

Compliance Assessment Report CAR_NRW0037456

Permit being assessed: GP3690LR.

For: Tondy Waste Transfer Station, held by Kier Services Limited

At: 1 Maesteg Road, Tondy, Bridgend, Glamorgan, CF32 9DP.

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

On 09/12/2020 between 11:00 and 12:00.

Parts of permit assessed: Management and infrastructure

NRW Lead Officer: Loku Ranasinghe, accompanied by David Warwick-Brown.

Report sent to: Gareth Barnes, Business Manager on 02/02/2021.

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	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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

CAR Comments

Weather- sunny, cold and dry.

Officers David Warwick-Brown and Loku Ranasinghe attended site and met Site manager Gareth Barnes (Business Manager) and Leeanne Neagle (Operations Manager)

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Management and infrastructure were the main points covered by the site visit.

This was an announced visit and introductions were made as Loku Ranasinghe is the new Site Regulator and we toured the site with Gareth and Leeanne.

General comments

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All bulking/transfer/treatment activities are carried out indoors. We discussed the drainage issues that were there historically, but these have been sorted out now.

No hazardous waste on site -(ex; hygiene waste)- Nappies which are the only haz waste they do collect, are sent to a different depot now.

Checked for any liquids on site and secondary containment- this is the fuel storage, Gareth confirmed this is a double bunded tank.

Several points raised from pre- 2019 inspection were covered too.

- No wastes were observed outside bays/ pavements serviced by surface water drains, and no wastes were found outside permit boundary.
- Food waste trailer –

Observed electric cover being opened for depositing of waste from collection lorries this morning. Also saw the contractor coming to take the trailer away. Some gulls were picking at it in the short interval when cover was open, but this did not cause any ongoing issues.

Discussed the baler breakdown which Gareth emailed about on 15/07/20 to Jodie Baskerville and the various implications of the downtimes.

This morning the baler had broken down again but is expected to be fixed by this afternoon. We observed a temporary bay being prepared outside for loose materials in case this is needed due to the breakdown, but this will be used as a last resort (same has been mentioned in the above email).

Cardboard storage- While on site we noticed that the cardboard in the bay (where they have been unloaded by lorries) was stacked higher than the bay walls (possibly reaching over 4m) Gareth said they were aware of an insurance requirement that these should not be higher than the bay walls overnight, but was not sure if the FPMP required this. Dave mentioned this would have been mentioned in the FPMP (Please see below the comments regarding the FPMP)

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No breaches recorded.

Action Only

- Waste returns- Jul-Sep 2020 received

Mixed waste number of samples appeared not correct

1323.22	Kier Enviromental Services c/o Bridgend County Borough Council		Yes	2.00	146.88
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We discussed this at the site visit and Leanne got back to us on this since the visit, as requested. *However, as there are further outstanding queries within the Returns these would dealt with in a Separate CAR form.*

- FPMP

I mentioned that last mention on file is FRS and Gareth Davies' CAR form comments in 2018 (emailed 30/10/18) regarding the FPMP. No evidence of a revised FPMP having been submitted thereafter. Gareth Barnes mentioned a colleague (who has since left that role) was working on this and he will look in to this following the receipt of the CAR form.

Action- Gareth Barnes to check the status of the current FPMP/ progress where it was left off from in 2018 and submit FPMP within 3 months of the date of the CAR form.

- Environment Management Plan

I note Sally Wakeford, the then site Regulator, had asked for several site-specific documents back in 2019 (email on 23/04/19) including the Environment Management Plan, but we have no record of these being received.

Action – Submit the current Environment Management Plan for the Tondy Civic Amenity Site within 3 months of the date of the CAR form.

- Fires Risk- Cardboard storage- while the FPMP is sought to be put in to place you should take note of the above observations as regards stack heights and freeboard requirements and ensure that current FPMP Guidance which can be found here is followed on site. The same has been mentioned in the CAR form in 2018 by Gareth Davies.

Action- Ensure the site practices reflect the current FPMP Guidance or an approved FPMP.

- COTC cover

We discussed the COTC cover following from the relocation of personnel and Gareth explained that this would be now covered by 2 individuals taking turns.

Action (*Completed now*) - Gareth Barnes to send proof of COTC competency certificates- Provided via email on 27/12/2020

Thank you for your time during the site visit.

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.