

## Compliance Assessment Report CAR\_NRW0038586

**Permit being assessed:** VP3132LJ.

For: Mwyndy Solid Fuel Briquette Manufacturer EA/EPR/VP3132LJ/V002, held by Maxibrite Ltd

At: Mwyndy Industrial Estate , Mwyndy, Llantrisant, Rhondda Cynon Taf, CF72 8PN.

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

On 19/07/2021 between 14:00 and 18:30.

Parts of permit assessed: Site Inspection

**NRW Lead Officer:** Lewis Evans.

**Report sent to:** Simon Gilbody, Operations Manager on 23/08/2021.

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

| Part of permitted activity assessed (criteria)                                                                 | Assessment result | Permit condition |
|----------------------------------------------------------------------------------------------------------------|-------------------|------------------|
| B5 - Infrastructure - Plant and equipment                                                                      | Assessed (A)      |                  |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | Assessed (A)      |                  |
| E3 - Emissions - Surface water                                                                                 | Assessed (A)      |                  |
| E1 - Emissions - Air                                                                                           | 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

### **Mwyndy Solid Fuel Briquette Manufacturer – Maxibrite Ltd**

Permit Reference: **EPR-VP3132LJ**

Site Handover **Visit 19<sup>th</sup> July 2021**

**NRW – Lewis Evans (LE)**

**Maxibrite – Simon Gilbody (SG)**

#### **1. Introduction**

A site induction and tour of the site was organised via email with Simon to take place on the 19<sup>th</sup> July at 2pm. The weather on the day was dry, sunny and very hot. There was little to no wind on the day. Lewis Evans introduced himself as the new NRW site regulator and the meeting was conducted with social distancing in place and meeting room well ventilated. LE had brought the relevant PPE for the site for the tour which took place after discussions. The site visit was routine and a chance for LE to get familiar with the site.

#### **2. Permit Discussions**

SG advised that the permit variation to update the permit will be submitted in mid-August. This variation is to correctly align the permit to the activities that take place on site. It will remove the S1.2 Part A(1)(j) for the Part B activity.

Water discharging off site is only done when it is needed. Any rainfall that falls on the site will be drawn towards the sump on the west of the site (due to the contours). The water is then pumped up to lagoon 1 to the north east of the site.

#### **3. Site Tour**

A site tour was completed at the end of the meeting after it had cooled down. We firstly visited the area where material come onto the site to be store prior to being processed into briquettes. The storage shed had recently been refurbished with new sheets to give it better protection from wind and rain. Material within the shed were

split into areas depending on the size of the material.

We then walked to the discharge point W1 where SG showed me the outfall to the brook. The water was clear and there was little flow downstream, due to the hot, dry weather we had experienced over the last week or so.

The siltbuster was located near the two lagoons where which is used to remove the coal particulates from the water and then to be discharged off site. It can also divert water back to the site. The lagoons (1, 2 & 3) contain rainwater to be used on site to help keep the dust from leaving site.

We then moved on to the area where the main activities take place. The conveyor belts and buildings that move material around are covered to ensure the dust is managed. Once the material is bound the material is carried by conveyor belt to the storage are where it stored until it is bagged and transported off site. The conveyor belts are due to be refurbished.

At the time of the visit no operations were taking place.

A sprinkler system is in place on site to help suppress any dust. This is a part of the dust management plan Maxibrite have on site.

#### 4. **Emission Returns**

On the 23<sup>rd</sup> July 2021, SG submitted Maxibrite's quarterly returns for air and water for the period Q2.

Air Emissions – The parameter for Particulate matter was sampled and was well within the permitted limit set out in the permit. Accepted and compliant.

Water Emissions – No discharges to water were made in April and June. In May there were discharges to water. Sampling was conducted and the results were within the permitted limits.

#### 5. **Actions**

**#1** - Please submit the information/data for the times sampling has been taken and when they are analysed at the laboratory. If possible, can you include as much information as possible such as when the courier collects and drops off the samples at the testing centre.

**Complete****6. Conclusions**

Overall, there were no significant issues noted, and arrangements appeared to be well managed. During warm, dry weather please ensure the dust suppression systems are being used.

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](mailto: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](mailto: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.