

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

Site	Lower Chapel Bridge Yard	Permit Ref	LB3093HH		
Operator/Permit holder	G L J Recycling Ltd				
Regime	Waste Operations				
Date of assessment	08/05/2019	Time in	10:30	Out	12:45
Assessment type	Site Inspection				
Parts of the permit assessed	Audit - EMS, FPMP, Site Engineering & Duty of Care				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Gareth Jones, Collen Andrews/ Director, Accounts Manager	Date issued	26/06/2019		

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	X	
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	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	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	C4	4.2.2

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

PLEASE SEE AUDIT REPORT FOR FURTHER DETAILS.

Officer Alex BOWDER attended GLJ Recycling Ltd on Wednesday 8th May 2019 at 10:30 to carry out an Audit of the business' environmental permits. The Audit was conducted between 08/05/19 - 26/06/19. This involved the analysis of the additional information requested from the businesses to complete the Audit and the write-up of the assessment report.

08/05/19

The weather conditions were warm and dry at the time of inspection with some patches of water present on the yard, due to rainfall overnight. Met with business Director Mr. Gareth Jones and Accounts Manager Colleen Andrews. A meeting was first held in the Office whereby documents were examined, and operational procedures were discussed. This was followed by a walkaround of the permitted area checking the implementation of procedures on site and compliance with permit conditions.

WASTE TRANSFER STATION

GLJ Recycling Ltd currently operate a waste Transfer Station under the Standard Rules set SR2008 No3; household, commercial and industrial waste transfer station with treatment - **EPR/LB3093HH**. Operations at the yard were expanded to include WEEE recycling and as well as mixed skip collection waste transfer station activities.

This permit allows the acceptance and treatment of a range of non-hazardous wastes which is all stored in a unit at the rear of the yard. The transfer station permit covers the whole yard, however only the buildings that meet the infrastructure and drainage criteria of the permit can operate as a waste transfer station.



Picture 1 – showing Waste stored in the Transfer Station Unit, taken on 08/05/19

Over the past two years, the site has built bays to assist with the segregation and sorting of transfer station material. The business is not filling the TS building with material and is only ever half-full at any one time. It is said that the unit can store about 60 - 100 tonnes and this material is only stored for very short periods of time. There is a high turnover rate of this waste and so rotation is not a large issue; the shed is usually empty at Christmas.

Please consult the ‘waste stored in a building’ section of FPMP when querying storage principles here.

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

This permit only covers for the treatment of WEEE and must adhere to these rules:

- No ozone depleting substances can be accepted onsite
- WEEE treatment must occur inside a building
- Work shall be carried out on an impermeable surface with sealed drainage system with provision of spillage collection facilities and, where appropriate, decanters and cleanser degreasers.

All work was being carried out on an impermeable surface with sealed drainage system with provision of spillage collection facilities.

The site’s operational procedures for the loading, preparing, processing and storage of WEEE are outlined in Operations Manual document. It discusses the methods used to ensure material suitable to be put into the processing plant.

WEEE items that are mixed should be checked for external wires and plugs before being put through for processing. As stated in the manual, WEEE items that can be reused should be moved to the designated storage area.



Picture 2 – showing unit used for WEEE/ELV activities, taken on 08/05/19

All WEEE batteries in the unit are sorted by hand and most have come from the depollution bay vehicles - the site must ensure that these are separated and not shredded. Batteries were stored in a suitable container at the time of inspection and are transferred to an authorised waste acceptor. Any electrical components extracted from ELVs that classify as WEEE, need to be accurately documented in an internal recording system.

The Officer spoke about the management of large domestic appliances (LDA) and small domestic appliances (SDA) on site. These are initially tipped outside and then sorted accordingly.

The site was also asked about its sampling methods for the WEEE and the frequency of sampling. Talked briefly about the minimum sampling requirements (as a percentage of the tonnage for a waste stream) and the logging of this data.

This business is separate to GLJ Recycling Ltd and operates under Waste Exemptions registered **NRW-WME025347** at Unit 5-9 Fern Close, Pen-Y-Fan Industrial Estate, Caerphilly, NP11 3EH:

- S2 – storage of waste in a secure place
- T9 – Recovery of scrap metal

The site is a Hazardous Waste producer, Waste Carrier licence holder and own a Scrap Metal Dealers licence with the Council. The unit largely treats and sorts light iron/scrap material and then transfers to the Cwmcarn yard for further processing. It has been stated that all metal material at this site is cut by hand, sorted on the premises with no processing taking place. No WEEE is taken to or transferred from this site and all material is managed on appropriate infrastructure.

Section 6.5 - NOISE CONTROL AND OPERATING TIMES

This section of the EMS gives a brief paragraph about noise management on site. The business has three documents that it uses for its Noise Prevention Plan:

- Noise Management Document, Version 1 - April 2019.
- Noise Shredder Impact Assessment, 2016.
- Noise Risk Assessment.

When asked about how the site manages noise daily, it was stated that this is done subjectively on a reactive basis. Due to the location of the site within the valley, this can amplify any excessive noise which has the potential to create noise pollution to nearby receptors.

The documents reference running the shredder at lower speeds to minimise noise and educating staff about dropping material from heights. This is all logged on the online training tool manuals.

Please ensure business vehicles adhere to operating times and that machines are not started up before set opening times. No unreasonable noise levels were noted at the time of visit.

4 - TRANSFER OF WASTE AND RECORDS

As part of your waste duty of care you must classify the waste the business produces before it is collected, disposed of or recovered. This is to identify the controls that apply to the movement of the waste and to complete waste documents and records. It is also essential to identify suitably authorised waste management options and to prevent harm to people and the environment.

BREACH – CATEGORY 4

G) MONITORING AND RECORDS, MAINTENANCE AND REPORTING

Paragraph 4.2.2

“Within one month of the end of each quarter, the operator shall inform the Agency using the form made available for the purpose of, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter”

WASTE RETURN DOCUMENTS

The business has failed to submit its Waste Returns documents for the past few quarters across the permit. It is your duty under your permit conditions to ensure your returns are submitted to NRW on time to enable us to check the transfer of waste.

The site should also be submitting **Hazardous Waste Consignment Notes** for all wastes deemed hazardous.

This has scored as **Category 4** breach against condition 4.2.2 as a result. You must be reliant on yourselves for correct and diligent submission.

If there any issues as to why you cannot submit your

returns within the allocated timeframe, then you must notify us.

ACTION

- Submit any outstanding Waste Return Documents.
- Put in place measures to see that they are submitted within the grace period.

- **DB3097TJ** - Metal recycling and ELV are required to be submitted annually (within one month at the end of each year).
- **LB3093HH** - Transfer Station and WEEE – are required quarterly (within one month of the end of each quarter).

The timescales for quarterly submissions are as follows:

QUARTERLY RETURNS PERIOD	RETURN SUBMISSION DEADLINE
- Q1: 1st January to 31st March	- 30th April
- Q2: 1st April to 30th June	- 31st July
- Q3: 1st July to 30th September	- 31st October
- Q4: 1st October to 31st December	- 31st January

Yearly returns:

ANNUAL RETURN PERIOD	DEADLINE FOR RETURN
- January 1 to December 31	- January 31 of the following year

It is evident that there have been some issues with submitting the quarterly Waste Return spreadsheets within the grace period. Measures must be put in place to determine:

- Who is solely in charge for inputting and submitting your returns?
- What format are they being completed in (written/electronic)?

Solid reminders to be put in place before submission deadlines to see that the appropriate person is submitting them.

MOVING HAZARDOUS WASTE

When hazardous waste is moved to or from any location in Wales it needs to be accompanied by a hazardous waste consignment note. The business should therefore be submitting hazardous waste returns for any materials deemed hazardous, such as liquids from vehicles.

Template consignment notes are available our website:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/moving-hazardous-waste/?lang=en>

ACTION

Submit hazardous waste consignment note for appropriate wastes in future.

CLASSIFICATION AND ASSESSMENT

CATEGORY 3 BREACH – CONDITION 1.1.1

C2 - GENERAL MANAGEMENT – MANAGEMENT SYSTEMS & OPERATING PROCEDURES - ROOT CAUSE

“the operator shall manage and operate the activities in accordance with a written management system.... []”

Procedures in the business’ Environment Management System (EMS) are not being followed to attain correct waste code classification. This has scored a root cause breach with your Management System as a result.

The Management System has not been followed to ensure diligent submission of Waste Returns documents.

ACTION

- Update Management System to reflect correct classification protocols.

- Implement procedures to ensure diligent waste return submission.

We determine that the site has been incorrectly coding waste that has been accepted or removed from site. This breaches Directly Applicable Legislation (DAL); Section 34, Environment Protection Act 1990 – Duty of Care. This is a serious offence and so the site must put measures in place to ensure this is addressed going forward.

The site should be using **Technical Guidance WM3** for the processes that produce, manage or regulate waste. This is to correctly classify waste types under EWC. It has been stated that all classification is done on site.

FINES MATERIALS

It has been stated that shredder residue material has been sent to Atlantic Recycling Ltd.

The EWC being used for any metal shredder material or shredder residue, should be leaving site as either:

- 191003* - fluff-light fraction and dust containing dangerous substance
- 191004 - fluff-light fraction and dust other than those mentioned on 19 10 03
- 191005* - other fraction containing dangerous substances
- 191006 - other than those mentioned on 19 10 05

Waste should not be leaving site coded under as a **19 12** __.

Although operations take place on the same yard, the business should be keeping an internal Audit trail that documents all movements of waste between permits. You must be able to demonstrate this on your returns. We currently find this difficult to track

WASTE ACCEPTANCE CRITERIA (WAC) TESTING

WAC testing is used to determine how a waste will behave once it's buried in a landfill. This is carried out primarily through analysis of leachate derived from that waste during laboratory analysis. It cannot be used to determine whether a waste is hazardous or not.

When asked what testing is being conducted on the fines waste, it was said that only WAC tests are being completed. WM3 states that the sampling and assessments should be used on these waste types to test for hazardous components. Therefore, a WAC test is **not** sufficient to accurately classify the waste.

If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or 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_NRW0035281**

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

Site	Lower Chapel Bridge Yard	Permit Ref	LB3093HH
Operator/Permit holder	G L J Recycling Ltd	Date	08/05/2019

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			
B1	X	Repair any weakened areas of infrastructure to uphold impermeable status.	25/09/2019
C2	C3	Update Management System to reflect correct classification protocols. Implement procedures to ensure diligent waste return submission.	26/08/2019
G4	C4	Submit any outstanding Waste Return Documents. Put in place measures to see that they are submitted within the grace period in future.	10/07/2019

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.