

Compliance Assessment Report CAR_NRW0038506

Permit being assessed: AB3298HZ.

For: Project Yellow Recycling, held by Project Yellow Recycling Limited

At: Tynewydd Farm, Pendoylan Road, Groesfaen, Pontyclun, Rhondda Cynon Taff, CF72 8NE.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number 2103743).

On 27/04/2021 between 16:00 and 17:55.

Parts of permit assessed: Emissions from noise

NRW Lead Officer: Laoni Tye.

Report sent to: Tom Prichard, George Harvey and Carl Holder, Director, TCM and Operations manager on 16/07/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F2 - Amenity - Noise	C3 Minor	3.1.1

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
F2	Please refer to body of CAR	30/07/2021

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

On the 27th April 2021 officer Laoni Tye attended a noise incident reference: 2103743 reported from

receptor to the East of the site. It was a dry day with a westerly wind at 10mph, blowing towards the easterly receptor. A noise was substantiated off site to the east and was attributed to noise associated with the sites activities. A breach of permit has therefore occurred.

F2 – Amenity Noise. Category 3 breach.

Permit condition 3.1.1 states that ‘Emissions from the activities shall be free from noise and vibration 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.’

Arrived off site at 16:05 at the receptor to the east, various noises were identified including a rumbling, juddering sound and banging of what sounded like loading onto metal. There was then a loud bang of a similar sound. A horn beeped twice. There was then a screeching type of sound.

There was another loud bang followed by a loud sound of an engine revving.

These sounds continued whilst at the receptor between 16:05 and 16:45 with occasional loud bangs and what sounded like soil or fine material being tipped off. Machinery was visible which appeared to be working close to the site boundary to the east.

16:45 George Harvey the sites technically competent manager (TCM) and Howard Oakes, site manager arrived at the receptor. It appeared the noise had reduced slightly by this point and it was later confirmed that the heavy plant (crushers/screener) were shut off at 16:30 in line with their Noise Management Plan. It was agreed at this point that noise could be heard coming from the site but the TCM and manager did not agree that it was causing any impact. We were advised that operations were as they were when the monitoring for the noise impact assessment (NIA) had been conducted and that there was no impact to the east of the site. NRW officer perceived the sound to be causing an impact.

17:00 We arrived on site, at this point the screeners and crushers were turned off with the conveyor belts facing up. This was in line with the sites management systems. It was confirmed by the sites manager that there is one crusher and three screeners on site but that there would only ever be one screener and two crushers operating at the same time. We identified a front loader (unclear of the make and model) that was moving up and down the stock pile and loading material into awaiting trucks.

We perceived the sound from the engine of the vehicle with the loading shovel to be the cause of the revving engine noise that had been substantiated at the receptor. It was extremely loud as it pushed its way up the stockpile. We also perceived the sound from the loading activity to correlate with the sound of metal flexing. Site staff informed us that the sound from this vehicle and the loading activity was normal however this appeared to be very loud to the officer, which was further acknowledged by the fact it could be heard at the receptor.

There was some activity ongoing to the east of the site, where vehicles were being loaded. These sounds could be heard off site at the receptor. A tailboard also caused a loud bang at one point, which is likely the banging noise attributed off site. The site manager instantly got on the radio to the driver to remind them that this was not permitted on site. We understand a lot of work has been done with toolbox talks and training for site staff on this element, along with signposts around site.

We checked paperwork in the office and the site manager showed us records for April of off site noise monitoring that is conducted on a weekly basis at each receptor. The results are compared against a decibel

scale, believed to be in line with health and safety at work procedures. We are unable to comment on this at this stage but would welcome this procedure within the sites NMP to demonstrate how the noise monitoring is conducted. We were advised that this is on top of the daily checks made off site.

In conclusion, noise was substantiated off site at a receptor for a period of 45 minutes. These noises were attributed to the site and are known to be the noises associated with these waste activities. There were the general sounds of vehicles being loaded, beeping horns, reverse alarms and a loud revving engine. Some of these were working to the east of the site closest to the receptor. Excavators and diggers could be seen working on top of stockpiles and above the perimeter bunds making them visible, and limiting any attenuation the bunds may have. We are also unable to consider whether or not the noise bunds are appropriate due to a lack of information on these to date (as also mentioned in response to NIA provided in CAR issued 14th July) The site is therefore being scored a category 3 breach against the permit condition which is a minimal impact on the receptor site.

The NIA and NMP has now been assessed and I refer you to CAR form issued on the 14th July 2021, (dated after this inspection and CAR.) The impact of noise on the receptors to the east have not been properly accounted for and the impact likely underestimated.

Some improvements should be considered, these could include but are not limited to:

- Fitting of rev limiters on site vehicles operating close to boundary
- Pointing exhausts away from receptors
- Exhaust silencers on vehicles operating close to properties
- Reducing drop heights when loading
- Operating below the stockpiles, not on top (and less visible)
- Fitting smart or broadband alarms on vehicles operating on site or having safe systems of work to negate the need for alarms.

Action: Refer to CAR dated 14th July 2021. Further discussions to be had and a way forward agreed.

Photo of noisy plant



Paperwork examples

PRICHARD'S

Document Number: Document Title Noise Monitoring Record

18.3

Project Name: **Prosted Yellow** Project Number: **10.06.21**

Document Author: **Harold Oakes** Date: **10.06.21**

ACTIVITY TO BE ASSESSED

Noise monitoring of the perimeter of prosted yellow.

NAME OF PERSON CONDUCTING THE TEST: **Harold Oakes**

DATE AND TIME OF TEST: **10.06.21 - 08:15**

MAKE AND MODEL OF NOISE METER: **hewlett hew 520**

NEXT CALIBRATION DATE: **N/A**

TYPE OF PLANT AND PLANT NO: **Bouldy chads**

NAME OF PLANT OPERATOR:

NOISE READINGS dBA (three separate readings over a 30 sec period)			
No	MAX	MIN	SNR (MAX - 85)
1	Castle mynards pub	62 DB	61 DB
2	Castle mynards pub	64 DB	59 DB
3	Castle mynards pub	63	62 DB
Average			

NOISE READINGS dBA (three separate readings over a 30 sec period)		
No	MAX	MIN
1	61	59
2	62	71
3	64	69
Average		

2021/04/27 17:40

PRIESTMAN'S

Document Number: Document Title Noise Monitoring Record

18.3

Project Name: **Prosted Yellow** Project Number: **19.03.21**

Document Author: **Harold Oakes** Date: **19.03.21**

ACTIVITY TO BE ASSESSED

General sound check.

NAME OF PERSON CONDUCTING THE TEST: **Harold Oakes**

DATE AND TIME OF TEST: **19.03.21**

MAKE AND MODEL OF NOISE METER: **hewlett hew 520**

NEXT CALIBRATION DATE: **N/A**

TYPE OF PLANT AND PLANT NO: **Bouldy chads**

NAME OF PLANT OPERATOR:

NOISE READINGS dBA (three separate readings over a 30 sec period)			
No	MAX	MIN	SNR (MAX - 85)
1	Castle mynards pub	66 DB	59 DB
2	The Band All's around	61 DB	69 DB
3	the airport	60 DB	70 DB
Average			

NOTES

RING PROTECTION REQUIRED? **YES/NO** SNR LEVEL OF PROTECTION DATE **19/03/21**

2021/04/27 17:41

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.