

Compliance Assessment Report CAR_NRW0048446

Permit being assessed: ZP3899FX.

For: Merthyr Borough Recycling Centre Ltd-transfer Station, **held by:** Merthyr Borough Recycling Centre Ltd

At: Merthyr Borough Recycling, Dowlais, Merthyr Tydfil, Glamorgan, CF48 2TA.

Type of assessment: Site Inspection,

Reason: Routine.

On: 27/05/2025 between 11:30 and 13:00.

Parts of permit assessed: W1A.

NRW Lead Officer: Elysia Lovelock, accompanied by Gareth Morris, Daniel Hopkin.

Report sent to: Operator/TCM, Operator/TCM , on 03/06/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	
W3G - Waste - Emissions and monitoring - Fire	Action only (X)	
W1A - Waste - Management - General management	C3 Minor	1.1.1
W1A - Waste - Management - General management	C3 Minor	1.1.1
W1A - Waste - Management - General management	C3 Minor	1.1.4
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W4B - Waste - Information - Reporting	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
3	12

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
W3B	1. Please provide a copy of DCWW's drainage survey.	17/06/2025
W3G	2. Please ensure there is a cage available on site to safely store pressurised containers. 3. On submission of EMS v2.2., please ensure the Accident Management Plan in the EMS is up to date.	17/06/2025
W1A	4. Please provide a date for submission of EMS v2.2, to be agreed with NRW. Draft versions will not be reviewed.	17/06/2025
W1A	5. Ensure operations on site are in line with an up to date EMS.	17/06/2025
W1A	6. Please provide evidence that the site's TCM continuing competence course has been booked and evidence that the other staff undertaking the WAMITAB courses have also been booked.	17/06/2025

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

Senior officer Elysia Lovelock, accompanied by Enforcement Apprentice Daniel Hopkin and Industry and Waste Regulation Officer Gareth Morris, attended the permitted facility of Merthyr Borough Recycling Limited on Tuesday 27th May 2025, to conduct an unannounced follow up site inspection to assess compliance with the sites environmental permit, reference ZP3899FX.

Please note that The Environmental Permitting Regulations 2016 place a duty on regulators to undertake appropriate periodic inspections of regulated facilities (regulation 34(2)). Unannounced visits allow Natural Resources Wales to verify compliance without prior notice, ensuring businesses are operating according to permit conditions.

Arriving at approximately 1130am, officers were met on site by the Operator/TCM and father. Officers were accompanied around site, with machinery being stopped as and when required, to access all parts of the site. Heavy rain persisted throughout the inspection.

Drainage

Firstly, it was noted that no illegal discharge was occurring beyond the boundary of the site during the visit. With regards to the improvement works done in response to the issues previously observed by Officer Laoni Tye, officers could see that site run off, as it was raining, was now entering the sealed drainage.

The area of the site pending confirmation re drainage connections remains empty of waste at this time, with only empty skips being stored.

It is understood that Dwr Cymru Welsh Water DCWW recently completed a drainage survey and a decision by DCWW is currently pending.

Action Required:

1. Please provide a copy of DCWW's drainage survey.

Fire Prevention

Whilst the sites permit does not currently have a specific fire condition, the site is permitted to accept combustible waste. In accordance with permit condition 2.3.1, Technical Guidance Document: 'How to comply with your environmental permit' listed under S1.2 requires an 'Accident Management Plan' which must identify events that could damage the environment such as fires and put in place measures to minimise them from happening.

Officers observed suitable firebreaks and segregation in place for the wood waste on site and RDF was stored in a bay with separation between the nearest building.

Whilst no pressurised cannisters were observed on site at the time of the inspection, officers were advised there is no cage available on site. As you are permitted to accept pressurised containers such as gas cylinders or aerosols, please note, there are a number of risks associated with these waste types, such as explosion, fires, leaks and injuries from falling cylinders. And your EMS specifies: *'In the event of waste gas cylinders being found in a delivery, these will be moved to a free venting cage or container for safe storage pending removal through one of the specialist collection schemes.'*

Action Required:

2. Please ensure there is a cage available on site to safely store pressurised containers.
3. On submission of EMS v2.2., please ensure the Accident Management Plan in the EMS is up to date.

Waste Outlets

The Operator mentioned difficulties moving wood waste at the moment.

Advice & Guidance: Concerns regarding potential issues around stockpiling due to problems moving material is a risk that needs to be effectively managed by the Operator, in line with contingency measures within the site's EMS.

By following measures and procedures within the sites EMS, this will ensure that the site does not breach maximum storage capacity or storage times.

Environmental Management System

These documents are the cornerstone for ensuring environmental protection to the surrounding areas, beyond the boundary of the permitted site. Maintaining these documents by keeping them up to date and relevant to the site's layout and procedures is a responsibility of the Operator.

Advice & Guidance: As explained on site to the Operator, and to the sites Environmental Consultant (over the phone) whilst on site, whilst Natural Resources Wales review documentation such as EMS, FPMP's, OMP's etc. Adherence to the guidance that these documents should be written in line with, to satisfy the requirements of the associated permit conditions, remains the responsibility of the operator, and subsequent adherence to the measures and procedures outlined by the Operator within these documents, remains the sole responsibility of the Operator.

Prior to the visit, the Operator had failed to provide an EMS with up to date drawings, showing the sites storage layout by 30/04/25 (as requested in CAR_NRW0046322).

The Operator advised on site that updating of the documents was pending with the Operators Environmental Consultant. It is a requirement of your permit under condition 1.1.1 to have an up to date EMS in place.

It was explained on site that the regulatory officer would need to check relevant documentation and guidance, to determine any potential breach under 1.1.1. The Operator signed Officer Gareth Morris' pocket note book to confirm that this has been explained during the inspection.

Breach:

1. Following the above, a category 3 breach has been recorded against permit condition 1.1.1, under sub-criteria W1A, because at the time of the visit, an up to date EMS was not in place.
2. A root cause category 3 breach has also been recorded against permit condition 1.1.1, under sub-criteria W1A due to management failure.

Action Required:

4. Please provide a date for submission of EMS v2.2, to be agreed with NRW. Draft versions will not be reviewed.
5. Ensure Operations on site are in line with an up-to-date EMS.

Storage Plan

Two days after this visit, on 29/05/25, the sites regulatory officer received updated layout and storage plans for the site's EMS and was advised that the site is currently transitioning to the new layout and the remaining EMS documents continue to be updated, pending v2.2.

General observations:

Officers observed plasterboard that was getting wet in the pile for sorting on site. Which once the Operator was informed, was immediately addressed by an Operative on site, as this should be kept dry and separate. There are also relevant Health & Safety considerations, as given the right conditions, this can react and produce hydrogen sulfide, which has a characteristic odour of rotten eggs and Gypsum if stored/handled incorrectly can cause pollution and compromise the quality of aggregates produced in line with the WRAP Quality Protocol on site, as it is a non-inert waste.

Paint cans were observed in the mixed pile for sorting and segregation. Whilst they can be non-hazardous, 08 01 12 describes waste paint and varnish that is classed as a Mirror Non-Hazardous code, therefore a check to determine non-haz/correct classification would have been required on arrival to site. Waste acceptance procedures will be reviewed as part of the sites EMS review.

Mattresses were stored in and balanced on an overflowing open skip. As it was raining, the mattresses were wet. Best practice is for mattresses to be kept dry as it can compromise their recyclability (in line with the Waste Hierarchy) and can also increase flammability.

Reporting

The sites waste returns are currently up to date.

Technical Competence

Permit condition 1.1.4 states 'The operator shall comply with the requirements of an approved competence scheme.

The Operator has informed us that two additional members of staff have now been put forward to obtain their technical competence certification.

Continuing Competency

CIWM WAMITAB qualifications records checked following the inspection show that the sites TCM Continuing Competence expired in 2024. It is noted this TCM continues to submit waste returns for the site. This therefore constitutes a breach.

Breach:

3. A category 3 breach has been recorded against permit condition 1.1.4 under sub criteria W1A, as the site's TCM does not have a valid continuing competence qualification.

Action Required:

6. Please provide evidence that the site's TCM continuing competence course has been booked and evidence that the other staff undertaking the WAMITAB courses have also been booked.

Permit Surrender

Advice & Guidance: The Operator did discuss the possibility of surrendering the sites environmental permit whilst on site. Information on how to apply to surrender, all or part of a waste permit, can be found on our website via the following link: [Natural Resources Wales / Apply to surrender \(give up\) all or part of a waste permit](#).

Thank you for your time during the inspection. 'Please note, all 'Action Required' numbered 1-6 are due within 10 working days of receipt of this Compliance Assessment Report. Any problems, in the first instance, please contact the sites Regulatory Officer.

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.