

Compliance Assessment Report CAR_NRW0039288

Permit being assessed: CB3296HF.

For: Feedstock Processing Centre, held by Orthios Feedstock (Anglesey) Limited

At: Orthios Eco Park, Penrhos Works, Holyhead, Isle of Anglesey, LL65 2UX.

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

On 04/02/2022 between 10:00 and 12:30.

Parts of permit assessed: All

NRW Lead Officer: Anthony Roberts, accompanied by David Wilby, Leon Williams.

Report sent to: Warren Steel, Managing Director on 08/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
E5 - Emissions - Waste	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

Orthios Meeting and Site Inspection 04/02/2022

Technical Competence

Clair Thomas (Maderne) is the current COTC holder for both permits on the site. She is WAMITAB accredited and registered for the CMS competence management system.

COTC -Time on site.

Presence of a COTC most weeks. Time on site is logged hourly

COTC continuing competence certificate will be lodged next week. Inspected and verified

Bespoke Permit

Activity listed in Schedule 1 of the EP Regulations - S5.4 A(1)(b)

Permit number EPR/CB3296HF - Operation of a non-hazardous MRF at Orthios Ecopark

The A frame building forming part of the bespoke permit is currently used for the storage of bales of the plastic Paperback waste. There are no immediate plans to develop operations at the site beyond this storage as all funding is going to the Standard Rules Permitted Site for the next 12-18 months. This is under review with other permitting options to expand bespoke operations and increase waste volumes. See Permitting section below.

Removal and processing of the paperback bales in the SRP has begun and 80 tonnes have been processed this week. Assessment for suitability of processing in the SWIP is being undertaken. The results of this assessment to be communicated to NRW when complete.

Paperback Waste

It is being weighed and transported from the bespoke permitted site and moved into the SRP site for mechanical processing. Transactions are recorded and shown as a waste input. This waste is not going into PDU until testing is complete and is currently being processed and moved off site. Analysis of constituent material has been done which will be provided to NRW as stated above. All waste streams are fully traceable and Orthios can provide the traceability for paper and cardboard, metals and polymers. Polymers are being blended and sent to EFW. Orthios are negotiating with cement companies for use of waste as an ad-fuel.

Waste Mass Balance/Flow Chart

NRW have requested a mass balance/flowchart for the balance of the inputs and outputs of the waste flows. A staff organogram would also be useful.

Waste Exports

Some processed waste will be exported. An export agreement is being negotiated for TFS arrangements for export of waste.

The fines from trommel processing are transported to permitted operators. 20mm fraction of construction and industrial waste are sent for loss of ignition (LIO) criteria to check for suitability for disposal in inert

landfill. This is a transfer operation, and no material is retained on site for use.

PDU Timescales for operations

Still at the commissioning phase. The commissioning in the feedstock hall has commenced. Forecast for operation is June/July but flexible as more issues arise during detailed checks.

The facility will use mechanical/manual sorting to separate the waste fractions. All fractions with the exception of the plastic fraction will be transported off-site for recovery or disposal, with recovery options prioritised. The plastic fraction will be transported to an adjacent development within the Eco Park for co-incineration (referred to as the Plastics Depolymerisation Unit or PDU) operated by Orthios Otech 5 under a LAPPC permit issued by Isle of Anglesey County Council.

Once the existing baled waste has been treated and removed, selected waste streams will be accepted for pre-treatment to supply the adjacent PDU process.

Permit Variation/Consolidation

Orthios are investigating changes to the existing permits to consolidate to >250,000 tonnes throughput.

Orthios, therefore require an increase in the volumes of waste which can be processed via the SRP. To achieve this, they are exploring the permitting options. To this end they would like to vary and consolidate permits and volumes.

Orthios to present Options for Permitting Proposals to address the issue. This should be presented in a tabular fashion with preferred options for initial pre-application discussions to progress in a meaningful way.

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.