

Compliance Assessment Report CAR_NRW0037305

Permit being assessed: AB3091HR.

For: Treherbert Community Recycling Centre, held by Cynon Valley Waste Disposal Co Ltd

At: Treherbert Industrial Estate, Treherbert, Treorchy, Rhondda Cynon Taff, CF42 5HZ.

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

On 09/12/2020 between 14:40 and 14:55.

Parts of permit assessed: Permit & operational area

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

Report sent to: Lee Foulkes, TCM on 10/03/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
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
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?

Criteria	Action needed	Complete by
F2	Noise Management Plan containing appropriate measures now received (as of 15/02/21)	Already completed

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

Compliance Assessment Report – Treherbert Community Recycling Centre, RCT (EPR-AB3091HR)

This CAR form records the outcome of a routine annual site inspection conducted by the Regulatory Officer for the site, in addition to three separate offsite noise monitoring assessments, carried out due to the continued receipt of noise complaints associated with the site's operation.

Officers David WARWICK-BROWN & Loku RANASINGHE visited Treherbert CRC on 09/12/2020 for a routine inspection. The Officers were met with Site Operator Darren on arrival at the site. The weather was overcast and cold. Time on site: 14:40-14:55. There were no issues or breaches to be reported following the inspection or the noise monitoring assessment. A category 3 breach was initially scored following the noise monitoring assessment due to the recording of two 'considerably loud' banging sounds, which were perceived as noise pollution by NRW. However, this breach was removed following review of the permit conditions and the appropriate measures implemented by the operator.

Inspection

The site was clean and well organised. It was also very quiet – there was only 1 customer using the site while Officers were on site – and no noises were perceived from the site's operation for the duration of the inspection.

Improvements to the site were noted: larger and clearer signs had been installed since the previous inspection, instructing customers to respect neighbours and keep noise to a minimum; the gap beneath the gate at the entrance to the site had been sufficiently reduced in size to prevent members of the public from trespassing onto the site; and new speakers had been installed to accompany the CCTV cameras.

Noise monitoring

Following the inspection, the Officers proceeded to conduct the first of the three offsite noise monitoring assessments. The second and third noise monitoring assessments were carried out on 10/12/2020 and 18/12/2020 respectively. A total of 2 hours and 30 minutes were spent recording all noises associated with either Treherbert CRC or with background noises surrounding the site, recorded from the public footpath outside of the complainants' back garden, across the river from the SE corner of the site. The Officers arrived at location 15:12 and left at 15:42. The weather was cold and overcast, and the river was running moderately.

The results for the first offsite noise monitoring assessment on 09/12/20 are as follows:

Time	Noise description
15:12	Sound of cars and running of river
15:15	Sound of children's voices at school approx. 100m away
15:16	Traffic sounds in distance
15:18	Train passing on track beyond the industrial estate
15:20	Sound of children's voices at school approx. 100m away
15:22	Traffic sounds
15:25	"
15:27	Sound of birds singing
15:30	Very quiet high frequency beeping sound from direction of industrial estate
15:31	Quiet bang from Treherbert CRC
15:32	Slightly louder bang, possibly a car door being closed
15:34	Traffic sounds

15:35	"
15:36	Dog barking in distance
15:38	Quiet drone sound in distance
15:40	Another quiet bang, not sure which direction sound originated
15:41	Train passing

The second noise monitoring assessment was carried out by Officer WARWICK-BROWN on 10/12/2020. The Officer arrived at the location at 07:58 and left at 09:28. The weather was overcast and slightly raining, and the river was running moderately.

The results for the second noise monitoring assessment are as follows:

Time	Noise description
07:58	Background noises - sounds of river and birds
08:01	Quiet drone sound of car engine from main road (A4061)
08:04	Further quiet car sound
08:08	"
08:09	Sound of an aeroplane overhead
08:11	Car engine sound from A4061
08:12	Crashing sound coming from North, not from site
08:13	Sound of car engine
08:17	Quiet rumbling sound of machinery from direction of Everest Ltd
08:18	Sound of train passing
08:19	Further gentle sound of machinery from North end of Industrial Estate
08:20	Sound of HGV driving up to Industrial Estate. Quiet over bumps.
08:21	Relatively loud crash from direction of Everest Ltd
08:23	Quiet sound of machinery at Everest Ltd

08:26	Sound of car engine from main road
08:29	Low frequency/relatively quiet bang from industrial estate - uncertain origin
08:34	Soft rumbling sound from industrial Estate - again uncertain origin, seemed more likely from Everest Ltd, however
08:36	Car engine sound from main road
08:39	Quiet car engine sound in distance
08:40	Sound of train passing
08:43	Sound of aeroplane passing overhead
08:46	Sound of train passing
08:48	Quiet banging sound from industrial Estate (precise origin uncertain)
08:49	HGV drives up to site. Again, quiet over bumps.
08:50	Gentle humming sound from Treherbert Recycling centre – possibly the hydraulics machine
08:54	Humming sound slightly increases in volume and frequency, then moves south away from site. Could then see through the trees that this sound was a HGV. Sound gradually decreases as vehicle drives off.
08:56	Soft crashing sound from the south
08:57	Another gentle humming sound, softer this time, from direction of industrial Estate but uncertain which site
08:58	HGV drives up to site. Slight sound of vehicle over bumps
09:00	First skip changeover. A few moderate banging sounds. Low frequency, but not considered intrusive
09:02	Slightly louder banging sound
09:03	Another similar banging sound
09:05	A few quieter rumbling sounds
09:07	Another moderate bang followed by a crashing sound
09:15	Engine sound from main road
09:17	HGV drives away from site
09:18	Sound of car driving up to industrial estate
09:21	Considerably loud bang from the recycling centre
09:22	Gentle banging sound from recycling centre
09:23	Another considerably loud bang from recycling centre
09:25	Gentle rumble sound from recycling centre
09:26	Moderate banging sound – origin uncertain
09:27	Sound of aeroplane passing overhead

The third and final noise monitoring assessment was carried out by Officer WARWICK-BROWN on 18/12/2020. The Officer arrived at the location at 12:00 and left at 12:30. It was raining heavily, and the river was running very high.

The results for the third noise monitoring assessment are as follows:

Time	Noise description
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12:00	Background noises - sound of river running and birds singing
12:01	Sound of vehicle driving up to industrial estate
12:05	Light crack sound, like a crate dropping onto floor from Treherbert CRC
12:08	Faint sound of machinery from industrial estate – uncertain origin
12:13	Moderate engine sound from Everest Ltd
12:14	Faint engine sound from industrial estate – uncertain origin
12:17	Quiet bang from Treherbert CRC
12:18	Sound of train passing
12:20	Moderate bang of material thrown into skips at Treherbert CRC
12:22	Soft banging sound from Treherbert CRC
12:23	Quiet low deep sound of HGV at Treherbert CRC
12:25	Sound of car in distance coming from the South of Treherbert CRC
12:26	Quiet engine sound from Trehebert CRC
12:27	Sound of train passing
12:30	Quiet rumble sound from direction of industrial estate – uncertain origin

Conclusion

Overall, the above results show that a minority of the sounds recorded originate from Treherbert CRC. The origin of a considerable number of the sounds perceived were uncertain and it was often not possible to distinguish between the sounds from Treherbert CRC and the neighbouring site, Everest Ltd. As shown in the results, most of the sounds were also made up of the background noises surrounding the site, from the engines of various modes of transport and from the surrounding nature, which were frequently perceived to be just as loud as noises emanating from the recycling centre.

The noises reported to NRW have typically stated that intermittent yet frequent banging and crashing sounds emanate from the recycling centre; usually from materials being thrown into skips, from skip changeovers, and from the sounds of machinery (such as HGV's and the hydraulics machine) used on site. The noises recorded during these monitoring sessions did often match the noises reported to NRW, but it

appeared that there were just as many occasions where background sounds of similar volumes/frequencies were reported to originate from outside of the site (from cars, trains, aeroplanes, and from the neighbouring site on the industrial estate: Everest Ltd). Both noise impact assessments undertaken by Acoustics & Sound Ltd appear to support this statement. Since this is the case, most of the sounds recorded during these monitoring assessments were not perceived to be noise pollution.

However, two of the noises perceived by NRW were considered as noise pollution, consisting of the 'considerably loud' banging sounds recorded on 09:21 and 09:23 on 10/12/2020, since the vibration of these two sounds were physically felt by the Officer standing at the noise monitoring location between the complainants' back garden and the Rhondda River.

Permit condition 3.3.1 states that 'Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration'.

UPDATE (10/03/21): the operator submitted a Noise Management Plan, containing the appropriate measures as required (sent to NRW on 15/02/21).

Permit condition 3.3.2 states that 'The operator shall: (a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration; (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.'

Since NRW have perceived the activities of the operation to be giving rise to pollution, the submission of a noise and vibration management plan is being requested as a further action for this CAR form and will be included in the actions for the category 3 breach. This management plan relates to the noise and vibration management plan mentioned in permit condition 3.3.1, which has not yet been submitted/approved. As permit condition 3.3.2 states, the plan should outline in detail the plans for identifying, managing and minimising noise and vibration, and should include the details of the installed appropriate measures already being used to minimise the noise and vibration from the operation.

Action: Please submit a noise and vibration management plan for approval by 07/04/2020.

UPDATE (10/03/21): the operator submitted a Noise Management Plan, containing the appropriate measures as required (sent to NRW on 15/02/21). This plan is currently being reviewed for approval, and feedback will be provided to the operator once this has been completed.

Further comments

Thank you for taking the time to show us around the site during the inspection.

If you have any issues with this report, please contact David Warwick-Brown on 0300 065 3683 or david.warwick-brown@cyfoethnaturiolcymru.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

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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.