

Compliance Assessment Report CAR_NRW0036877

Permit being assessed: SB3493HB.

For: Greens Recycling Centre, held by Greens Recycling (Wales) Ltd

At: Abercynon, Mountain Ash, CF45 4EP.

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

On 18/08/2020 between 11:00 and 11:40.

Parts of permit assessed: B4

NRW Lead Officer: Elysia Lovelock.

Report sent to: Andrew Green, Director/Site Manager/Site Contact on 28/08/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.3.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
B4	Removal of the waste on the upper tier area of the site as per the timescale agreed.	15/02/2021

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

Officer Elysia LOVELOCK attended the permitted facility of Greens Recycling (Wales) Ltd, Pontcynon Transfer

Station, Unit 28 Pontcynon Industrial Estate, Abercynon, Mountain Ash, Mid Glamorgan, CF45 4EP on Tuesday 18th August 2020. The Officer met Mr Andrew GREEN on site at 11am, during the site visit the weather remained unsettled with intermittent showers.

The purpose of the visit was to conduct a final site inspection as the Operator has requested to surrender the environmental permit EPR/SB3493HB. The site operated for 5 years under a standard rule permit at the above facility, under regulation 27(2) of the Regulations, SR2008 No3 were conditions of this permit, as a household, commercial and industrial waste transfer station with treatment, issued on the 10 April 2014. Waste management activities ceased on site on the 28th February 2020 and the site has now been re-purposed.

As a low risk surrender, in preparation for this visit, Officer Elysia LOVELOCK confirmed that the Operator had provided the following: a site condition report SCR, a general overview and summary from the CAR forms, photographs which demonstrate that the site is in good condition and not contaminated and a detailed site plan. Upon reviewing these documents, it was noted that according to the SCR, permit surrender supporting information document 'Envir/GSurr/July20', no site condition report was submitted for application as the permit pre-dates any mandatory requirement and no monitoring points were required and that the site reported no changes to the activity during the lifetime of the permit.

Mr GREEN escorted the officer around the permitted area and explained how the site operated. I would like to take this opportunity to thank Mr GREEN for taking the time to explain the operations. During the visit, corresponding photographs of the three areas of the site were taken to document the condition of the site, which are included in this report. I observed the sites drainage throughout the site to be free of debris, with no obvious signs of contamination, as shown below.



Initially visiting the lower yard area (seen below), which at the time of operation, was the processing area for clean aggregate with a hard standing surface. The Officer observed that the area was clear of waste and any aggregate material. The yards hard standing that was visible (due to the re-purposing of the site) appeared to be in good condition.



Secondly, moving on to the MRF Building, as seen below, the Officer observed that the building was clear of any waste and free of any odour and the impermeable surface was in good repair and the surface was clean.

Mr GREEN confirmed that the interceptor for this area was emptied 3 months ago and any plant equipment/machinery has been removed from site.



The site visit concluded with the upper terrace area, where during operation of the site, Mr GREEN advised this is where empty skips/containers were stored. The Officer observed that some containers were being used to temporarily store construction material, for the ongoing works, connected with the re-purposing of the site. I noted that the remaining containers/skips to be free of waste, photograph shown below reference 'EL.UT01' refers.



The second photograph show below relates to the area opposite within the sites permitted boundary, reference 'EL.UT02' refers, which captures a mound of what appears to be predominantly inert material with mixed waste present, the location of this has been marked with a red 'X' on the site plan below.



The officer was advised on site by Mr GREEN that this has always been there. In follow up communications, Mr GREEN was unable to provide any photographs of this area prior to operations commencing. Whilst I am unable to draw any direct comparison to the state of the site before the facility was put into operation, I refer to Appendix 2 of the FPMP provided on 14th December 2017 (as shown below).



From the Google Earth satellite image used, it is visible that the blue permitted boundary skirts the tree line of the upper tier area. From photograph ref.EL.UT02, you can see where the tree line edges the upper tier area. An area which spans further back than is now possible to access (as is shown in Appendix 2 of the FPMP), due to the mound of inert material containing mixed waste.

As the MRF Building present in the Google Earth image was built post acquisition of the permit, this image shows how the upper tier area has changed during the lifetime of the permit. Therefore, I am currently unable to confirm the site to be in a satisfactory state, as there remains to be waste stored on the upper tier requiring removal before the permit can be surrendered.

As discussed on the 24th August 2020 with Officer Elysia LOVELOCK, Andrew GREEN has agreed that the waste shall be removed by 15th February 2020. At such time, the Officer will look to attend site. As advised by permitting, please be aware that as a result of this six-month timescale provided, the Operator will need to resubmit their application to surrender the permit.

Please see below breakdown of the permit breach identified and any action required:

B4 – Containment of Stored Materials. Category 3 breach.**2.3 Operating Techniques.**

Permit condition 2.3.1 states: *'The activities shall be operated using the techniques and in the manner described in Table 2.3 below.'* Table 2.3 Operating technique states '2. Unless stored or treated outside as specified waste³. A) all bulking, transfer or treatment shall be carried outside 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. 3. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.'

Evidence: As the surface of the upper tier area does not meet the requirements of a hard standing surface, this area was not suitable for the storage of the specified waste type of inert material, and therefore, was not specified for the storage of mixed waste which was found to be present on 18th August 2020 (photograph ref.EL.UT02 refers). This therefore constitutes a **category 3 permit breach/non-compliance which could have a minor environmental effect**.

Action Required:

Removal of the waste on the upper tier and retention of all associated Duty of Care transfer notes, providing these records to Natural Resources Wales at the time of completion.

Due Date:

15/02/2021, as agreed.

If you have any issues with this report, please contact Elysia Lovelock on 03000 653 079 or via email: elysia.lovelock@naturalresourceswales.gov.uk.

Thank you.

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.