

Compliance Assessment Report CAR_NRW0045693

Permit number	ZP3334AQ	Operator name	Slicker Recycling Limited
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Site name	Slicker Recycling Limited
Site address	7 New Quay Road, Felnex Industrial Estate, Newport, NP19 4PL
Assessment type	Site Inspection

Date of assessment	15 October 2024	Time in	10:00	Time out	13:30
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Parts of permit assessed	Improvement Programme & Emissions of substances not controlled by emission limits
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NRW Lead officer	Guy Baskerville	Accompanied by	Luke Burton
Report sent to – Name and position	[REDACTED] Group Technical Director	Date	25 November 2024

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR2E - Operations - Improvement programme	C3 Minor	2.5.1
IR3B - Emission and Monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.3

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

Total number of non-compliances recorded	Total non-compliance score
2	8

2. What action is required?

Criteria	Action needed	Complete by
IR2E	Operator to submit to NRW for written approval, a voluntary compliance plan which describes the measures it intends to undertake to satisfy improvement condition IC16 and bring the operation into compliance with condition 2.5.1 and condition 3.2.3 of the environmental permit . The voluntary compliance plan shall be appropriately detailed, provide reasoned indicative timescales and explain how each measure will contribute to bringing the operation into compliance.	31 January 2025
B4		

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.

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

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter *NRW*) findings following an assessment of Slicker Recycling Limited's compliance with the improvement programme linked to the Best Available Techniques (BAT) Reference document for Waste Treatment (hereafter *the BRef*).

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]
Luke Burton [Lead Specialist]

Slicker Recycling Limited

REDACTED [Group Technical Director]
REDACTED [Plant Supervisor]
REDACTED [Consultant]

Regulatory Context

The European Commission published the BRef for the Waste Treatment sector on 17 August 2018. The BAT Conclusions described therein determine the reference points used to set conditions in environmental permits which authorise waste treatment installations and are considered the appropriate standard from 17 August 2022 (4 years after BRef publication).

The varied and consolidated environmental permit issued to Slicker Recycling Limited on 09 August 2021 set an improvement programme comprising 10 improvement conditions to be satisfied. These improvement conditions require the operator to evidence compliance with all relevant BATc.

Condition 2.5.1 of the environmental permit states:

The operator shall complete the improvements specified in Schedule 1 Table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales.

Table S1.3 of Schedule 1 to the environmental permit is partially reproduced overleaf.

Table S1.3 Improvement Programme Requirements		
Ref	Requirement	Date
IC16	<p>The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018).</p> <ul style="list-style-type: none"> BAT 19. In order to optimise water consumption, to reduce the volume of waste water generated and to prevent or, where that is not practicable, to reduce emissions to soil and water, BAT is to use an appropriate combination of the techniques described within BAT 19 Table. 	17 February 2022 or otherwise agreed in writing with Natural Resources Wales

BAT 19 table is partially reproduced below.

Technique		Description
c	Impermeable surface	Depending on the risks posed by the waste in terms of soil and/or water contamination, the surface of the whole waste treatment area (e.g. waste reception, handling, storage, treatment and dispatch areas) is made impermeable to the liquids concerned.
d	Techniques to reduce the likelihood and impact of overflows and failures from tanks and vessels	Depending on the risks posed by the liquids contained in tanks and vessels in terms of soil and/or water contamination, this includes techniques such as: <ul style="list-style-type: none"> overflow detectors; overflow pipes that are directed to a contained drainage system (i.e. the relevant secondary containment or another vessel); tanks for liquids that are located in a suitable secondary containment; the volume is normally sized to accommodate the loss of containment of the largest tank within the secondary containment; isolation of tanks, vessels and secondary containment (e.g. closing of valves).
e	Roofing of waste storage and treatment areas	Depending on the risks posed by the waste in terms of soil and/or water contamination, waste is stored and treated in covered areas to prevent contact with rainwater and thus minimise the volume of contaminated run-off water.
g	Adequate drainage infrastructure	The waste treatment area is connected to drainage infrastructure. Rainwater falling on the treatment and storage areas is collected in the drainage infrastructure along with washing water, occasional spillages, etc. and, depending on the pollutant content, recirculated, or sent for further treatment.

The operation is not currently compliant with the relevant techniques referenced in BAT19 and significant improvements to waste storage and treatment areas are required to bring it into compliance. Therefore, the operator is unable to provide information to evidence compliance with BAT19.

Slicker Recycling Limited have failed to satisfy improvement condition IC16 detailed in the improvement programme.

As a result of this non-compliance a CCS Score [C3] has been recorded against compliance sub-criteria IR2E - Operations - Improvement Programme.

A C3 score has been levied as it is reasonably foreseeable that the failure to satisfy improvement condition IC16 may result a minor pollution of the environment.

Condition 3.2.3 of the environmental permit states:

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

As discussed above, waste storage and treatment areas are in a state of significant disrepair and are not impermeable to polluting liquids. These same areas are considered the secondary containment for tanks, intermediate bulk containers (IBCs), drums, wheelie-bins and other vessels containing liquid waste (including residues) and other polluting liquids. Whilst a small number of drip trays are used onsite, general housekeeping has significantly improved and spill procedures have been reinforced, we do not consider that additional appropriate measure have been instated to prevent or minimise leakage and spillage from the primary containers.

As a result of this non-compliance a CCS Score [C3] has been recorded against compliance sub-criteria IR3B - Emission and Monitoring - Emissions of substances not controlled by emission limits

A C3 score has been levied as it is reasonably foreseeable that the failure to provide polluting liquid in containers with secondary containment or use of other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container, may result in a minor pollution of the environment.

Regulatory Approach

It is recognised that undertaking the infrastructure improvements to meet BAT19 standards, satisfy improvement condition IC16, and bring the operation into compliance with condition 2.5.1 and 3.2.3 of the environmental permit will be costly and protracted. Our regulatory approach reflects this recognition and considers our regulatory principles. The below action requires the operator to set out a multi-phase voluntary compliance plan, which future actions will reference and against which progress will be measured. As progress against the voluntary compliance plan is made, revisions are expected, but all revisions must be approved in writing by NRW. Deviations from any approved version of the voluntary compliance plan must be agreed with NRW in writing in advance.

Action 1: Operator to submit to NRW for written approval, a voluntary compliance plan which describes the measures it intends to undertake to meet BAT19 standards, satisfy improvement condition IC16, and bring the operation into compliance with condition 2.5.1 and 3.2.3 of the environmental permit. The voluntary compliance plan shall be appropriately detailed, provide reasoned indicative timescales and explain how each measure will contribute to bringing the operation into compliance.

Should NRW deem that the progress against any approved version of the voluntary compliance plan is not advancing at an acceptable rate, we may issue enforcement notices which will require the operator to satisfy any element of the voluntary compliance plan.

Where non-compliance with a permit condition has previously been identified, and the operator is actively trying to address the issue through a voluntary compliance plan, it may be appropriate for NRW to suspend subsequent scores.

Proposal to vary the Environmental Permit

The operator has raised concerns surrounding the emission limits to sewer, introduced following the publication of the BRef for the Waste Treatment sector, in particular limits on zinc emissions. We set out what information the operator will need to provide in order for NRW to assess compliance with IC11 in an email sent on 18 October 2024. Whilst we cannot pre-determine permit applications, similar information will likely be required to vary your zinc emission limits as part of any variation application.

The operator has informally presented proposals to diversify the business and introduce new waste treatment activities at the installation. The proposed activities will require a permit variation and may require planning approval prior to commencement.

The operator has proposed consolidating the installation permit (ZP3334AQ) and the waste facility permit (MB3290HT). Permit consolidation is undertaken via a permit variation.

The operator has indicated that a permit variation application to address all the above has been prepared and is ready for submission, pending NRW feedback surrounding the application fee and an agreed approach to resolving the zinc emissions to sewer issue.

The operator has also indicated that the variation application seeks to introduce changes to emissions monitoring locations and operating techniques to account for site infrastructure changes related to satisfying improvement condition IC16 and bringing the operation into compliance with condition 2.5.1 and condition 3.2.3 of the environmental permit.

[END]

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):

9B Assessment result	10B 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

11B Non-compliance category	12B 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.