

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

|                              |  |             |            |     |       |
|------------------------------|--|-------------|------------|-----|-------|
| Site                         | Atlantic Recycling Limited   | Permit Ref  | PP3993VS   |     |       |
| Operator/Permit holder       | Atlantic Recycling Limited   |             |            |     |       |
| Regime                       | Waste Operations   |             |            |     |       |
| Date of assessment           | 14/03/2019   | Time in     | 10:30      | Out | 11:30 |
| Assessment type              | Site Inspection  |             |            |     |       |
| Parts of the permit assessed | All  |             |            |     |       |
| Lead officer's name          | Bowder, Alex   |             |            |     |       |
| Accompanied by               | Tye, Laoni, Palmer, Richard  |             |            |     |       |
| Recipient's name/position    | Phil Ridley, John Edwards/<br>Business Development Manager, Technically<br>Competent Manager | Date issued | 22/03/2019 |     |       |

## 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                                      | A            |                       |
| B3 - Infrastructure - Site drainage engineering (clean and foul)   | A            |                       |
| B4 - Infrastructure - Containment of stored materials  | A            |                       |
| C1 - General Management - Staff competency/training  | A            |                       |
| C2 - General Management - Management system and operating procedures   | A            |                       |
| C3 - General Management - Materials acceptance   | A            |                       |
| C4 - General Management - Storage, handling labelling and Segregation  | O            | Table S1.1 Activities |
| D2 - Incident Management - Accidents, emergency and incident planning  | C2           | 3.7.1                 |
| F1 - Amenity - Odour   | A            |                       |
| F2 - Amenity - Noise   | A            |                       |
| F3 - Amenity - Dust/fibres/particulates and litter   | A            |                       |
| F4 - Amenity - Pests/birds and scavengers  | A            |                       |
| G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events        | A            |                       |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | 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.

|                                    |          |   |           |
|------------------------------------|----------|---|-----------|
| <b>Number of breaches recorded</b> | <b>1</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>31</b> |
|------------------------------------|----------|---|-----------|

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

Regulation Officers Alex BOWDER, Laoni TYE and Richard PALMER attended Atlantic Recycling Ltd (ARL) at Atlantic Eco Park, Newton Road, Cardiff on Thursday 14<sup>th</sup> March 2019 at 10:30 to conduct the Quarter 4 inspection of the permit **EPR-PP3993VS** for 2018/19.

There was a period of heavy rainfall prior to the visit, making the weather conditions wet and windy. Business representatives Phil Ridley and John Edwards were present during the visit and accompanied Officers around the permitted areas. Officers used a laser Vertex IV Hypsometer, to accurately measure and record the heights, widths, lengths and separation distances of waste stockpiles in Field 1.

### PREVIOUS CAR FORM ACTIONS

Remove Stockpile 1 material in the Transfer Station and ensure that all materials are removed before the 6-month mark - **Complete**

The business applied to vary the permit to allow for storage of loose RDF outside unwrapped in 2018. In the CAR Form **CAR\_NRW0034281**, the score of the condition TABLE S1.1 ACTIVITIES was suspended until the application was determined by our permitting department. As determination has not yet been reached, this has been logged as an ongoing matter.

### CATEGORY 2 BREACH - PERMIT CONDITION 3.7.1

#### (D2) INCIDENT MANAGEMENT - ACCIDENTS, EMERGENCY AND INCIDENT PLANNING

*"The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance."*

#### STORAGE DIMENSIONS AND SEPARATION DISTANCES

There was concern raised by NRW on the heights of the stockpiles during the last inspection of 2018. On 14/03/19, Officers took a range of measurements using the Vertex Hypsometer across the Stockpiles in Field 1 to determine compliance with the FPMP guidance.

At the time of inspection, it was evident that numerous Stockpiles were exceeding **four metres** in height and that some separation distances between neighbouring stacks were not adequate. These measurements have been highlighted in **red** below; please reference Graph 1 of the FPMP for further details.

Although it was stated that the finer material (labelled Stockpile 12) was being temporarily stored and worked on, this still compromised the storage requirements.

Table 3 of your FPMP states: ***"the separation distance of 12m is maintained across site between loose waste piles regardless of the size and meets the minimum required separation distances detailed in the NRW FPMP guidance document"***.

The dimensions at the time of inspection go against what is declared in your document; this demonstrates that procedures are not being followed.

The business spoke about purchasing measuring equipment to help accurately measure and record the dimensions of each Stockpile on site. Going forward, the site should implement tighter procedures for stockpile management to ensure you meet the FPMP requirements.

**ACTION:**

- Bring down the heights of all Stockpiles exceeding 4 metres.
- Increase separation distances so that they comply with Graph 1 of the FPMP guidance.

**Deadline:** 12 April 2019

|  |  |  |
|--|--|--|
| <b>STOCKPILE 1</b><br>Height - <b>5.3 m</b><br>Width - <b>18.4m</b><br>Length - <b>54.6m</b> | <b>STOCKPILE 4</b><br>Height - <b>5.9m</b> | <b>STOCKPILE 6</b><br>Height - <b>5.5m</b> |
|--|--|--|

**SEPARATION DISTANCES**

- Between Stockpiles 1 and 2 - **10.8 m**
- Between Stockpile 2 and 12 (finer material) - **5.9m**
- Between Stockpiles 1 and 6 - **10.4m**
- Between Stockpiles 6 and 7 - **12.2m**
- Between Stockpiles 4 and 5 - **6m**



*Picture 1 – showing the storage and height of stack 6 material in Field 1, taken on 14/03/19*



*Picture 2 – showing an inadequate separation distance between Stockpile 2 and 12, taken on 14/03/19*

## GENERAL OBSERVATIONS

### TRANSFER STATION

Activities and waste storage in Transfer Station area has recently changed in anticipation for the next phase of the MRF implementation. The Transfer Station currently comprises of storage bays for three waste streams and the wood processing area with the various wood grade piles. No RDF stockpiles were stored here at the time of inspection; this is said to be the reason for the increased volume of material on Field 1. The business mentioned there might be an increased focus on SRF going forward to meet the demands of the consumer.

There was limited yard activity during the visit due to the weather conditions. It was apparent that large holes had been dug out of the concrete surface for the footings of the building. Officers queried whether this compromised the impermeable status of the flooring, however it was stated the holes were lined with concrete to ensure that liquid does not escape the drainage system.

### WOOD WASTE

Officers queried the destination and use of the various wood waste grades at the time of inspection. It is worth highlighting that woodchip should only be going to authorised locations. Sites would need to have relevant Waste Exemptions registered or even an environmental permit to use the woodchip for animal bedding or equestrian, as stated on site. The business has a Duty of Care to ensure the material is going to authorised destinations.

It was also stated that the business should only be using virgin timber to produce this type of material - the material is still considered a waste even if it is clean. There was only mixed wood witnessed on site at the time of the visit; Officers were assured that that was not being treated to produce this waste.

## QUARANTINE AREA

It was noted that there was more material present on Field 1 than previous visits in 2018. This was said to be because there were no RDF stockpiles stored in the Transfer Station area. Officers questioned whether the allocated Quarantine area would be able to comply with the FPMP separation distances.

As previously stated to the business, the designated Quarantine area must have the capacity to store 50% of the volume of the largest waste pile, to allow ability to manoeuvre and pull away sections for isolation. Although the quarantine area can be dynamic due to stacks not being permanent fixtures, the area should be clearly labelled on the site plan in the office. This is so that all staff are clearly aware of the use of the area and can react quickly in the event of an incident.



*Picture 3 – showing the designated quarantine area in Field 1, taken on 14/03/19*

## STORAGE TIMES

Officers the queried the destinations for the RDF and finer material on site. The thermal monitoring equipment on individual stockpiles were displaying temperatures ranging from 40 – 60 degrees.

Three RDF stockpiles in Field 1 had been stored for longer than 3 months at the time of inspection, the oldest stockpile dating back to 25 October 2018. Please ensure this is removed by the six-month mark - **25 April 2019**.

Section 7 of the FPMP states that it essential for operators to contact NRW prior to exceeding the storage periods, to discuss the situation and methods to mitigate the risk of fire. Please be mindful of this when approaching storage limits and endeavour to inform NRW in this instance.

## INFRASTRUCTURE AND DRAINAGE

Due to periods of heavy rainfall prior to the visit, there was large amounts of water pooling in the Transfer Station area and parts of Field 1 between waste stacks. Officers were told that there are regular clean outs of the channels and pathways that connect the drainage system. This is vital to ensure that that the system is functioning efficiently to be able to handle large volumes of water. It was stated that the

interceptor was last maintained in July 2018.



*Picture 4 – showing pooling water in the Transfer Station, taken on 14/03/19*

As there was pooling in Field 1, Officers questioned the slab gradient and how the water reaches the system when it collects between stockpiles.

Wear and tear of the infrastructure flooring is expected with the heavy operations on site, however it is important to recognise when the surface is in need of repair. This is to ensure the surface is constantly fully impermeable and that everything is captured by the sealed drainage system. Please endeavour to restore any weakened surface to its impermeable status when damaged.

## **WASTE RETURN DOCUMENTS**

The business has been successfully submitting its monthly surface water quality monitoring data to NRW. The Quarter 3 waste return document was received in January 2019. It is stated that 33,654 tonnes were received to site with 34,602 tonnes removed. The majority of waste leaving site is being coded as 19 12 09.

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or [alex.bowder@naturalresourceswales.gov.uk](mailto:alex.bowder@naturalresourceswales.gov.uk)

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***



## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0034842**

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

|                        |                            |            |            |
|------------------------|----------------------------|------------|------------|
| Site                   | Atlantic Recycling Limited | Permit Ref | PP3993VS   |
| Operator/Permit holder | Atlantic Recycling Limited | Date       | 14/03/2019 |

### 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.

### 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 |              |  |            |
| D2                  | C2           | Bring down the heights of all Stockpiles exceeding 4 metres.<br>Increase separation distances so that they comply with Graph 1 of the FPMP guidance. | 12/04/2019 |
| C4                  | O            | Await determination from permitting department.  | 22/04/2019 |

## 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.