

## Compliance Assessment Report CAR\_NRW0045330

**Permit being assessed:** WB3993HE.

**For:** Gellia'r-gwellt Uchaf Transfer & Composting Station, **held by:** Bryn Recycling Limited

**At:** Gellia'r-gwellt Uchaf Transfer & Composting Station, Hengoed, Caerphilly, CF82 8FY.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 30/09/2024 between 10:00 and 11:15.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Greg Gardner.

**Report sent to:** Mr. Alun Price / Ms. Jennifer Price, Director / Site Manager & AD Plant Manager, on 15/10/2024.

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

| Part of permitted activity assessed (compliance criteria)    | Assessment result | Permit condition |
|--|-------------------|------------------|
| W3G - Waste - Emissions and monitoring - Fire                | C3 Minor          | 3.6.1            |
| W1A - Waste - Management - General management                | Assessed (A)      |                  |
| W2A - Waste - Operations - Permitted activities              | Assessed (A)      |                  |
| W2C - Waste - Operations - Operating techniques              | Assessed (A)      |                  |
| W2D - Waste - Operations - The site                          | Assessed (A)      |                  |
| W3C - Waste - Emissions and monitoring - Odour               | Assessed (A)      |                  |
| W3D - Waste - Emissions and monitoring - Noise and vibration | Assessed (A)      |                  |

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 |
|----------|---|-------------|
| W3G      | Reduce height and size of oversize green waste stockpile to ensure waste(s) on site are stored in accordance with your FPMP (and EMS) and in compliance with NRW FPMP guidance. | 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.

**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

***\*This Compliance Assessment Report has been reissued to the operator on 15/10/24 due to a request from the operator to replace the word 'unprocessed' with 'oversize' when referring to green waste(s)\****

This report details the site visit made on the 30th September 2024 to Bryn Recycling Limited located at Gellia'r-gwellt Uchaf Transfer & Composting Station, Hengoed, Caerphilly, CF82 8FY under permit number, EPR-WB3993HE. Natural Resources Wales (NRW) Waste Regulation Officer Greg GARDNER attended the Bryn Recycling Limited site for an unannounced site inspection at 10:00am where I met with Ms. Jennifer PRICE (Anaerobic Digestion Plant Manager). The weather was dry and windy during the inspection and had rained the previous day.

### **ACTIONS FROM PREVIOUS SITE INSPECTION(S) - CAR\_NRW0043711 - 05/03/24**

| Date     | Action   | Completed (Y/N) | Action Taken   |
|----------|--|-----------------|--|
| 05/03/24 | Stockpile height of oversize green waste not in compliance with sites FPMP | Yes             | Ms. Jennifer PRICE provided photographic evidence of oversize green waste stockpile back in compliance with sites FPMP |

### **PERMIT BREACHES AND / OR ACTIONS**

Below are permit breaches and / or actions that were identified during the site inspection.

**CATEGORY 3 BREACH – PERMIT CONDITION 3.6.1**

**(C4) – STORAGE, HANDLING LABELLING AND SEGREGATION**

*"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."*

- Stockpile of oversize green waste not being stored in compliance with FPMP guidance and sites FPMP document.

**WASTE TRANSFER STATION**

NRW personnel were escorted in and around the waste transfer station area - see photos 1-3. The waste transfer station area was operational at the time of the site inspection with stockpiles of various waste streams at lower levels and being processed. Housekeeping in the area was in good condition with no excess loose debris present twinned with the flooring infrastructure within the operational areas in good condition with no visible damage present.

Waste(s) stored within the buildings were separated, not overlapping bays and not in exceedance of the sites Fire Prevention and Mitigation Plan (FPMP). As a reminder to the operator, please ensure you remain within waste stockpile height / width limits as identified in your site FPMP. No offensive waste odours or excessive noises were noted by NRW personnel in this part of the site during the site inspection.



**Photo 1** - View inside waste transfer station building



**Photo 2** - View inside waste transfer station building



**Photo 3** - View inside waste transfer station building drying sheds

The area where construction and demolition (C&D) waste is stored was in good condition with no concerns raised (see photo 4) as well as the designated outside segregated bays to the west of the main waste transfer station building were in good working order with no waste(s) exceeding the sites FPMP document criteria (see photos 5 and 6).



**Photo 4 - C&D stockpile at Bryn Recycling Ltd**



**Photo 5 - Waste fines stockpile at Bryn Recycling Ltd**



**Photo 6** - Storage of waste(s) at Bryn Recycling Ltd

NRW personnel were then escorted to the 'top yard', to the north of the waste transfer station buildings. On the 'Top Yard' stockpiles of wood waste(s) and uPVC waste(s) were present with some of this wood benefiting from being stored within segregated concrete bays - see photos 7 & 8. No offensive waste odours or excessive noises were noted by NRW personnel in this part of the site during the site inspection.



**Photo 7** - Unprocessed wood waste storage on 'top yard'



**Photo 8 - Waste storage on the 'Top Yard'**

Again, housekeeping in this area was in good condition with no excess loose debris present and the flooring infrastructure was in good working order. No offensive waste odours or excessive noises were noted by NRW personnel in this part of the site during the site inspection. As previously mentioned, please continue to ensure you remain within waste stockpile height / width limits as identified in your site FPMP.

### **COMPOSTING STATION**

NRW personnel were then escorted to the composting station area. There was no treatment of green waste taking place at the time of the site inspection however green waste(s) were being unloaded - see photos 9. There was some standing water present however this had been following recent rainfall as well as the site proactively pumping the water into the nearby lagoon. All water was contained and not leaving the permitted site. As previously mentioned, please continue to ensure you remain within waste stockpile height / width limits as identified in your site FPMP.



**Photo 9** - View of the composting station area

Whilst the majority of composting windrows present were in compliance with the FPMP guidance and sites FPMP, there was one stockpile of oversize green waste that was in exceedance of this - see photo 10 (background) and screenshot 1 where the maximum stack height of 4 metres for oversize compost stockpile and finished product is identified within the sites FPMP document.

This was discussed with the operator and a realistic timescale was given to reduce the size of this stockpile and bring back into compliance. The flooring infrastructure was in good working order and no excess loose debris was present. There was also no offensive composting odours or excessive noises witnessed by NRW personnel in this part of the site during the site inspection. As previously mentioned, please continue to ensure you remain within waste stockpile height / width limits as identified in your site FPMP.

Again, no offensive waste odours or excessive noises were noted by NRW personnel in this part of the site during the site inspection.



**Photo 10** - Stockpiles of oversize green waste (background) in composting station area not in compliance with sites FPMP document

Bryn Recycling Limited  
Materials Recycling Facility

Fire Prevention & Mitigation Plan

**Table 2** Material stack storage limits and storage times

| Waste type                                    | Max. storage (tonnes) | Max. individual stack dimensions (m) | Max. stack height (m) | Max. stack volume (m <sup>3</sup> ) | Maximum storage time (months) |
|---|-----------------------|--------------------------------------|-----------------------|-------------------------------------|-------------------------------|
| Oversize compost stockpile + finished product | 1850                  | 30 x 20                              | 4                     | 2,500                               | -                             |

**Screenshot 1** - Excerpt of sites current FPMP document with regards to oversize green waste(s) stockpile sizes.

**CATEGORY 3 BREACH:** Reduce height and size of stockpile of oversize green waste in composting area to ensure compliance with your FPMP (and EMS) and FPMP guidance.

#### **INCIDENT RESPONSE - ODOUR**

NRW officers continue to respond to incident reports relating to odours from the permitted facility (waste transfer station and composting station area) and other permitted facilities at the wider site. It has been noted that the operator continues to proactively update NRW and Caerphilly Council Environmental Health staff regarding upcoming activities taking place as part of the permitted and wider site activities which may give rise to odour. Please continue to log and, where appropriate, respond to incident reports sent by the NRW Incident Communication Centre (ICC) as part of the standard notification procedure.

For information, since the last site inspection on 05/03/24 and as of the issue of this CAR form (14/10/24), NRW have received a total of **8** odour complaints.

NRW Officer Greg GARDNER left site at 11.15am the same day.

If you have any issues with this report please contact Greg Gardner on [greg.gardner@naturalresourceswales.gov.uk](mailto:greg.gardner@naturalresourceswales.gov.uk)

Thank you.

***In this document 'Natural Resources Wales' means the Natural Resource 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](mailto: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](mailto: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.