

Compliance Assessment Report CAR_NRW0037627

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 09/02/2021 between 10:20 and 11:00.

Parts of permit assessed: A / B / C / D / F / G

NRW Lead Officer: Greg Gardner, accompanied by Alex Bowder.

Report sent to: Rebecca Tucker, Stacey Lewis, Technically Competent Manager, Director on 26/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and	Assessed (A)	

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
environment		
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
F2 - Amenity - Noise	Action only (X)	

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
C2	Reduce size of waste stockpile to 4 metres or less and establish clear separation distances between deposited waste and site boundaries as per SL Recycling, Pontypool FPMP (Fire Prevention and Mitigation Plan)	19/03/2021
B3	Repair damaged areas of flooring on site and remove excess sludge from drainage area following recent flooding to prevent potential contamination to ground water	19/03/2021
F2	The site must continue to manage its operation in accordance with the Noise Management Plan to alleviate potential future amenity issues as much as practically possible.	19/03/2021

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

This report details the site visit made on the 9th February 2021 to SL Recycling Ltd, Permit number EPR-BB3299FN. **This CAR Form was re-issued on 26 February 2021 to remove the F2 permit breach of 3.3.1 in relation to noise impacts.**

Officers Alex BOWDER and Greg GARDNER attended the SL Recycling Ltd Site at Unit 1,

Pontyfelin Industrial Estate, New Inn, Pontypool, Torfaen, NP4 0DQ, for a routine site inspection at 10:20am where we met with Ms. Rebecca TUCKER (Technically Competent Manager). The weather was dry and cold all through the site visit.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact or effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

PERMIT COMPLIANCE

CATEGORY 3 BREACH – PERMIT CONDITION 1.1.1

(C2) – GENERAL MANAGEMENT – MANAGEMENT SYSTEM AND OPERATING PROCEDURES

“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”

- Stockpile of waste without an established separation distance to site boundary.

Please see report content for further justification.

GENERAL OBSERVATIONS

SL Recycling Ltd, Pontypool operate under a standard rules environmental permit. Currently, SL Recycling, Pontypool have applied for a bespoke permit that would require them to undertake wood processing operations however this has been sent back on the basis that NRW require further information to complete the application process for the bespoke permit to be assessed. A new bespoke permit application will be required by SL Recycling, Pontypool if they wish to undertake wood processing activities. This site is used as a waste transfer station and an ELV (End-of-Life Vehicle) treatment facility with the waste being distributed to other companies / sites within the UK. The site was in operation at the time of the visit and there was no waste of any type was stored outside of the permit boundary.

SITE INFRASTRUCTURE

The general housekeeping on the site was in good condition with no major amounts of loose debris located on the floor. It was noted that one area of the site contained a pooling of excess residual sludge from a recent flood that had occurred in the area. Within this sludge there were some traces of oil which does drain to the sites interceptor drainage system (as seen in photo 1). Although this wasn't a major concern it was pointed out that the residual sludge will need to be cleaned up.



Photo 1 - Residual sludge containing traces of oil from recent flooding event

The site has an operational interceptor drainage system which was maintained and in good working order and maintained periodically with no concerns at the time of the site inspection. It was noted that although the concrete impermeable flooring was in good condition, there were some areas where they were damaged and needed repairing (as seen in photo 2). An action plan is in place to repair and maintain the damaged flooring areas in question soon.



Photo 2 - Damaged flooring located on site

ACTION: Repair damaged areas of flooring on site and remove excess sludge from drainage area following recent flooding to prevent potential contamination to ground water

WASTE ACTIVITIES - GENERAL WASTE

During the site visit there were various segregated stockpiles of different waste streams. The majority of the mixed stockpiled general waste was located underneath a 'zap' shelter. The general waste is removed and sent to various downstream waste companies such as Opez, Viridor and NCD. It was noted that the size of the waste stockpile was particularly large at the time of the site inspection (as seen in photo 3) and that it should be reduced in size to prevent any potential fires occurring. Officer BOWDER reiterated during the site visit the FPMP (Fire Prevention Mitigation Plan) to Ms. TUCKER that the height of the waste must be under 4 metres and clear separation distances exercised to prevent fire spread.



Photo 3 - General waste located underneath 'Zap' Shelter

ACTION: Reduce size and create designated separation distance of waste stockpile to prevent potential fire

NOISE ISSUES AND MITIGATION MEASURES

NRW are still receiving large volumes of reported incidents regarding amenity issues said to be emanating from the site. Going forward, the site will need to look into further mitigation methods (for instance, purpose-built acoustic walling) to better contain sounds made in the yard. SL Recycling, Pontypool are continuing to respond to all amenity issue complaints said to be coming from the yard in a timely manner. Thank you to the operator for continuing to carry out this reporting action.

The officers reminded the operator that they have to strictly adhere to their operating times that are specified within their EMS (Environmental Management System). We also reminded the site not to drop scrap from height as to reduce noise impacts as so far as reasonably practicable. We also reminded the site that NRW regulate the site impartially with the sites permit conditions and will continue to do so going forward.

During the site inspection, there was plant machinery operating which was moving the general waste. Upon doing so, the machinery bucket scraped along the floor which in turn generated some noise which could have had an impact. Officers reminded the site to ensure that waste machinery is not dragged along to reduce any potential noise impacts as much as possible and to prevent weakening of the flooring. The operator understood and took on board these comments.

The site continues to run its operations in accordance with its noise management plan. The site has also conducted acoustic testing to isolate and address the noise concerns going forward.

ACTION:

The site must continue to manage its operation in accordance with the Noise Management Plan to alleviate potential future amenity issues as much as practically possible.

WASTE ACTIVITIES - WOOD

During the site visit there were a couple of stockpiles of waste wood / wood chip (as seen in photo 4) which is collected from the processing of general waste. Some of this wood chip was used to increase the size of the sites bund to help noise suppression which is dictated by Torfaen County Council. NRW would only regulate the material being used for the bund (as seen in photo 5).

The wood is to be stored inside however due to recent flood damage, the access route to the warehouse where the wood was to be stored was damaged and due for repair therefore as a temporary measure it was stored outside away from any possible ignition sources. It was noted the stockpile was relatively high however it was not a cause for concern. The waste wood is stored on site and then sent to South Wales Wood Products, Newport.



Photo 4 - Stockpile of woodchip located on site



Photo 5 - Increased size of bund to assist with noise suppression on site

WASTE ACTIVITIES - PLASTICS

During the visit there was a segregated and secured stockpile of hard plastic waste (as seen in photo 6). This waste was to be processed on site and sent to AWD plastics, Port Talbot. Again, this was no cause of concern at the time of the site inspection.



Photo 6 - Stockpile of hard plastic waste located on site

WASTE ACTIVITIES - METAL

The site contained large quantities of scrap metal that would be baled and sent to the relevant downstream scrap metal dealers. It was noted that the size of the waste stockpile was particularly large at the time of the site inspection (as seen in photo 7) and that it should be reduced in size to prevent any potential fires occurring. NRW Officers reiterated to the operator that the height of the scrap metal stockpile must not exceed 4 metres at any time and clear separation distances exercised to prevent fire spread / accessibility.

There was also no clear separation between the metal waste and site boundary (as seen in photo 8). There should be a clear separation distance established at all times between building, boundaries and neighbouring stockpiles to allow access for fire and rescue services. This has scored the site a category 3 breach as a result.



Photo 7 - Large stockpile of scrap metal waste located on site



Photo 8 - No clear separation distance between waste and site boundary

ACTION: Ensure there is an established minimum separation distance across all waste streams on site to reduce fire risk and allow emergency service access if required.

WASTE ACTIVITIES - ELV (End-of-Life Vehicles)

The site now has an erected and installed depollution bay on site (as seen in photo 9) with only a few other elements of equipment required to begin ELV operations. The flooring infrastructure was in excellent condition which is all linked to the sites interceptor drainage system. The scrap vehicles on site were stored securely and no more than 3 vehicles high at any one time (as seen in photo 10).



Photo 9 - Newly erected de-pollution bay at SL Recycling, Pontypool



Photo 10 - Storage of vehicles ready for the de-pollution process

It was also noted, as per the metal waste above, that various ELV parts were 'propped' up against the site boundary fence (as seen in photo 11). As previously mentioned, there should be a clear and established separation distance at all times to allow access for fire and rescue services. It was noted that there was some residual oil that has leaked from ELV parts however as good practice, SL Recycling have used sawdust to absorb the residual oil as well as collect any excess via the sites interceptor drainage system. Officers questioned where the oil soaked sawdust was being removed to. The operator stated it was removed and transported by an authorised hazardous waste carrier.



Photo 11 - ELV parts placed up against fence



Photo 12 - Use of sawdust to contain and absorb residual oil from ELV parts

WASTE RETURN SUBMISSIONS

SL Recycling, Pontypool have submitted their waste returns to NRW indicating that a total of 11,125.99 tonnes of waste was accepted (1,592.03 was ELV waste and 9,533.96 was other wastes) and that 9,006.83 tonnes of waste was removed (507.83 was ELV waste and 8,499 was general waste). The waste returns were submitted on time to NRW. To clarify, going forward, any ELV waste must be submitted annually to NRW and general waste streams submitted quarterly in accordance with your permit conditions.

NRW officers Alex BOWDER and Greg GARDNER left site at 11:00am.

If you have any issues with this report please contact Greg Gardner on greg.gardner@cyfoethnaturiolcymru.gov.uk and / or Alex Bowder Alex.Bowder@cyfoethnaturiolcymru.gov.uk

I look forward to working with the site in 2021.

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.