

The Company Secretary
EnviroWales Limited
Faulkner House
St Albans
Hertfordshire
AL1 35E

Our ref: EPR/GP3337KD

Date: 14th May 2020

Dear Sir/Madam

Environmental Permitting (England and Wales) Regulations 2016 Permit Review

Request for information

Permit reference: EPR/GP3337KD

Operator: EnviroWales Limited

Facility: Tafarnaubach Waste Facility

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 10th October 2019 we received a response from you to the above request. The information has been reviewed and is insufficient, we require additional information. Please provide the following information:

- BAT 1 –EMS. I reviewed the document EWS-6E.01 which only details on how a few points under BAT 1 are met but many are not addressed. Please provide copy of ISO 14001 certificate and provide a summary of how the Environmental Management System (EMS) meets each of the BAT requirements (including a description of the techniques in place and how they meet the standard). You do not need to supply the EMS as a whole. Meeting ISO 14001 will not meet all the requirements of this BAT conclusion. Please submit any relevant, updated supporting documents, e.g. operating techniques, emergency and accident management plans to support.
- BAT 2 – Improve overall performance. You need to explain/provide further details on how BAT 2 is adhered to. Please provide more details to address the requirements of BAT 2. Document EWS 9F 01 does not detail the techniques listed under BAT 2. EWS APP 6.01 and 6.02 has some useful details explaining the techniques under BAT 2 but not all. In particular, further details need to be provided for d,g and f. What is the process for dealing with rejected waste?
- BAT 4 – Reduce the environmental risk associated with the storage of waste. Document EWS APP6.03 includes some details of the techniques required under BAT 4 but not all. Please detail techniques used to meet the BAT conclusion and provide supporting documentation.
- BAT 5 – Not enough sufficient information has been provided to address the requirements of BAT 5 in the document EWS APP 6.04. You need to demonstrate that there are implemented handling and transfer procedure on the site in line with the techniques listed under BAT 5. Please describe in detail the techniques used to meet the BAT conclusion and provide supporting documentation.
- BAT 10/12 – Odour. Provide justification why you consider BAT 10 and 12 to be not applicable. Does the site have an odour management plan?

- BAT 11 – Annual consumption of water, energy, raw materials as well as generation of residues and waste water monitoring. Please detail how the site meets this BAT conclusion and provide supporting documentation. EWS 9B01 does not cover this. Please can you provide the document reference for this BAT, EWS 9E.01.
- BAT 13 – Explain how odour emissions are reduced on site.
- BAT 14 - Please provide details on how the site meets this BAT conclusion and provide supporting documentation. Document EWS 5B.01 provided some details on containment and cleaning but there are other BAT conclusions that are generally applicable that are not discussed within the document. I also reviewed EWS-6E.01 but not clear what information in that document was relevant to this BAT conclusion.
- BAT 17/18 Noise and vibrations - Provide justification why you consider BAT 10 and 12 to be not applicable. Does the site have a Noise and Vibrations Management Plan? I would assume it does as the permit for activities on site includes crushing of slag. I assume there is noise from this process? Please clarify and provide additional information.
- BAT 19 - provide more details on this BAT conclusion. Clarify how not applicable.
- BAT 21 – Accidents and incidents. Some of the BAT requirements are detailed in EWS 7A 01 but not all. I cannot find a copy of the document E-EP055 R7, please submit a copy. BAT 21 requires the use of all the techniques listed. Please detail techniques used to meet the BAT conclusion and provide supporting documentation.
- BAT 22 – Material Efficiency. Please clarify why this BAT conclusion is not applicable.
- BAT 23 – You have not provided enough information to address this BAT conclusion. The document EWS 9B 01 does not completely detail the techniques described under BAT 23. Please provide more information/ supporting documents.
- BAT 24 – Reuse of packaging. No information provided. Please provide details.
- BAT 25 – Emissions to air. You state you are compliant with the BAT conclusion and document EWS APP 6.04 details that dust is controlled via a ventilation system. Is there an emission from this? If there is a channelled emission to air this needs to be considered under other BAT conclusions such as BAT 8 etc and would need emission limit values set for dust. Please clarify and provide additional details.
- Confirm there are no discharge to water from the installation including discharge to surface water, ground or sewer. This will help confirm that Request 7 of the Reg 61 Notice is not applicable.
- Please can you clarify the surface water drainage arrangements on site. The permit states that drosses, which contain a significant amount of lead and other metals and impurities and will be sorted for further recycling on the site. Is there any potential for release of lead or other contaminants to contaminate surface/ground water?
- Please provide a current OPRA profile. The OPRA spreadsheet is available on our website at the following link: <https://naturalresources.wales/about-us/what-we-do/how-we-regulate-you/our-charges/?lang=en>. The Opra you submitted is on an older version of Opra with the Environment Agency branding. Our Opra Spreadsheet has new charge multipliers associated with it. Please update and resubmit.
- In relation to item 6 of the Reg 61 Notice, your response was to refer to previously submitted information – ‘Application site report (Original PPC Application GP3337KD 22nd February 2010) Ref EWS-5D-01a’. You need to provide a summary report referring to information previously submitted where you are satisfied that such information represents the current state of soil and groundwater contamination; so as to enable a quantified comparison to be made with the state of soil and groundwater contamination upon definitive cessation of activity. Where you have concluded that there are no risks of soil or groundwater contamination, provide a copy of the risk assessment.

The documents you reference in the BAT assessment response state a date of 2014. However, the documents I have reviewed were the ones originally submitted with the permit application back in 2010. Please can you confirm if you have updated these documents and please provide copies. I can only see one of the documents that you referenced in your response that was submitted in 2014 and that was EWS 6E-01.

You have failed provide adequate information to comply with a Statutory Notice requiring information which was issued the 5th April 2019. The Natural Resources Body for Wales ("Natural Resources Wales"), in exercise of its powers under Regulation 61(1) of the above Regulations, required you to provide the information specified in Schedule 1.

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.

Making any statement in response to this notice that you know to be false or misleading in a material particular, or recklessly making any statement which is false or misleading in a material particular is an offence under Regulation 38(4)(b) of the Environmental Permitting (England and Wales) Regulations 2016, and may lead to legal action being taken against you.

There is no right to appeal against this notice.

As the requirements of the Reg 61 Notice dated the 5th April 2019 have not been fulfilled, please provide all outstanding information within 3 weeks of the date of this letter. If for any reason the missing information cannot be provided within this timeframe please contact Kirsty Thomas via email: kirsty.thomas@cyfoethnaturiolcymru.gov.uk or speak to your regulatory officer.

Yours sincerely



Kirsty Thomas MSc, BSc (Hons)
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