

Compliance Assessment Report CAR_NRW0037358

Permit being assessed: XP3295FK.

For: The Recycling Centre, held by Amber Engineering Limited

At: Dyffryn Business Park, Ystrad Mynach, CF82 7RJ.

Type of assessment carried out: Audit, Reason: Routine.

On 19/01/2021.

Parts of permit assessed: G

NRW Lead Officer: Greg Gardner.

Report sent to: Kathryn Evans, Technically Competent Manager on 11/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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?

No action required.

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 has been re-issued to Amber Engineering following submission of their Q4 2020 waste return data being submitted prior to the 31st January 2021.

This is a desk-based audit of the 2020 Waste Return submissions for Amber Engineering

located at The Recycling Centre, Dyffryn Business Park, Ystrad Mynach, Caerphilly, CF82 7RJ, permit number, EPR-XP3295FK, conducted by Officer Gregory Gardner on 19th January 2021.

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

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 2 - Significant impact on 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

The site is permitted to accept a total annual through put of 75,000 tonnes per annum and is currently up to date with all of 2020's waste return data submissions. The site has declared that it accepted approximately 32,400 tonnes through the 2020 period; this is within the allowance therefore no breaches have been identified.

Quarter 1

The site submitted its 2020 Quarter 1 waste return data on 16th April 2020 declaring that 9362.92 tonnes were accepted, and 10,736.54 tonnes were removed. All the mandatory sections within section 2 have been completed in full.

Of the 9362.92 tonnes of material accepted to site, 6916.36 tonnes consisted of mixed municipal waste which has been coded as **20 03 01**. The rest consisted of mixed construction waste and recyclable waste. 10,736.54 tonnes were removed, again, 2819.62 tonnes coded as **20 03 01**. A large quantity of waste, 5624.72 tonnes was coded as **19 12 12** which consisted of other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11. The remainder of the waste consisted of construction & demolition wastes and soil & stones.

The majority of the disposal or recovery codes are **R13** - Temporary storage of wastes pending any other recovery operation (excluding temporary storage, pending collection, on the site where it is produced) with some of the bigger tonnages including the **D05.02** Non hazardous waste landfill with the wastes being correctly coded predominately under the 17, 19 and 20 EWC codes which constitutes:

- 17 - Construction and demolition wastes (including excavated soil from contaminated sites)
- 19 - Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
- 20 - Municipal wastes (household waste and similar commercial, industrial and

institutional wastes) including separately collected fractions

The large majority of recyclable waste was sent to Merthyr Tydfil County Borough Council with some of the large remaining quantities transported to Cardiff County Borough Council.

Any hazardous waste was disposed of correctly to the relevant local authorities.

Quarter 2

The site submitted its 2020 Quarter 2 waste return data on 22nd July 2020 declaring that 5695.56 tonnes were accepted, and 4832.38 tonnes were removed. All the mandatory sections within section 2 have been completed in full.

Of the 5695.56 tonnes of material accepted to site, 4502.47 tonnes consisted of mixed municipal waste which has been coded as **20 03 01**. The rest consisted of construction and demolition wastes and other municipal wastes. 4832.38 tonnes were removed, again, 1437.04 tonnes coded as **20 03 01**. A large quantity of waste, 2426.24 tonnes was coded as **19 12 12** which consisted of other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11. The remainder of the waste consisted of various mixed waste such as paper and wood.

The majority of the disposal or recovery codes are **R12** - Sorting of wastes before any recovery operation R1 to R10 (other than R3 to R5) with some of the bigger tonnages including the **D05.02** Non hazardous waste landfill with the wastes being correctly coded predominately under the 17, 19 and 20 EWC codes which constitutes:

- 17 - Construction and demolition wastes (including excavated soil from contaminated sites)
- 19 - Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
- 20 - Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions

The large majority of recyclable waste was sent to Merthyr Tydfil County Borough Council with some of the large remaining quantities transported to Cardiff County Borough Council.

Any hazardous waste was disposed of correctly to the relevant local authorities.

Quarter 3

The site submitted its 2020 Quarter 3 waste return data on 22nd October 2020 declaring that 9335.72 tonnes were accepted, and 8777.06 tonnes were removed. All the mandatory sections within section 2 have been completed in full.

Of the 9335.72 tonnes of material accepted to site, 6809.02 tonnes consisted of mixed municipal waste which has been coded as **20 03 01**. The rest consisted of construction and demolition wastes, other municipal wastes and waste packaging. 8777.06 tonnes were removed, again, 922.08 tonnes coded as **20 03 01**. A large quantity of waste, 6100.6 tonnes was coded as **19 12 12** which consisted of other wastes (including mixtures of

materials) from mechanical treatment of wastes other than those mentioned in 19 12 11. The remainder of the waste consisted of gypsum based construction materials and other municipal wastes.

The majority of the disposal or recovery codes are **R12** - Sorting of wastes before any recovery operation R1 to R10 (other than R3 to R5) with some of the bigger tonnages including the **R13** Temporary storage of wastes pending any other recovery operation (excluding temporary storage, pending collection, on the site where it is produced) with the wastes being correctly coded predominately under the 17, 19 and 20 EWC codes which constitutes:

- 17 - Construction and demolition wastes (including excavated soil from contaminated sites)
- 19 - Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
- 20 - Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions

The large majority of recyclable waste was sent to Merthyr Tydfil County Borough Council with some of the large remaining quantities transported to Cardiff County Borough Council.

Any hazardous waste was disposed of correctly to the relevant local authorities.

Quarter 4

~~According to NRW records, the site has yet to submit its 2020 Quarter 4 waste returns data. As per the permit compliance section above, this outstanding waste return data must be submitted to NRW for review by 1st March 2021.~~

On 11/08/21, correspondence with Amber Engineering indicated that their waste returns were submitted on time and in full with a total of 8,001.10 tonnes received during Q4, 2020 with 8,604.84 tonnes removed. The original category 4 breach for failure to submit waste returns has been removed due to evidence being supplied by the operator that the Q4, 2020 waste returns were submitted on time and in full.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.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

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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.