

Compliance Assessment Report

Report ID:
CAR_NRW0032019

This form will report compliance with your permit as determined by an NRW officer

Site	Cardiff Energy Recovery Facility	Permit Ref	LP3030XA			
Operator/Permit holder	Viridor Waste Management Ltd					
Regime	Installations					
Date of assessment	11/08/2017	Time in	10:00	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	As indicated Below					
Lead officer's name	Griffiths, David					
Accompanied by						
Recipient's name/position	Gwyn Jones/ HSE Manager	Date issued	28/09/2017			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	1.1.1
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	C4	3.1 (Schedule 3)
	C4	3.1 (Schedule 3)
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.3.1(a)

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	8.2
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Route Site Inspection with Gwyn Jones and Ewan O'Hara – Viridor

Discussed Hydrogen Chloride (HCL) and Carbon Monoxide (CO) Schedule 5 Notifications.

Hydrogen Chloride

NRW acknowledge that the HCL issue has now been resolved and the root cause of the two ELV exceedances being the temporary loss of efficiency of the lime abatement on both the duty and standby screws on line 2 due to a blockage in the lime silo and a loose connection on the lab loop respectively.

NRW acknowledges that you now have additional planned preventative maintenance in place to prevent a re-occurrence. NRW still require further information on how you intend to do this (early warning systems / alarms, lime flow rate monitoring?). NRW will review this during routine site inspections.

As Emission limits were exceeded due to these blockages NRW have issued a Permit non-compliance on this occasion. We have considered the information detailed in your letter dated the 12th September 2017 and that the process contribution for temporary loss of abatement was negligible and have issued CCS 4 – a non-compliance which has no potential environmental effect.

Carbon Monoxide (CO)

NRW also acknowledge that the works you have undertaking on the grate have seemed to have resolved the elevated CO. However, NRW still requires further information on why there was excessive wear on the grate. You also state the during October outage that you will be replacing the teeth on the grate with different material, what material is this? Furthermore, was this issue caused by material specification, manufacturing issue or process issue?

NRW acknowledges the information detailed in your letter dated the 12th September 2017, on VOC and Dioxins emissions were within typical operating range and remained within permitted ELV'S.

However, as Emission limits for CO were exceeded during this period (daily average) NRW have issued a Permit non-compliance on this occasion CCS4 - a non-compliance which has no potential environmental effect. NRW in conjunction with your recent correspondence considered the process contribution from these emissions based on the Air Quality Standards.

Damaged Doors / Odour Complaints

NRW received two odour complaints around the 27th July 2017. After your investigation, it was evident that the potential cause of these odours was from the damaged Tipping hall doors (not being able to work and close).

NRW have reviewed this incident and believe that appropriate measure were not undertaken on this occasion. Viridor failed to Notify NRW of the damaged doors and we would have expected a mobile odour neutraliser to have been deployed during this period to further abate potential offsite odour.

Therefore, on this occasions NRW are issuing two Permit non-compliances (Failure to notify NRW and management failure to implement further odour control measures due to the potential for off-site odour)

However, during this site inspection, we acknowledge that this issue has now been resolved and was an oversight at the time.

Site Inspection

- Induction video and site tour of the installation was undertaken for familiarisation with the site.
- Viridor confirmed that they will communicate with local businesses in the vicinity and build working relationships.
- New Operations Manager to be appointed in September

EPR Compliance Assessment Report

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Operator/Permit holder	Viridor Waste Management Ltd	Date	11/08/2017

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E1	C4	RCA Ongoing	31/10/2017
E1	C4	RCA On-going	31/10/2017
G4	C3	Improve Operations	31/10/2017
B1	C3	No Further Action	31/10/2017

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.