

Compliance Assessment Report CAR_NRW0036929

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 09/09/2020 between 10:00 and 12:00.

Parts of permit assessed: Various

NRW Lead Officer: Chris Burge, accompanied by Alex Bowder, Jak Rose.

Report sent to: Becky Tucker , TCM on 21/09/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
C4	<ul style="list-style-type: none"> - Reduce the size of the general waste stockpile in the unit so that all material is undercover. - Send images of work completed to the Regulating Officer - Implement procedures to ensure all general waste is stored within the unit going forward 	12/10/2020
C4	<ul style="list-style-type: none"> - Remove all wood waste from the permitted area and cease to process any further material. - If intending to deal with wood waste going forward, decide whether to erect a further building for wood waste or apply for a permit that allows outside storage and treatment of wood waste. 	28/09/2020

Criteria	Action needed	Complete by
	Deadline: 28 September 2020	
C2	ACTION <ul style="list-style-type: none"> - Reduce all heights of stockpiled material to 4m - State working methods for controlling stockpile height going forward – insert into EMS and FPMP - Implement correct fire breaks in-line with a submitted FPMP. 	12/10/2020

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

Officers Chris Burge, Alex Bowder and Jak Rose attended SL Recycling Limited at Unit 1, Pontyfelin Industrial Estate, New Inn, Pontypool on Tuesday 08 September 2020 at 10:00 to complete a routine compliance inspection of the permit EPR-BB3299FN. The weather was dry and sunny at the time of inspection. The staff present at the time of inspection were Director Stacey Lewis and Technically Competent Manager Becky Tucker, who accompanied Officers around the site and discussed the changes made since the previous inspection.

Members of Torfaen County Borough Council Planning and Environmental Health departments were also present to assess amenity issues on site for their own purposes.

PREVIOUS CAR FORM ACTIONS

None

COMPLIANCE BREACHES

The following permit breaches were identified during the inspection.

CATEGORY 3 BREACH

C4 - General Management - Storage, handling labelling and Segregation
Permit condition 2.3 Operating techniques

Condition 2.3.1 states that:

“activities shall be operated using the techniques and, in the manner, described in Table 2.3 below:

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste:

- 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.”*

At the time of the inspection, it was evident that the general waste was protruding out from the building structure, as seen in photograph below. This was due to excessive tonnages of mixed waste being stored within the structure, which meant that not all of the waste benefited from cover.



Image 1 – showing general waste stored within the building extending out of the opening

WASTE STORAGE DURATIONS

The Operator stated that Covid-19 pandemic has resulted in increased stockpiling of material on site. As per the draft Fire Prevention and Mitigation Plan (FPMP), it states: 4.2.1 - *“The waste transfer station building will have a design capacity capable of separating up to 50T/day per day of incoming material. The maximum period of storage will normally be 2 days in the reception bays before processing or removal of waste off Site. The short turn-around time will mitigate against the build-up of hot spots.”*

A two day turn around is an ambitious time period to complete removal of this material given the activities involved. We recommend that you re-assess your waste strategy and implement an achievable timescale for the acceptance, processing and removal of general waste. This should then be stated in your Management System.

ACTION

- Reduce the size of the general waste stockpile in the unit so that all material is undercover.
- Send images of work completed to the Regulating Officer
- Implement procedures to ensure all general waste is stored within the unit going forward.

Deadline:

12 October 2020

WOOD WASTE

SL Recycling Ltd recently applied for an environmental permit to allow for the storage and treatment of wood waste outside within the permitted area. This Standard Rules Permit application was returned based on the yard being within a certain distance of a protected area; a bespoke option is now likely to be applied for. Until such permit allowing the storage and treatment of wood outside a building is issued, this is an unpermitted activity.

At the time of inspection there was a large pile of processed wood waste stored to the side of the general waste building. The wood had also been processed outside. It was discussed that the Operator had planned for this to be removed from site prior to the site inspection, however operations had been let down by a transport company. Staff assured Officers that this wood material would be removed within 14 days of the site visit and photographs submitted.

ACTION

- Remove all wood waste from the permitted area and cease to process any further material.
- If intending to deal with wood waste going forward, decide whether to erect a further building for wood waste or apply for a permit that allows outside storage and treatment of wood waste.

Deadline:

28 September 2020



Image 2 – showing processed wood stored outside of a building

Category 3 breach – Root cause

C2 - General Management - Management system and operating procedures

Condition 1.1.1 - *The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.... []*At the time of inspection, it was noticed the stack height of your ferrous metal was above the recommended 4 meters - it was estimated to be 6-8 meters in height, as shown in the picture below. Additionally, there were limited or no separation distances afforded between the different metal waste piles.

This 4m height specification was determined by the Fire and Rescue Service (FRS) for general good management practise and stability, to enable the FRS to tackle a fire on site if an incident were to occur. The site must put measures in place to ensure that stockpiles do not exceed this height in future.

This is a root cause breach for not following your Management System to ensure general and wood waste stockpile sizes are managed efficiently.

ACTION

- Reduce all heights of stockpiled material to 4m
- State working methods for controlling stockpile height going forward – insert into EMS and FPMP
- Implement correct fire breaks in-line with a submitted FPMP.



Photo 3 – showing metal stockpile height above 4 metres

ADVICE AND GUIDANCE (OTHER MATTERS)

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

Officers questioned the various motors and wired equipment that were stored in a pile and stated the restrictions of WEEE acceptance with the permit held. It was stated that these were classed as non-ferrous metals and so were not being accepted as WEEE.

The End-of-Life depollution bay has been fully erected with the appropriate infrastructure installed to capture all contaminants. There were no End of Life Vehicles on site at the time of inspection or any dismantling activities taking place.

PLASTIC WASTES

Around the back of the premises were various baled plastic materials stored. Officers raised the issue that these were not permitted under the conditions of the permit. Any temporary storage of this should be indoors.

Please see that these waste types are removed.

NOISE AND ODOUR

The site demonstrated crushing and compacting activities of metals. This is deemed one of the loudest operations that the Operator will be carrying out. Your Noise Prevention Plan will need to be

strictly followed to reduce any potential amenity issues.

Thank you to the site for continuing to respond to NRW regarding incidents reported.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

Condition 1.1.1 of your permit requires you to operate the site in accordance with a written Management System. This document should outline how you are going to run the site, whilst assessing risk to the environment and complying with your permit conditions. These documents must be accurate to the operations happening on site.

ACTION

Please can the Operator submit an up-to-date Environment Management System (EMS) and . This document will then be assessed by NRW once received.

Deadline:

02 November 2020

FIRE PREVENTION AND MITIGATION PLAN (FPMP)

Condition 3.4 of your permit requires you to “*manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance*”.

The draft FPMP that was submitted to NRW in 2018/19 was very generalised and contained limited site-specific mitigation methods. The business must clearly demonstrate how it can operate whilst reducing the risk of fire and plan for an incident. This needs to address the various sections in the NRW FPMP Guidance document such as water supply, quarantine areas and stack sizes.

ACTION

Please submit a FPMP that reflects current site operations and work areas. If the site intends to submit a bespoke permit application, this should be submitted as part of this.

02 November 2020

WASTE RETURN DOCUMENTS

Quarter 2 waste returns have not been submitted; this must be done as soon as possible failure to do this will result in a further breach

Quarters	Deadline for return
January 1 to March 31	April 30
April 1 to June 30	July 31
July 1 to September 30	October 31
October 1 to December 31	January 31

If you have any issues with this report, please contact Officer Chris Burge on 0300 065 3000 or chris.burge@naturalresourceswales.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.