

The Company Secretary
The Treatment Hub Limited
33 Cardiff Road
Taffs Well
Cardiff
Wales
CF15 7RB

Our ref: EPR/ZP3933NJ

Date: 30 April 2020

Dear Sir/Madam,

**Environmental Permitting (England and Wales) Regulations 2016 Permit Review
Request for information**

Permit reference: EPR/ ZP3933NJ
Operator: The Treatment Hub Limited
Facility: The Treatment Hub Swansea

In April 2019 we wrote to you advising of Natural Resources Wales statutory requirement to review your permit, following the publication of the revised Best Available Techniques (BAT) Reference Document (BRef) for Waste Treatment. Our letter and accompanying Notice set out the information we required from you in order to be able to carry out that review.

On 11 February 2020 we received a response from you to the above request. This response did not provide sufficient information to all items listed within the Reg 61 Notice and Natural Resources Wales are unable to complete our determination on whether you comply with the Notice. You must confirm whether or not you currently comply with the regulations against each BAT Conclusion; provide an adequate description of the techniques in place and how they meet each standard; or describe how and by when you intend to comply with each BAT Conclusion. Where you believe a BAT Conclusion is not applicable to your site you must state why and provide this within your response. Failure to comply with this notice without reasonable excuse is an offence under Regulation 38(4)(a) of the Environmental Permitting (England and Wales) Regulations 2016.

Please provide the following additional information to assist us in our determination:

Section 1-3 of Regulation 61(1) Notice:

Your response to the Schedule 61 Notice (*document reference: TTH BAT Summary 02 2020*) does not provide sufficient responses to all 53 BAT Conclusions. As described above you must provide a response against all BAT Conclusions and state whether you comply, intend to comply in the future or if you believe the BAT Conclusion is not applicable to your operation. A description of the techniques should be provided along with details of how they meet the standards. Please note that if you implement an Environmental Management System (EMS) which is certified to ISO 14001:2015 standard, please provide a copy of the certificate. An excel spreadsheet is enclosed with this letter to assist you in completion of the above task. Further information is specifically required for the following BAT conclusions:

- **BATc 1**
 - **III**: How your EMS incorporates planning and implementing procedures as well as targets, in conjunction with financial planning & investment;
 - **IV (a)(b)(c)(d)(e)(f)(h)** Your structure and responsibility – particularly technical responsibility / competency in waste analysis etc;

- **VII:** Following development of cleaner technologies;
- **VIII:** Whole life cycle considerations;
- **IX:** Regular sectoral benchmarking;
- **X:** Waste stream management;
- **XII:** Either provide copy of residues management plan or advise if this will be compliant in future;
- **XIII:** Either provide copy of accident management plan in accordance with S6.5 standards or advise if this will be compliant in future;
- **BATc 2:** Your response makes reference to EPR/ZP3933NJ Permit Variation Support document (Reference – TTH/SSF/01-20/001) and permit application document (SOL0113ESP01). Waste characterisation & pre-acceptance procedures do not fully cover the BREF standards. In particular risk-based consideration for waste in terms of process safety, occupational safety and environmental impact, as well as the information provided by the previous waste holder(s). If this information is detailed in other operational documentation please specify where;
- **BATc 4:** Your response makes reference to existing EMS documentation which does not fully satisfy the BAT standards. In particular existing procedures do not currently detail storage capacity limits or residence times for materials to be held on site. If this information is detailed in other operational documentation please specify where;
- **BATc 5:** Further details are required to describe spill prevention, detection and mitigation measures as well as precautions taken when mixing or blending wastes;
- **BATc 14:** Further details are required to describe how dust and other diffuse emissions are managed within the building / dust suppression etc;
- **BATc 19:** Further details are required to describe how raw materials / chemicals are stored and techniques deployed to reduce risk of overflows / failure of containment;
- **BATc 21:** As per BATc 1 XIII, either provide copy of your accident management plan in accordance with BATc21 and S6.5 standards or advise if site will be compliant in future;
- **BATc 22:** Raw Material Record Sheet TH-DB001 within EMS is currently blank. Please provide a completed copy detailing all materials used on site and efficiency measures proposed;
- **BATc 24:** As per BATc 1 XII, either provide copy of your residues management plan in accordance with BATc24 standards or advise if site will be compliant in future;
- **BATc 40:** Further details are required on how operations meet standards and monitoring waste inputs for relevant parameters listed;
- **BATc 41:** Further details are required on how operations meet standards described within BATc 41 and S6.1.

Section 5 of Regulation 61(1) Notice:

Having reviewed the Opra profile submitted to Natural Resources Wales in March 2020 (Document Reference: ZP3933NJ Opra-Installations-2019 (revised) 0420) please provide documentation to support your answers provided to the following operational performance measures:

Competency & Training:

- 2c. Reporting procedures to inform supervisors or managers of deviations from permit conditions;
- 2d. procedures to be used by supervisors or managers and for the reporting of deviations from permit conditions to the Agency; and
- 4. Do the key posts include contractors, those responsible for liaising with contractors and those purchasing equipment and materials?

5. Do you assess the potential environmental risks posed by the work of contractors and provide instructions to contractors about protecting the environment while working on site?

Emergency Planning:

2. Has the (Accident Management) plan identified areas where improvement is needed?

6. Are there written procedures for investigating incidents, (and near-misses) including identifying suitable corrective action and following up implementation of that action?

8. Are there audit records of investigations into non-compliance, complaints and incidents? Does the audit cover follow up actions? Do the audit reports go to senior managers?

Organisation:

2.2 Are there procedures that incorporate environmental issues into the following areas (as supported by demonstrable evidence e.g. written procedures):

- the control of process change on the installation;
- design and review of new facilities (including provision for their decommissioning), engineering and other capital projects;
- capital approval;
- purchasing policy;

2.4 Are they independent? (name the auditing body)

2.5 Are there reports annually on environmental performance, objectives and targets, future planned improvements and or facilitate (participate in) local community liaison meetings?

Section 6 of Regulation 61(1) Notice:

You have not provided a response to Section 6 of the Notice. Where you use, produce or release hazardous substances, as defined in Article 3(18) of the Industrial Emissions Directive, you will need to complete a risk assessment considering the possibility of soil and groundwater contamination at the installation with such substances. Where any risk of such contamination is established, you will need to take the action specified in the Notice.

Where information specified in the Notice has been previously submitted to and accepted by Natural Resources Wales, and where this remains current and valid, then it will not need to be submitted again. However, you will need to state this in your submission, specifying the nature of the information and the date it was submitted.

If we do not receive sufficient additional information within the timeframe specified below, Natural Resource Wales will proceed to issue an updated IED permit with appropriate conditions in place, based on the limited information available to us. Please note this may result in stricter permit conditions and emission limits than may be necessary.

The original information notice issued under Regulation 61(1) of The Environmental Permitting (England and Wales) Regulations 2016 is enclosed for your information.

The requirements of the Reg 61 Notice dated the 5th April 2019 have not been fulfilled. Please provide all outstanding information within 4 weeks of the date of this letter (28/05/2020). If for any reason the missing information cannot be provided within this timeframe please contact Lucinda Hall via email: lucinda.hall@cyfoethnaturiolcymru.gov.uk or speak to your regulatory officer.

Yours Faithfully,



Lucinda Hall MCIWM BSc (Hons)

Trwyddedu Uwch, Gosodiadau a Thrwyddedu RSR /

Permitting Consultant Installations and RSR Permitting Team

Cyfoeth Naturiol Cymru / Natural Resources Wales

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Normal Working Days: Mondays and Thursdays

cc: Phil Rees phil@plrservices.co.uk (by email)

Liane Bacon-Weekes Liane.Bacon-Weekes@cyfoethnaturiolcymru.gov.uk (by email)