

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0034981**

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

|                              |                                       |             |            |     |       |  |
|------------------------------|---------------------------------------|-------------|------------|-----|-------|--|
| Site                         | Treherbert Community Recycling Centre | Permit Ref  | AB3091HR   |     |       |  |
| Operator/Permit holder       | Cynon Valley Waste Disposal Co Ltd    |             |            |     |       |  |
| Regime                       | Waste Operations                      |             |            |     |       |  |
| Date of assessment           | 04/04/2019                            | Time in     | 14:30      | Out | 15:00 |  |
| Assessment type              | Site Inspection                       |             |            |     |       |  |
| Parts of the permit assessed | Part 3 of the Permit                  |             |            |     |       |  |
| Lead officer's name          | Peppicelli, Claudia                   |             |            |     |       |  |
| Accompanied by               | Warwick-Brown, David                  |             |            |     |       |  |
| Recipient's name/position    | Lee Foulkes/ Operations Manager       | Date issued | 12/04/2019 |     |       |  |

### 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 |
|----------------------------------------------------------------------|--------------|-----------------------|
| C2 - General Management - Management system and operating procedures | C3           | 1.1.1                 |
| D1 - Incident Management - Site security                             | C3           | Working Plan: 3.4.1   |
| F2 - Amenity - Noise                                                 | C3           | Condition: 3.3.2      |

**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.

|                                    |          |                                                                     |           |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|
| <b>Number of breaches recorded</b> | <b>3</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>12</b> |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|

**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

### Treherbert Site Visit – Treherbert HWRC, RCT (EPR/ AB3091HR) – 04/04/2019

This CAR form covers a period of time that goes from November 2018 to the 5<sup>th</sup> of April 2019. It includes a complete report of the correspondence by email and telephone between NRW and Amgen management, the review of the analytical report and the physical attendance of the site.

Environment officer Claudia Peppicelli and David Warwick Brown attended Amgen's facility at Treherbert, Rhondda Cynon Taff on 04/04/2019 and met with staff members working at that time on site. The visit was undertaken as a routine site inspection to assess the progress made to implement the noise action plan. Thank you for taking the time to attend the inspection. The weather was cold and wet, hailing at times. The activity of the site was low, no one entered the centre during the 30 minutes we were there.

There were three minor breaches recorded during this period of time.

### Noise issue developments from the last 6 months

In the last few months the site has been at the centre of our attention for continuous reports of noise complaints from a local resident.

During our last visit in October we had agreed that Amgen would have carried out a Noise Monitoring Survey to assess its impacts and based on the findings, take actions.

The Noise Monitoring Survey was carried out on the 26<sup>th</sup> of November 2018 by Acoustic & Noise Limited consultant contracted by Amgen. The investigation was carried out in compliance with the BS4142:2014 Standard using CAD modelling techniques.

- **Compliance F2) Amenity – Noise: You have been scored a Category 3 breach in this occasion.**

### **Condition: 3.3.2** *The operator shall:*

- a. if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;*
- b. implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.*

NRW reviewed the Report and the model used and drew the following conclusions: the report has used an established methodology, which successfully demonstrates the potential impact from sounds generated on site and It also demonstrates that a sound barrier will potentially reduce sound levels at the receptor. However, the barrier should not be relied upon to mitigate noise in isolation.

On the 12<sup>th</sup> of February after analysing the outcome of the Report, NRW agreed with Amgen on a “Noise Action Plan” for the implementation of the recommended actions emerged from the report.

On the 21<sup>st</sup> of February the “Recommendations” from the report were provided with the following estimated timescales (red below):

- *7.1: An acoustic barrier located at the north-east and south-east boundary of the site.*  
Date suggested by Amgen 29.03.19.  
*On the 29<sup>th</sup> of March, following consultation with Planning Office at RCT, we had a phone conversation during which Amgen management confirmed that no planning application was needed to install the acoustic fence as long as this one is no taller than 2m. We advised to go ahead with the works since the first deadline had passed.*
- *7.3: Improvements to reversing alarms of the visiting lorries.*  
Amgen stated that they could not implement this recommendation as the site is visited by a number of contractors using various vehicles and could not require them all to alter reversing alarms. Amgen explained this to the consultant when reviewed the document and they agreed not to include it in the final version. It is fair to note that the reversing alarms have not been the focus of the complaints to date.  
*Agreed by NRW.*
- *7.4: Evaluate the viability of the removal of the on-site speed bumps.*  
On the 08.03.19 speed bumps will be removed.  
*Action completed.*
- *7.5: Additional signage to be deployed throughout the site to re-enforce the message and encourage the public to be considerate whilst on site.*  
Date suggested by Amgen 29.03.19.  
*Action verified during our visit on the 4<sup>th</sup> of April. Signage present at the entrance of the plant.*
- *7.6: The installation of a CCTV system at the site should be considered.*  
Date suggested by Amgen 29.03.19.  
*Action in progress.*

### **Report from the visit**

Verification: During our site visit on the 4<sup>th</sup> of April I could verify that the speed bumps had been removed and that the signage at the entrance reinforced the message for the public not to throw object into the skips but to place them without causing too much noise.

- **Compliance D1) Site Security: you have been scored a Category 3 breach in this occasion.**

**Working Plan: 3.4.1) Site security.** *The purpose of the security procedures is to safeguard site infrastructure and stored waste materials from thieves and vandals.*

The CCTV cameras were not installed yet and there were no signs of works commenced for installing the acoustic fence. Asked about the progress of the works, the staff on site replied that the they had seen some activity and heard from management that works will be done in the following two weeks.

We asked about the state of the break-ins issue, they confirmed us that there have been several break-ins

recently. Unfortunately, the main entrance gate seems to have quite a large gap underneath, large enough for someone to slide in. The same thing could happen in other parts of the surrounding fence. The CCTV cameras that will be installed are the type connected to a central security control room and will have an amplifier to dissuade intruders sending a loud message that they are being watched. I suspect this would not be enough if the fencing infrastructure is not improved in order to block the easy access by sliding underneath it.

Other improvements: We verified the presence of rubber mats underneath the two builders skips that collect the construction, soil and stone waste. (Picture 1)



*Figure 1 Rubber mats underneath skip for construction waste.*

The larger skips, the walk-in type, are probably too heavy to be provided with a similar solution. The movement of the skips during the changes is one of the sources of the complaints. The larger skips that contain metal objects with metal wheels dragged on the concrete floor could be the cause of the problem (Picture 2). I have therefore suggested the management to consider improving this aspect by applying rubber coated wheels.



Figure 2 Walk-in skip for electrical appliances.

- **Compliance C2) Management System: you have been scored a Category 3 breach as root cause in this occasion.**

Sub-Conditions at point 3.4 of the Management System should be integrated with:

- the improvements to the palisade gate and surrounding gate to close the gaps with the pavement,
- the updates once the CCTV is in place.

**Conditions under 6.4** of the Management System should be modified and integrated with a proper Noise management plan. A re-evaluation of the noise risk should consider the results coming from the noise survey. The plan should include clear mentioning of the recommendations coming from the report.

### Actions

Based on the email I received from Lee Foulkes on the 5<sup>th</sup> of April, I suggest keeping the following course of actions:

- 7.1 Acoustic Fence – Survey completed on 02.04.19. No planning required. Order for fence placed on 04.04.19 – awaiting confirmation of installation date from supplier.  
*Please informed NRW when the installation work starts.*
- 7.6 CCTV - Installation of CCTV, Intruder and Fire alarms on Monday 8<sup>th</sup> April, taking approximately one week to complete.  
*Action should be completed by the end of April.*
- Consider improving large skips movements by applying rubber coated wheels.  
*Please provide feedback on this aspect by the 31/05/2019.*
- Consider improving the gate infrastructure in order to close the gap with the pavement.  
*Please provide feedback on this aspect by the 31/05/2019.*
- Revise and update your Working plan once the CCTV cameras are installed and the acoustic barrier put in place.

*Action should be completed by the 11/10/2019.*

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

Claudia Peppicelli

03000654791

Email address

Claudia.peppicelli@cyfoethnaturiolcymru.gov.uk

*\*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body*

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0034981**

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

|                        |                                       |            |            |
|------------------------|---------------------------------------|------------|------------|
| Site                   | Treherbert Community Recycling Centre | Permit Ref | AB3091HR   |
| Operator/Permit holder | Cynon Valley Waste Disposal Co Ltd    | Date       | 04/04/2019 |

### 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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

### 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 |              |                                                                                                     |            |
| C2                  | C3           | Update the management system. Improve and implement the conditions listed on the management system. | 11/10/2019 |
| F2                  | C3           | Implement Noise action Plan: build acoustic barrier, improve site operations                        | 31/05/2019 |
| D1                  | C3           | Close the gap                                                                                       | 31/05/2019 |

## 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](mailto: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.