

Compliance Assessment Report CAR_NRW0038952

Permit number	ZP3334AQ	Operator name	Slicker Recycling Limited
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Site name	Slicker Recycling Limited
Site address	7 New Quay Road, Felnex Industrial Estate, Newport, NP19 4PL
Assessment type	Site Inspection

Date of assessment	10 November 2021	Time in	11:00	Time out	14:00
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Parts of permit assessed	See section 4
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NRW Lead officer	Guy Baskerville	Accompanied by	Rebecca Green
Report sent to – Name and position	Steve Chalupka HSEQ Manager	Date	22 November 2021

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
C1 General management – Staff competency/training	Assessed or assessed in part (A)	1.1.4

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

2. What action is required?

Criteria	Action needed	Complete by
C1	Submit evidence of Steve Chalupka's continued technical competency to NRW.	08 December 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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter *NRW*) findings following a review of progress against actions described in CAR ref. *CAR_NRW0036082*. The assessment also presented an opportunity to discuss the Waste Treatment BAT (Best Available Techniques) Reference document (hereafter *the BRef*) improvement conditions set by the newly issued varied and consolidated environmental permit. Regulatory responsibility for the operation has passed from Rebecca Green to Guy Baskerville from the date of assessment.

Attendees:

Natural Resources Wales

Rebecca Green [Senior Industry Regulation Officer]
Guy Baskerville [Senior Industry Regulation Officer]

Slicker Recycling Limited

Steve Chalupka [HSEQ Manager]
Rachel Hall [HSEQ Administrator]
Ernie Price [Plant Supervisor]

Agenda:

1. Introductions.
2. Actions from last inspection [CAR ref. *CAR_NRW0036082*].
3. Progress against Waste BRef Improvement Conditions.
4. Consignee Returns
5. AOB.
6. Site inspection.

Actions from last inspection

CAR ref. *CAR_NRW0036082* issued 17 December 2019 presented 4 actions for the operator. Each action will be addressed in turn.

CAR_NRW0036082 **Action 1:** *Send NRW documentary evidence of SC's technical competency and an up to date management structure for Slicker Recycling by 20th December 2019*

On 13 January 2020 Steve Chalupka provided digital copies of the following certificates via email:

- WAMITAB Certificate of Technical Competence. Managing Treatment Operations – Clinical or Special Waste [level 4] – TMS4. Certificate No. 4890. Date of Issue: 16 December 2002.
- WAMITAB Certificate of Technical Competence. Managing Transfer Operations – Clinical or Special Waste [level 4] – TSS4. Certificate No. 05045. Date of Issue: 14 March 2003.
- WAMITAB Continuing Competence Certificate. TSH Transfer – Hazardous Waste. TMH Treatment – Hazardous Waste. Certificate No. CCC16781. Date of Issue: 26 February 2018.

On 13 January Steve Chalupka provided a copy of the Slicker Recycling Limited company structure organogram via email. We note that the organogram did not provide personnel names against the positions.

These submissions complete the action. However, the WAMITAB Continuing Competence Certificate expired on 26 February 2020.

Action 1: Submit evidence of Steve Chalupka's continued technical competency to NRW by 8 December 2021.

CAR_NRW0036082 Action 2: Send Q1, Q2 and Q3 waste returns for the Newport installation and waste transfer station to NRW as soon as possible.

On 19 December 2019 Steve Chalupka submitted 2019 Q1, Q2 and Q3 waste returns via email. **Action completed.**

CAR_NRW0036082 Action 3: Ensure persons responsible for submitting waste returns for the Newport site know what they are to submit, when it is due and to whom it should be sent. A copy of the amended procedure to be received by NRW on or before 31st January 2020.

Steve Chalupka gave verbal assurances that the persons responsible for submitting waste returns for the Newport operation now fully understand what, when and to whom waste return submissions are to be made. However, NRW have yet to receive copy of the procedure(s). **Action incomplete.**

Please ensure waste return procedure(s) are available for review at the next compliance inspection.

CAR_NRW0036082 Action 4: Send a copy of the Change Management Procedure to NRW by 31st January 2020.

On 03 August 2020 Steve Chalupka provided a copy of the Change Management Procedure [document titled: *Management of Change - Risk Assessment OP052 V2*] via email. **Action complete**

On 03 August 2020 the previous regulatory officer identified errors within the document which required correction and requested that the operator submit the following documents referenced within *Management of Change - Risk Assessment OP052 V2*.

- Doc AAA Risk Assessment Processes and Storage.
- Doc BBB Recruitment and Assessment of New Staff.
- Doc CCC Changes to the Emergency Plan, Fire Fighting and Security arrangements.

NRW have yet to receive copies of the above documents. Please ensure the above documents are available for review at the next compliance inspection.

We note that *Management of Change - Risk Assessment OP052 V2* fails to address changes in management or operational personnel. Previous breaches of environmental permit conditions related to routine submission of data have occurred as a result of personnel changes.

Recommendation 1: Review and revise *Management of Change - Risk Assessment OP052 V2* to include changes in management or operational personnel.

Progress against Waste BRef Improvement Conditions

The European Commission published the Best Available Techniques (BAT) Reference document (hereafter *the BRef*) for the Waste Treatment sector on 17 August 2018. The BAT Conclusions (hereafter *BATc*) described therein determine the reference points used to set conditions in environmental permits which authorise waste treatment installations.

The varied and consolidated environmental permit issued to Slicker Recycling Limited on 09 August 2021 set an improvement programme comprising 10 improvement conditions to be satisfied by 17 February 2022. These improvement conditions require the operator to evidence compliance with all relevant *BATc*. Where an operator is not currently compliant with a relevant *BATc*, the submission must comprehensively describe how compliance will be achieved by 17 August 2022.

We strongly recommend that the operator reviews the full wording of each relevant *BATc* rather than the improvement condition only.

Failure to satisfy any improvement condition will result in a breach of permit condition 2.5.1.

Failure to achieve compliance with a relevant BATc by 17 August 2022 will result in a breach of all corresponding permit conditions.

Any breach of a permit condition will result in non-compliance scores being levied and may also result in enforcement action or suspension notices being issued.

Condition 2.5.1 of the environmental permit states:

The operator shall complete the improvements specified in Schedule 1 Table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales

Table S1.3 of Schedule 1 to the environmental permit is partially reproduced below.

Table S1.3 Improvement Programme Requirements		
Ref	Requirement	Date
IC10	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). - BAT 1. Implement and adhere to an environmental management system (EMS) that incorporates all of the following features: (III) planning and establishing the necessary procedures, objectives and targets, in conjunction with financial planning and investment; (XI) An inventory of waste water and waste gas streams; (XII) Residues Management Plan; (XIII) Accident Management Plan.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC11	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). - BAT 3. In order to facilitate the reduction of emissions to water and air, BAT is to establish and to maintain an inventory of waste water and waste gas streams, as part of the environmental management system (see BAT 1), that incorporates all of the following features: - information about the characteristics of the waste to be treated and the waste treatment processes; - information about the characteristics of the waste water streams (including analysis of PFOS and PFOA); and - information about the characteristics of the waste gas streams.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC12	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 6. For relevant emissions to water as identified by the inventory of waste water streams (see BAT 3), BAT is to monitor key process parameters at key locations.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC13	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 7. BAT is to monitor emissions to water with at least the frequency given within BAT 7 Table, and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC14	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018).	17 February 2022 or otherwise agreed in writing

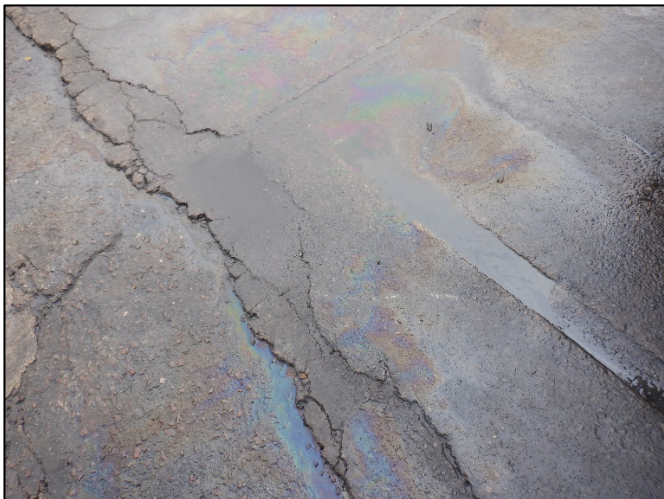
	BAT 8. BAT is to monitor channelled emissions to air with at least the frequency given below, and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.	with Natural Resources Wales
IC15	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 14. In order to prevent or, where that is not practicable, to reduce diffuse emissions to air, in particular of dust, organic compounds and odour, BAT is to use an appropriate combination of the techniques described within BAT 14 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC16	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 19. In order to optimise water consumption, to reduce the volume of waste water generated and to prevent or, where that is not practicable, to reduce emissions to soil and water, BAT is to use an appropriate combination of the techniques described within BAT 19 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC17	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 20. In order to reduce emissions to water, BAT is to treat waste water using an appropriate combination of the techniques described within BAT 20 Table.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC18	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 23. Energy efficiency Plan and Energy Balance Record.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC19	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 24. Maximise the reuse of packaging as part of a Residues Management Plan.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC20	The operator shall submit to Natural Resources Wales for written approval, information to evidence compliance with the following BAT Conclusions, in accordance with requirements specified within the Waste Treatment BREF Document (EU 2018). BAT 44. In order to reduce emissions of organic compounds to air, BAT is to apply BAT 14d and to use one or a combination of the techniques described within BAT44 Table and Section 6.1.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales

Site Inspection

We observed extensive areas of damaged concrete at waste storage areas [see photograph 1]. We observed damaged or missing concrete lips along the boundaries of waste storage areas [see photograph 3]. We observed oil spillages at numerous locations across waste storage areas [see photographs 1 & 2]. The profile/fall of waste storage areas do not direct spillages or (contaminated) rainfall dependent surface waters to flow towards the drainage infrastructure [see photograph 1]. It is highly likely that spilled/leaked waste oils are penetrating the ground via damaged concrete and damaged/missing concrete lips, causing fugitive pollution to soil and groundwater.



Photograph 1. Waste storage area. Damaged concrete, standing water, evidence of oil spill/leak and surface profile causing (contaminated) surface waters to flow away from drainage infrastructure.



Photograph 2. Waste storage area. Damaged concrete and evidence of waste oil spill/leak.



Photograph 3. Waste storage area. Damaged concrete lip.

The above ground secondary containment serving the waste oil storage/treatment tanks appears to be of breeze-block construction and in poor condition [see photographs 4 & 5]. Breeze blocks are permeable and therefore it is highly likely that spilled/leaked waste oils are penetrating the ground. The floor of the secondary containment area appeared to be in fair condition, although some cracking was visible [see photographs 6 & 7]. We were unable to observe the entire floor of the secondary containment areas due to limited access and build-up of sediment and oil.



Photograph 4 & 5. Waste storage/treatment area. Breeze-block constructed secondary containment bund in poor condition.



Photograph 6 & 7. Waste storage/treatment area. Secondary containment area floor in fair condition with some evidence of cracking.

It is our view that the operation is not currently compliant with BATc 19 and significant improvements to containment systems will be required to bring it into compliance by 17 August 2022.

BATc 19 states:

In order to optimise water consumption, to reduce the volume of waste water generated and to prevent or, where that is not practicable, to reduce emissions to soil and water, BAT is to use an appropriate combination of the techniques given in BAT 19 table [sic].

BAT 19 table is partially reproduced below.

Technique		Description
c	Impermeable surface	Depending on the risks posed by the waste in terms of soil and/or water contamination, the surface of the whole waste treatment area (e.g. waste reception, handling, storage, treatment and dispatch areas) is made impermeable to the liquids concerned.

d	Techniques to reduce the likelihood and impact of overflows and failures from tanks and vessels	Depending on the risks posed by the liquids contained in tanks and vessels in terms of soil and/or water contamination, this includes techniques such as: • overflow detectors; • overflow pipes that are directed to a contained drainage system (i.e. the relevant secondary containment or another vessel); • tanks for liquids that are located in a suitable secondary containment; the volume is normally sized to accommodate the loss of containment of the largest tank within the secondary containment; • isolation of tanks, vessels and secondary containment (e.g. closing of valves).
e	Roofing of waste storage and treatment areas	Depending on the risks posed by the waste in terms of soil and/or water contamination, waste is stored and treated in covered areas to prevent contact with rainwater and thus minimise the volume of contaminated run-off water.
g	Adequate drainage infrastructure	The waste treatment area is connected to drainage infrastructure. Rainwater falling on the treatment and storage areas is collected in the drainage infrastructure along with washing water, occasional spillages, etc. and, depending on the pollutant content, recirculated, or sent for further treatment.

Containment systems must comply with CIRIA 736 (*Containment systems for the prevention of pollution - Secondary, tertiary and other measures for industrial and commercial premises*) or an equivalent engineering standard and be signed off by an appropriately qualified and certified quality auditor (e.g. an accredited civil engineer).

Recommendation 2: *In order to adequately address IC16 and achieve compliance with BAT19, we strongly recommend that the operator seek support from an appropriately qualified third party with experience in the design and construction of containment systems for the prevention of pollution.*

N.B. The BATc were published over 3 years ago, affording the operator a significant lead-in period with which to plan and execute a path to compliance. Therefore, the deadlines set by the improvement programme and the BRef will not be changed.

Conclusion

Whilst there remain some outstanding issues involving operational procedures, the most pressing issue requiring the operator's attention is the improvement programme and achieving compliance with the relevant BATc, in particular BAT 19. Achieving compliance with BAT 19 will require specialist input and capital expenditure and will likely cause significant operational disruption. The operator should progress this work without delay in order to meet the deadline(s) and avoid non-compliance scores and possible enforcement action.

[END]

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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.