

Compliance Assessment Report

Report ID:
CAR_NRW0035173

This form will report compliance with your permit as determined by an NRW officer

Site	Bryn Lane Composting Facility	Permit Ref	ZP3795ER		
Operator/Permit holder	F C C Recycling (U K) Limited				
Regime	Waste Operations				
Date of assessment	21/05/2019	Time in	11:00	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by	McClymont, James				
Recipient's name/position	Garry Smith/ Operations manager	Date issued	31/05/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	X	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Main purpose of today's visit was to discuss the operators proposals in improving Bioaerosol sampling strategy at the facility. A site inspection was also undertaken.

Present on site was Sandra Davies (D and F Associates), Garry Smith and Chris Griffiths (FCC)

Present on telecom was Neil Davies (NRW) and Dan Sandrof (Smallbrook environmental)

Sampling Locations and Bioaerosols monitoring frequency

It was explained that the operator has been contacting neighbouring sites to discuss access points for new sampling locations, these include the council yard, mitigation land to the east of the MBT land and mitigation land adjacent the House hold recycling centre.

The council depot has now been confirmed as the sensitive receptor for the IVC, and the Household waste recycling site for the MBT. It was also emphasised that sampling should be carried out at these locations irrespective of the direction in which the wind blows on the day of sampling.

It was also discussed that the two sites should be considered independently of each other and despite the inconvenience it might cause, the revised strategy acknowledges that sampling at both locations cannot always be carried out at both locations simultaneously. However it was discussed that due to the sampling complexity and constraints on the site, NRW would consider reducing the bioaerosol frequency (currently quarterly as stipulated in the permit) to a minimal of twice a year, provided that there was a robust new sampling strategy in place, and that this is requested formally as part of the submittal of the new proposed sampling proposal.

Action 1. New sampling strategy to be compiled and forwarded to NRW by **1st July 2019**

Action 2. Site to request reduction in monitoring frequency by **1st July 2019** as part of the submittal of the new sampling strategy mentioned above.

Wind directions.

D and F Associated raised the fact that determining wind directions on the day can prove difficult.

Due to the relative position and proximity of buildings at this site, meteorological measurements made by portable equipment at ground level are unlikely to be suitable for determining prevailing wind directions and subsequent sampling locations relative to the biofilter stacks which are considered the most likely source of bioaerosols.

Measurement of meteorological conditions is crucial. Overall, we are interested in the meteorology which transports bioaerosols to the sampling locations from the roof mounted biofilter stacks rather than the turbulent conditions prevailing at the ground level sample locations which will be overly influenced by downwash and building wake effects.

Ideally an automatic weather station with integral data logger should be available on site during monitoring periods. It can be located permanent or temporarily on site in a location that meets standard guidance, away from any intervening structures or buildings which could influence measurements. It should enable the operator to accurately record wind speed and wind direction representative of site conditions. It should also record air temperature and relative humidity. The wind speed and wind direction (in degrees) should be recorded every minute while the air temperature and relative humidity should be measured and recorded every 10 minutes as a minimum. The sighting of upwind and downwind sampling points should be made relative to these measurements. It is also useful as per M9 guidance to continue using portable instruments to measure wind speed and direction at the same height and location as the sampling units

Action 3 - Operator to investigate the capability/suitability of the current weather station on site including details of heights etc and consider any improvements to current on site stationary meteorological monitoring which would aid sampling. This should be submitted with monitoring sampling strategy by **1st July 2019**.

Data from the site weather station should facilitate identification of suitable upwind and downwind sample locations by the consultant on the day. It could also be a tool to check whether or not weather conditions are suitable for sampling on that day before the consultants depart for the site.

Biofilter efficiency report

Thank you for providing the response in relation to the queries raised by NRW in regards to the odournet report. NRW may need to revisit the issue associated with the requirements of ISO 10780 in future. It would be useful for completeness, if you could clarify which elements of the sampling location do not meet the requirements of ISO 10780.

Please also note that for future reporting it would be useful to include a plan of the sampling locations together with details of when the samples were taken and confirmation of whether the outlet and inlets samples were taken concurrently.

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G1	X	See actions in CAR form	01/07/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.