

Compliance Assessment Report CAR_NRW0037536

Permit being assessed: JB3893HP.

For: Site Serv Recycling Ltd, held by Siteserv Recycling (sw) Limited

At: Llandow, Cowbridge, CF71 7PB.

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

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

Parts of permit assessed: Management and infrastructure

NRW Lead Officer: Loku Ranasinghe, accompanied by Laoni Tye, Elysia Lovelock.

Report sent to: Debbie Foggarty, Luke England, Operations Manager , Director on 12/02/2021.

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 Table 2.3
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	3.4.2

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	All waste stored on hangar B should be removed from site and taken to an authorised facility. Waste transfer notes of all movements of the waste to be provided to NRW.	12/05/2021
C2	Action- Repair and maintain security fence.	12/05/2021
D2	Revise FPMP to reflect the separation distances recommended in the guidance based on the current stockpiles and comply with such revised FPMP / FPMP guidance. All this waste needs to be removed from site as a priority.	12/05/2021

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

Weather- overcast and dry.

Officers Laoni Tye, Elysia Lovelock and Loku Ranasinghe attended site and met Operations Manager Debbie Foggarty.

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

Toured both the external area (where Hangar B used to be before it burnt down) and Hangar A, accompanied by Debbie.

Breaches

(c4) Storage, Handling, Labelling and Segregation-Category 3 Condition 2.3.1 Table 2.3

2.3 Operating techniques

2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 Operating techniques

- | |
|--|
| <ol style="list-style-type: none">1. Unless stored or treated outside as specified waste³:<ol style="list-style-type: none">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.c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. |
|--|

Under the above permit condition all wastes are required to be stored inside a building.

We have witnessed mixed fire damaged waste are stored outside of a building (previous Hangar B

area). This waste has been stored in this area in breach of the permit since 2017.





There is leachate pooling near waste piles. The area is not served by sealed drainage, hence there is potential for the leachate to run off the concrete pad onto hardstanding/unmade ground and cause pollution.

We also observed additional waste being stored in this area which is further exacerbating the situation rather than waste being removed as expected.

Large volumes of waste fines are found stored on hardstanding. These have been stored in this manner for over 6 years now and the maximum time of storage of waste destined for disposal is one year and 3 years for recovery.



Action: All waste stored on hangar B should be removed from site and taken to an authorised facility. Waste transfer notes of all movements of the waste to be provided to NRW.

(c2) Management system– Category 3 - Condition 1.1.1

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

Site has a fence, as mentioned in the IMS-15-04 Business Continuity Plan. One section of the fence is damaged. We were informed that this is to be fixed by April.

As identified in the above mentioned document the fence is to provide against vandalism and any resulting pollution of land and water. It is noteworthy that the site had already experienced several fires and material is stored externally which gives rise to the fire risk highlighted below.



Action- Repair and maintain security fence.

(d2) Accident, Emergency and Incident Planning – Category 3 - condition 3.4.2

3.4.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities could cause a fire risk, submit to Natural Resources Wales a fire prevention plan which identifies and minimises the risks of fire;
- (b) operate the activity in accordance with the fire prevention plan, from the date of submission, unless otherwise agreed in writing by Natural Resources Wales.

Hangar A

- Storage Dimensions and FPMP compliance

Depth of cardboard bales = approximately 18 m (alongside the firewall. These stacks backs in to an alcove and have no access from behind. Other bales (first picture below) runs from further forward, near the centre of the floor, into the alcove.

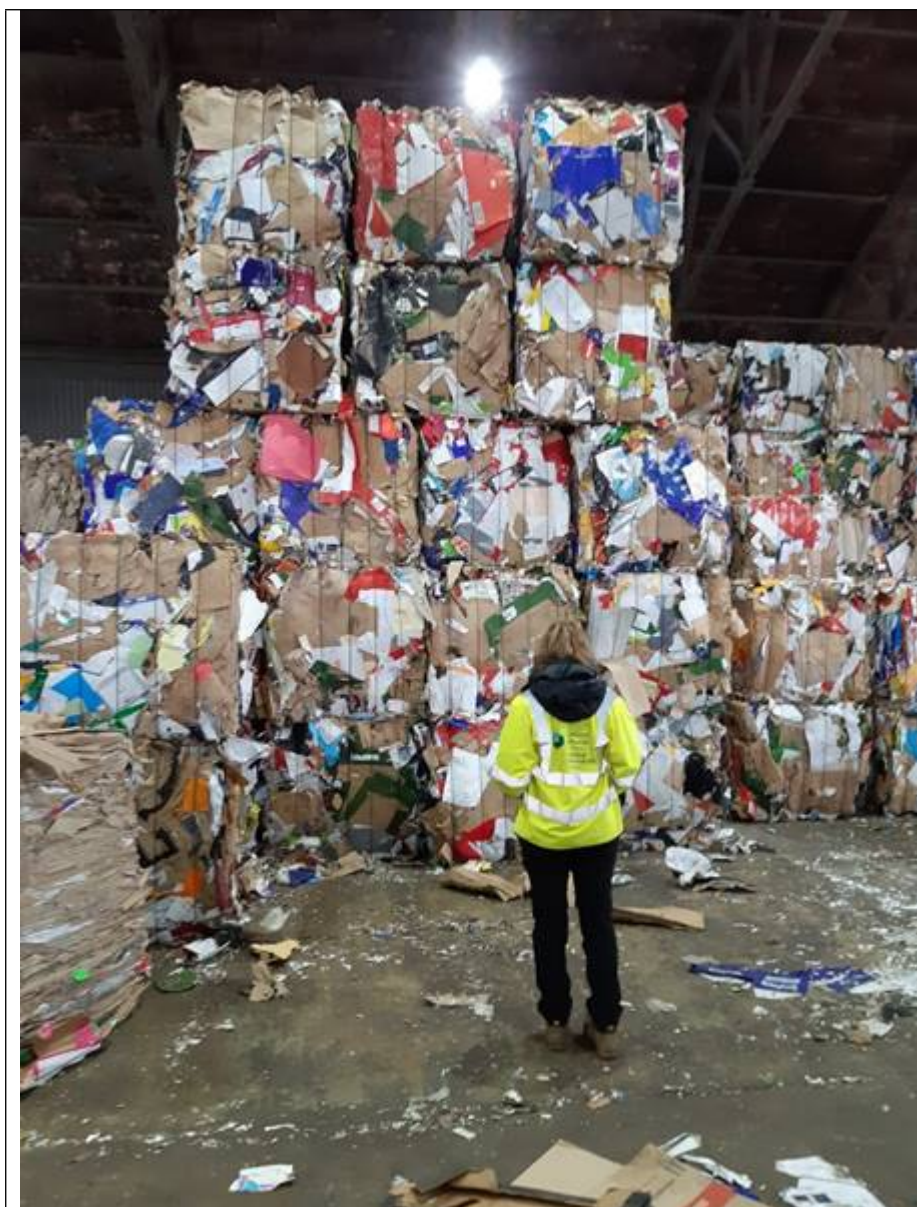
The currently approved FPMP dated 12 Feb 2018) states that paper and cardboard waste when baled will not exceed 10m x 10mx 4m and would have a separation distance of 9m. We observed stack heights above 4m and widths of 18m, and the separation distances of 9m were not being maintained.

The FPMP Guidance states - The maximum widths of stockpiles if only accessible from one side is 10 metres, this is to ensure FRS equipment can be used effectively in case of a fire. Separation between internally stored wastes and building walls, plant & other equipment within buildings will need to be considered. In general fires in internally stored wastes are far more likely to spread to buildings and plant than for externally stored wastes. Given the above FPMP guidance, and our observations, should a fire occur within the building, the probability of it spreading is quite high and the resulting environmental harm could also be significant.











Also some mixed baled waste was seen inside. Could see crisp packets, other plastic wrapping and a plastic bottle. It was agreed following the last major fire in 2017, mixed residual waste is not to be accepted onto site. This therefore is not in line with your current FPMP.







Previous Hangar B area

We have witnessed mixed fire damaged wastes and waste fines continuing to be stored outside of a building. The separation distances and the stockpile sizes have been agreed in the currently approved FPMP (dated 12 Feb 2018) on the understanding that the fire damaged Hangar B waste would be gradually removed in a controlled manner. The (then) allowed separation distances were accepted on the basis that as the stockpiles reduce the separation distances would increase.

However we do not see evidence of this having been or being progressed. Therefore you would need to increase separation distances and amend FPMP accordingly in line with the FPMP guidance.

Further regarding the removal of stockpiles- we have witnesses grassed over mounds of waste which we understand were being trommelled for a while in the past. Debbie stated that in her understanding this was stopped due to noise complaints, but the CAR form -CAR_NRW0036635- from Jodie Baskerville dated 28/05/2020 clearly shows that you were given allowance for this activity albeit under strict terms.

This waste has been stored in this manner since 2017. Bearing in mind the area is not served by an impermeable surface and sealed drainage should a fire occur on site, the fire water run-off can enter the hardstanding area causing pollution. In addition, the waste piles are not currently being monitored in line with the FPMP.

Action- Revise FPMP to reflect the separation distances recommended in the guidance based on the current stockpiles and comply with such revised FPMP / FPMP guidance. All this waste needs to be removed from site as a priority.





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.