

Compliance Assessment Report CAR_NRW0037861

Permit being assessed: BB3991ZK.

For: Cwmcrachen MRF, held by RLF Eco Services Ltd

At: Plot 1B Cwmchrachen Industrial Estate, Brynmawr, Ebbw Vale, NP23 4AZ.

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

On 13/04/2021 between 10:30 and 11:30.

Parts of permit assessed: A, C, D, F

NRW Lead Officer: Alex Bowder.

Report sent to: Mark EASTON, Site Manager on 15/04/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
D1 - Incident Management - Site security	Assessed (A)	
F5 - Amenity - Deposits on road	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?

Criteria	Action needed	Complete by
C2	Please draft and submit an Environment Management System and FPMP document to NRW for intended operations in order to be assessed. Further guidance on this has been sent to the operator separately.	15/06/2021
C4	Please ensure all timber logs stored within the permit boundary are removed within 8 weeks.	15/06/2021

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 inspection made on 13 April 2021 for RLF Eco Services Limited located at Plot 1B, Cwmcrachen Industrial Estate, Brynmawr, Ebbw Vale - Permit Number **EPR- BB3991ZK**.*

Senior Regulation Officer Alex BOWDER attended RLF Eco Services Limited at 10:30 to carry out an introductory inspection of environmental permit **EPR-BB3991ZK**. The Officer was met by the Site /manager Mr. Mark EASTON who was present throughout the visit and walked around the permitted area discussing intended waste operations. A first inspection checklist was completed (and signed by the operator) with the various requirements of the permit explained. The weather conditions were dry and mild at the time of inspection.

COMPLIANCE

Following each assessment Natural Resources Wales (NRW) will produce a Compliance Assessment Report (CAR) detailing our comments from the visit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach activities against your permit conditions. This has the potential to affect your site banding and annual subsistence fees; these are scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 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 **EPR-BB3991ZK**

On 1 December 2020, the operator was issued a Standard Rules permit (**SR2008No3**) for a household, commercial and industrial waste transfer station with treatment. There were no waste activities taking place at the time of inspection, with operations looking to begin in the next few months.

The operator has been in contact with the landowner and has notified the party of the issued waste permit. The Officer discussed the history of the site and the importance of complying with all the permit conditions and respective site management documents going forward.

SITE OBSERVATIONS

Immediately to the right of the gated entrance, there is porta-cabin that has the intention of being used for a site office. To the west of the yard, there is a three-walled (roofed) metal shelter that is divided into three bays, as seen in image 1.



Image 1 – showing the yard infrastructure, sorting unit and various timber logs stored within the permit boundary, taken on 13 April 2021

Primarily, the business intends to deal with general mixed waste collected from skips and stored within the permit boundary. The business model looks to accept, store and process the various waste streams within the yard and then to send the unrecyclable contents to either BIFFA or Trecatti Landfill.

PERMIT SPECIFICATIONS - SPECIFIED WASTES

The permits states that, with the exception of specified waste, all bulking, transfer or treatment of non-hazardous waste **must** be carried out inside a building. Specified wastes are defined in this permit as being the following waste codes in Table 2.2:

- 01 01 01, 01 01 02 - wastes from mineral excavation
- 01 04 08, 01 04 09, 01 04 13 - gravel | sand, clays | stone cuttings
- 02 04 01 - soil from cleaning and washing
- 10 11 12, 10 12 08, 10 13 14 - glass | waste ceramics, bricks, tiles and construction products | concrete
- 15 01 07 - glass packaging
- 17 01 01 17 01 02, 17 01 03, 17 01 07 - concrete, bricks, tiles and ceramics, 17 02 02 - wood | glass and plastic
- 17 03 02 - bituminous mixtures, coal tar and tarred products
- 17 05 04, 17 05 08 - soil (including excavated soil from contaminated sites), stones and dredging spoil

Wastes from waste management facilities

- 19 12 05 - glass
- 19 12 09 - minerals (sand and stones)
- 20 02 02 - garden and park wastes | soil and stone

The permit states that, unless stored or treated outside as specified waste listed above:

- 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**.

Therefore, any wastes other than the items listed above, must be bulked up, transferred or treated within the unit shelter on site. If you wish to store or treat non-specified wastes (such as mixed waste/plastics/metals) out in the open, you would need to look at varying the environmental permit to allow for these activities.

STORAGE OF TIMBER LOGS

The Officer highlighted the large amounts of felled timber logs stored in the yard at the time of inspection, as seen in Image 2. It was stated that these were deposited before the issuing of the permit in December 2020. It was declared that, these materials were being stored with the intention to be sent to a saw mill in West Wales. It was advised that these logs need to be removed promptly before any waste operations can commence, as they pose a potential arson risk.



Image 2 – showing various piles of timber stored within the permit boundary, taken on 13 April 2021

The operator agreed to endeavour to remove these materials as quickly as possible, which should be completed within 8 weeks.

Action

Please ensure the timber logs stored within the permit boundary are removed within the 8-week timescale discussed on site.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The Officer spoke about how permit condition 1.1.1 requires the operator to manage and operate the activities *“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”.

As explained, this should be a live-working document that details how you are going to run your site and comply with your permit conditions. This should be updated accordingly to reflect any change in operation, for example. More information can be found under the ‘How to comply with your environmental permit’ guidance:

<https://naturalresources.wales/permits-and-permissions/environmental-permits/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en>

Action

Please submit your most recent EMS document for us to assess and provide feedback.

TECHNICALLY COMPETENT MANAGER (TCM)

Condition 1.1.4 requires the operator to comply with the requirements of an approved competence scheme. The operator Mark EASTON presented his various WAMITAB certificates and confirmation of the recent refresher module completed for a non-hazardous transfer station in December 2020. Please remember to complete the continuing competency requirements when these qualifications expire in two years.

FIRE PREVENTION AND MITIGATION PLAN (FPMP)

Condition 3.4.1 requires the operator to “*manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance*”. The site needs to create a tailored and comprehensive Fire Plan document that covers the various chapters in the FPMP guidance for a waste transfer station activity. The document should address factors such as general waste management practises across the site, separation distances between stockpiles, contingency plans, quarantine areas and maximum storage times of all waste streams.

Action

Please submit your FPMP document that reflects the guidance for NRW to assess.

SITE DRAINAGE AND INFRASTRUCTURE

The permit requires all specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. The operator was unsure of the drainage profile for the site at the time of inspection. It must be ensured that all potentially contaminated run-off not leave the premises via soaking through the ground layers or exiting the boundaries.

The majority of the site flooring is considered hardstanding, aside from the unit shelter where it resembles more of an impermeable surface. There were large concrete dividers present on site that could be used to segregate waste streams once activities are up and running

SITE MODIFICATIONS

The operator spoke about the potential work to be carried out across the site to improve the overall standards for conducting its waste transfer operation. There is the intention to install a weighbridge at the site entrance to assist with vehicle weighing and to improve tonnage accuracy for Waste Return submissions.

The operator also intends to improve the infrastructure by laying down concrete flooring

around the shelter unit and erecting trees/fencing around the yard boundary to assist with containment. Site security was also discussed, with mention of having security staff present on site with canines.

WASTE RETURNS

The Officer discussed how condition 4.2.2 requires the operator to submit its waste return tonnages for all materials inputs and outputs **every quarter**. It is important to accurately document all tonnages with the correct waste codes so that we can view the audit trail of the waste. This must be submitted every quarter, even for a **null return**.

The submission period and deadlines are:

QUARTER	PERIOD	DEADLINE
1	1 January to 31 March	30 April
2	1 April to 30 June	31 July
3	1 July to 30 September	31 October
4	1 October to 31 December	31 January

We look forward to working with the site in 2021.

If you have any issues with this report, please contact Officer Alex Bowder on alex.bowder@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.