the result. The Environment Agency (NRW) may request a statement of the uncertainty associated with a reported result. In compliance assessment report CAR_NRW0043531 the following action was issued to Tradebe:

Compliance report CAR_NRW0043531 Action 2: please calculate the uncertainty of all the

results in your S1 form, especially for Lead, chromium, Copper and AOX. Technical Guidance Note (Monitoring) M18, Monitoring of discharges to water and sewer provided some guidance on calculating uncertainty. Due no later than the 20th February.

In response, Tradebe have provided an evaluation of the quantification of uncertainty associated with the analytical measurements taken on the trade effluent discharged to sewer from their site. The report has utilised two methods. The first method relates to analysis undertaken by a third party testing company and calculates the uncertainty based on the supplier's method statements. Whilst the second method calculates the uncertainty based on varying levels of uncertainty from internal laboratory analysis.

The result of this work has been to establish a set of uncertainty estimates for each of the substances listed in their permit. As it says in their report, these are only to be used as a guide to the level of uncertainty, since some smaller sources of error may not have been accounted for including errors associated with sampling.

Containment Audit Follow-up

Compliance report CAR_NRW0044516 Action 1: Tradebe to investigate why tank T5 was required to have a reduced inspection frequency and provide a response in the next compliance meeting.

Tradebe have forwarded the following response from R&K Inspection Services (RAK), a third-party UKAS accredited inspection service:

“During the initial examination, internal corrosion was found to the bottom head. To gather a corrosion rate, an interval of 12 months was set at the initial inspection. In 2023, a follow-up inspection found the area to be of similar thickness with a slow corrosion rate. Calculations showed that the initial Written Scheme of Examination interval of 72 months could be reinstated. So as such, the interval was initially decreased but has since been reinstated.”

This response shows Tradebe are taking the necessary steps when it comes to managing the integrity of their primary tanks. This action is considered complete.

Periodic Groundwater and Soil Analysis

NRW received a Site Condition Report from Tradebe on the 27th of August 2024. According to the report, this work has been undertaken to satisfy ongoing compliance with the Environmental Permit (“EP”), specifically condition 3.1.3 which states:

‘Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.’

Upon review of this report further work is still required by Tradebe. The periodic monitoring report should be a factual report, supported by a detailed interpretation of the results to determine whether releases to ground or groundwater have occurred or are occurring. This may include graphs of trends and for groundwater, contour plots. It will not be sufficient just

to forward on the raw data. The interpretation should be made in the context of previous monitoring results and the initial site condition report, and should identify any change in soil or groundwater quality. Where a negative change (other than that within the margins of analytical error or attributable to background variability) in soil or groundwater quality is identified the report should include an assessment of where the release has come from, details of any further investigations necessary, timescales, proposals for corrective action and the frequency of monitoring should be reviewed.

Until a detailed interpretation of the results as described above is complete, NRW don't consider permit condition 3.1.3 to be satisfied.

Action 2: Please submit an interpretation of the site condition report results by the **31st of December 2024**.

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.