

Compliance Assessment Report CAR_NRW0038928

Permit being assessed: BB3299FN.

For: SL Recycling Ltd, held by SL Recycling LTD

At: Unit 1, Pontyfelin Industrial Estate, New Inn, Pontypool, Torfaen, NP4 0DQ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 10/11/2021 between 13:30 and 15:30.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: Alex Bowder, accompanied by Jak Rose, Gwyn Mapp.

Report sent to: Rebecca Tucker, Stacey Lewis, Technically Competent Manager, Business Director on 12/11/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Action only (X)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
B5	Repair shredder ductwork from the dust extraction system to maximise the encasing of sound and vibration from the machine.	03/12/2021
C1	State and address the training issue that allowed a gas cylinder past the input checkpoints into the shredder feedstock.	03/12/2021
C4	(1) Ensure that the mixed general waste is stored within building cover as per permit conditions. Please see that this waste stream is better managed going forward. (2) Reduce all stockpiled waste exceeding four metres in height. Do not exceed this height restriction in future.	19/11/2021
D2	Submit a full debrief statement to NRW, declaring how the explosion incident happened and actions taken to prevent re-occurrence.	19/11/2021
F2	Provide NRW with proposed mitigation methods to address noise leaving the permitted boundary and associated timescales for completion (pending meeting).	26/11/2021

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 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 report details the site inspection and comments from the noise assessment exercise conducted by Natural Resources Wales (NRW) Officers on 10 November 2021 at S L Recycling Limited, Pontyfelin Industrial Estate, Pontypool, NP4 0DQ - Permit number **EPR-BB3299FN**.*

Senior Waste Regulation Officer Alex BOWDER and Officer Jak ROSE attended S L Recycling Limited (*the Operator*) at 13:30 to conduct an inspection of the permitted area. Part of the visit's objective was to assess the use of the shredder to substantiate any environmental impacts leaving the permitted boundary. NRW Specialist Advisor Gwyn MAPP assisted in the noise monitoring exercise that was carried out in the nearby residential area.

Becky TUCKER (Technically Competent Manager) accompanied Officers around the site. Stacey LEWIS (Business Director) was present in the office. Weather conditions were damp with light drizzle at the time of inspection.

ACTIONS FROM PREVIOUS VISIT - 18 August 2021

- Store mixed general waste within the building in-line with permit conditions
- Reduce all stockpiled waste exceeding four metres in height

- Continue to manage operations in accordance with the operator's Noise Management Plan.

WASTE ACTIVITIES AND PERMIT COMPLIANCE

At the time of the inspection, there were no issues noted with the infrastructure or drainage system of the site. Chipped wood deposits were present at various locations around of the yard, these were acting as a perimeter bunding to the south boundary. There were no non-compliances noted with the end-of-life vehicle section of the yard. Operating times were discussed - it was stated that S L Recycling staff consistently adhere to the working hours and do not engage in waste management activities before 08:00. Please ensure that this is maintained.

GENERAL MIXED WASTE

Part of the mixed general waste stockpile was stored outside of the designated shelter due to the volume of material present - this did not benefit from any cover. This was highlighted on the last inspection as a requirement under the permit conditions.

ACTION

Ensure that the mixed general waste is stored within building cover as per permit conditions. Please see that this waste stream is better managed going forward.



Photo 1 - General waste deposited outside of building canopy not benefitting from cover

METAL RECYCLING AND TREATMENT METHODS

In summer 2021, the Operator acquired a shredder which uses a hammermill function to fragmentise waste metal. These machines are designed to absorb and dissipate impact and explosions (and resist heavy abrasion). They are capable of an efficient flow of scrap metal into the machine to ensure maximum output, which can allow operators to quickly process larger volumes of waste. The shredder separates fractions into non-ferrous metals which is then exported in containers and produces a shredder residue offtake which is sent

to landfill.

Shearing/shredding outside

The site currently holds two SRP's:

- SR2008 No3 - Household, commercial and industrial waste transfer station with treatment and;
- SR2012 No 14 - Metal recycling, vehicle storage, depollution & dismantling (authorised treatment) facility

As set out in *Table 2.1* activities, this allows treatment methods consisting only of manual sorting, separation, screening, baling, **shredding**, crushing or compaction of waste into different components for disposal or recovery. This is accompanied with *Table 2.3* that states that, unless stored or treated outside as a specified waste, this activity needs to be carried out inside a building.

2.3 Operating techniques

2.3.1 The activities shall be operated using the techniques and in the manner described in *Table 2.3* below.

Table 2.3 Operating techniques

- | |
|---|
| <ol style="list-style-type: none"> 1. Unless stored or treated outside as specified waste³: <ol style="list-style-type: none"> a) all bulking, transfer or treatment of waste shall be carried out inside a building; b) all waste shall be stored in a building or within a secure container. c) all waste shall be stored and treated on an impermeable surface with sealed drainage system. 2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. |
|---|

Specified wastes are stated in the rear of the permit and metals are not included within these waste codes - "specified waste" means the following waste codes in *Table 2.2*: 01 01 01, 01 01 02, 01 04 08, 01 04 09, 01 04 13, 02 04 01, 10 11 12, 10 12 08, 10 13 14, 15 01 07, 17 01 01, 17 01 02, 17 01 03, 17 01 07, 17 02 02, 17 03 02, 17 05 04, 17 05 08, 19 12 05, 19 12 09 and 20 02 02.

Under *Table 2.1* activities, this permit allows shearing but **not shredding**:

'Metal recycling: Treatment consisting only of sorting, separation, grading, shearing, baling, compacting, granulating of cables, and cutting using hand-held equipment only, of ferrous metals or alloys and non-ferrous metals into different components for recovery.'

This permit defines shearing as *'utilising a range of hydraulic machinery that comprise hard steel blades which cut metals into manageable sizes. It may be hand-held, static, or attached to mobile plant (e.g. cranes).'*

In September 2021, NRW communicated to the operator that, if the site can show through Noise Impact Assessments that there would be no adverse impact to the surrounding environments, and that a permit application to include the outside shredding of waste is submitted within 28 days, then NRW would not prevent the operator from using the machine until a suitable permit is issued. This would be accompanied by an inspection that focuses on the assessment of the shredder and its use in relation to noise impacts. It must be noted that, NRW cannot pre-determine the outcome of any permit application.

PERMIT APPLICATION

Earlier in the year, the operator submitted a permit application to NRW which attempted to combine the current SRP's held at the site. However, due to misunderstandings with the technical definitions between shearing and shredding, the application did not specify to exclusively include a shredding of metal activity outside. Accordingly, this activity was not risk assessed as part of the permit determination, and a further submission was required to incorporate outside shredding as a permitted activity.

The Operator is in the process of submitting a bespoke permit application via an environmental consultant to encompass all waste activities and include the treatment of wood / shredding metal activity outside.

Noise Impact Assessment

The Operator has submitted a Noise Impact Assessment conducted by Hunter Acoustics - reference **5852/NIA3_NRW**. The report states that continuous noise monitoring was carried out daily from 0800-1700hrs on Monday 6 September 2021 to Friday 10 September 2021 at a position in the Coed-y-Felin estate. Data, including background sound, was logged at 1 minute intervals over the monitoring period, along with continuous audio and 100ms data to allow source identification and further detailed analysis of the results.

This report will be analysed by our NRW Technical Assessment department and we will provide feedback as to its suitability once completed.

NOISE MONITORING - 10 November

NRW are still receiving frequent reported incidents regarding noise impacts being experienced in the local community. Part of the inspection objective was to assess the use of the shredder in relation to noise. This involved looking at the initial start-up, feeding and general use of the machine to assess whether any impacts were leaving the permit boundary.



Image 2 - showing the grabber feeding the shredder in use with metal waste

On 10 November, NRW Officers were given a tour of the site and saw the metal shredder in operation. The shredder was being fed by a grabber which was picking up metal material and dropping it into the hopper. Typically, the shredder was working at a continuous speed, but occasionally the pitch of the engine noise would drop slightly, almost as if it was

struggling to process some element of the material it was being fed. This drop of tone lasted for a few seconds before returning to its previous pitch.

During the tour, Officers noticed that a section of the ducting that appeared to be leading from the dust extraction system was significantly mis-aligned (about half-aligned). In addition, while standing close the shredder, the machine was heard to be making a diesel-engine type sound. This seemed to be linked with the 'jet engine' sounds reported to be causing disturbances in the estate, which have been received via the Incidents Communication Centre (ICC). Using a mobile-phone acoustics application, Officers could see by using the Fast Fourier Transform (FFT) function that there appeared to be a tonal element to the noise. The tone was being displayed at 55 Hertz.

Gwyn MAPP and Jak ROSE walked to the Coed-y-Felin estate located close to the site, whilst Officer BOWDER remained on site to witness the shredder activities taking place. It should be noted that, the site and Coed-y-Felin were separated by Pont-y-Felin Road and the Afon Lwyd. Also, the elevated Newport Road was to the south of both S L Recycling and Coed-y-Felin.

At the time of the monitoring, weather conditions were damp with some light drizzle. The roads were wet, and the river was flowing quickly with no wind. Despite the wet road, the river and the traffic on Newport Road, Officers could hear the diesel engine type noise of the shredder at Coed-y-Felin. The occasional drop of material into the shredder could also be distinguished. The Fast Fourier Transform (FFT) was re-checked and a tonal note of 55Hz was present, however, it could not be heard amongst the wider background noise.

At approximately 14:22, the shredder was turned off and the engine noise (which sounded like a diesel train leaving a station) could no longer be heard in the estate. At approximately 14:28, Officer BOWDER notified the Officers that the shredder was back online and running again. It was apparent that the shredder could again be heard operating at Coed-y-Felin and could be distinguished between being off and on. Officers walked back to the site, met with Officer BOWDER, and then walked back to Coed-y-Felin to evaluate findings. Officers remained at Coed-y-Felin listening to the diesel-engine sounding noise until leaving at 15:15.

NOISE MITIGATION MEASURES

The Operator has purchased wall stockades (as depicted below) with the intention to box-in and create a barrier around the shredder. This is with the view to absorb some of the noise and vibration wavelengths to lessen any excessive noise from leaving the site boundary. NRW mentioned for the Operator to check the permissions with regard to Council Planning requirements when erecting such structures.



Image 3 - showing stockades on site intended for creating a barrier around the shredder

This is accompanied with a new operating strategy to deposit the waste metal in a 'C-shape' around the shredder, to act as a further sound barrier. When walking around the pile, it was evident that the waste did absorb some of the sound and vibration from the shredder. This was evidenced by experiencing an increase in noise and vibration when entering a gap in the stockpile. This is consistent with the sound principle that, if you can see the shredder, it adds approximately 10 decibels to a reading.

NRW advise that the ductwork from the dust extraction system should be repaired in the first instance. A meeting with NRW, the Operator and noise consultants is to be confirmed to discuss strategies of implementing further mitigations measures to best address noise issues.

ACTION

Provide NRW with proposed mitigation methods to address noise leaving the permitted boundary and associated timescales for completion (pending meeting).

MAXIMUM STOCKPILE DIMENSIONS

Whilst the deposited metal can be stored in this manner to act as a dynamic wall around the shredder, NRW Officers reiterated to the Operator that the height of stockpiles **must not exceed 4 metres** and appropriate **separation distances must be established**. The use of metal waste as a 'wall feature' does not allow the Operator to exceed the height restriction at any time. The Operator will have breached its permit conditions if waste is stored excessively and so volumes must be constantly monitored and executed to combat this.



Image 4 – showing large stockpile of scrap metal waste stored in the centre of the yard

At the time of inspection, the pile was exceeding 4m in height. This larger volume of metal was said to be due to the inability to shred the material as the machine has been offline for two weeks. Again, the Operator must restrict its waste acceptance from customers if there is no space on site and think about contingency plans to account for these issues.

ACTION

Reduce all stockpiled waste exceeding four metres in height. Do not exceed this height restriction in future.

EXPLOSION INCIDENT

At around 10:10 on Tuesday 9 November 2021, NRW received multiple incident reports declaring that an explosion was experienced in the area. The Operator stated that, a gas cylinder was allowed past the input checkpoints and fed into the shredder unit. This was highlighted as a staff training issue and a disciplinary has been issued to the staff member in charge. NRW were not notified by the Operator of this event - this is a requirement of your permit.

On 1 September 2021, the Operator experienced a similar explosion incident where an airbag went through the shredder. Whilst these machines are designed to absorb and dissipate impact and explosions, the Operator needs to evidence to NRW how it is going to prevent future reoccurrences. This is not only an environmental issue, but a serious Health and Safety risk that needs to be addressed as a priority to ensure there is no reoccurrence.

ACTION

Submit a full debrief statement to NRW, declaring how the incident happened and actions taken to prevent re-occurrence.

If you have any issues with this report please contact Senior Officer Alex Bowder on Alex.Bowder@cyfoethnaturiolcymru.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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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.