

Compliance Assessment Report

Report ID:
CAR_NRW0035694

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

Site	Treherbert Community Recycling Centre	Permit Ref	AB3091HR		
Operator/Permit holder	Cynon Valley Waste Disposal Co Ltd				
Regime	Waste Operations				
Date of assessment	12/09/2019	Time in	07:20	Out	09:20
Assessment type	Site Inspection				
Parts of the permit assessed	Permit & operational area				
Lead officer's name	Warwick-Brown, David				
Accompanied by	Thomas, Ffion				
Recipient's name/position	Lee Foulkes/ Operations Manager	Date issued	10/10/2019		

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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Compliance Assessment Report – Treherbert HWRC, RCT (EPR/AB3091HR)

Officers David WARWICK-BROWN & Ffion THOMAS visited Treherbert HWRC at 07:20 on the 12th September for an unannounced visit to the site to conduct offsite noise monitoring, followed by a site inspection. NRW have recently been receiving an increased number of noise complaints from the site outside of the permitted operational hours, several of which have reported noise from 07:30 onwards. This visit was therefore to determine what sounds could be heard at a location close to the reporters' house at this time and confirm if any of these sounds could be clearly associated with the activities of the Recycling Centre. The weather was intermittently rainy/cloudy, with light winds and a mild temperature while the monitoring and site inspection were carried out.

Noise Monitoring

On arrival at the site, it was decided to carry out the monitoring from a location within proximity to the complainants' property – Google Maps showed that there was a public footpath running along the river adjacent to the back of the property garden, so we conducted the monitoring at this location north east of the site. No equipment was used during this monitoring activity; however, both officers were in good health with no impairments to their hearing. The following shows the original log recorded during the noise monitoring procedure:

Weather conditions: Intermittent rain / cloud, light winds, mild temp			
Location	Time	Noise description	Other comments
Telthorpe Recycling Centre car park	07:20	No activity on site.	Arrival at site
"	07:22	"	Officer Elin Thomas arrives at site
River footpath NE of site	07:43	Acclimatised to background noise sounds (flowing of river, birdsong & wind in the trees). Also a faint humming sound of machinery in the background - appeared through the direction to be coming from SW direction, but could not pinpoint exactly. There	Arrived at river bank adjacent to complainant's property. Sounds recorded at this time were confirmed to be coming from the direction of exhibiting.
"	07:45	Noise of vehicle along highway -	
Returned to parked car to collect further waterproofs	07:50		
Returned to River footpath	07:59	loud, single banging sound coming from direction of site.	
"	08:05		
"	08:06	Aeroplane passing overhead from South → North	
"	08:07	Distant rumble sound of machinery for approx. 2 seconds	Noise coming from Industrial Estate - exact location not confirmed
"	08:08	Vehicle engine sound coming from outside of CA site.	Slightly louder than previous rumble
"	08:10	Distant rumbling of engine	Direction not confirmed.
"	08:12	Vehicle engine sound	Appeared to originate from the CA site.
"	08:14	Sound of vehicle on road across from the river with rattling metal noise - possibly from a trailer being towed.	Coming from direction of the CA site.
"	08:14	Sound of Jandrol aeroplane overhead.	

In general, numerous sounds were recorded throughout the noise monitoring of the site from the location in proximity to the complainants' property, which Officers were at between 07:43 & 08:14. Most of these sounds did not appear to originate from the direction of the Recycling Centre and were associated with general background noises surrounding us at this location. It was noted that this was the case since the location is situated between the industrial estate and the main road (A4061) that runs through the length of the valley. It was also evident that noises appeared to be amplified due to the steep slopes either side of the valley at this location.

As noted, there was only one noise that was perceived as 'loud', which consisted of a single "bang" metal-on-metal sound coming from the direction of the site at 07:59. The source of this noise could not be confirmed at the time, but since this noise occurred one minute prior to the opening of the site, it was assumed that this sound was related to the unlocking and opening of the gates at the sites entrance. Later, during the site inspection, the gate opening procedure was witnessed to determine whether the noises matched. However, the sounds heard during the unlocking procedure consisted of a considerably quieter "tapping" sound of the gate locking pins moving up and down, and therefore didn't appear to match the "bang" sound heard earlier.

Site inspection

An unannounced inspection of the site was conducted following the noise monitoring, and Officers met with Site Operators Ashley and Steve on site. We arrived on site at 08:55 and left at 09:20. The site was

clean and tidy, and noise emissions were of a low impact from both inside and outside of the site throughout the duration of the inspection.

The most recent update to the site consisted of the additional layer of timber applied to the acoustic barrier on the North/North East boundaries of the perimeter as shown below.



Figure 1 – additional layer of timber applied to acoustic barrier

As mentioned, the noise emissions observed throughout the inspection were considered minimal and did not appear to be detrimental to the surrounding environment.

The compactor was situated near the acoustic barrier to reduce the environmental impact of noise and operates intermittently throughout the day. Its use was observed during the inspection and the noise it emitted consisted of a relatively low frequency ‘whirring’ sound – this sound did not match any of the sounds previously observed during the noise monitoring survey. The ‘humming’ sound noted during the monitoring (noted at 07:43) was observed on site during the inspection and it appeared to originate from the Everest Ltd site next door.

There were at least 3 visitors to the Recycling Centre during the inspection, all of whom made minimal noise when depositing their waste at the site.

Compliance

During the inspection it was noted that Waste Electrical & Electronic Equipment (WEEE) was being stored out in the open, and the Site Operators were informed during the inspection that the permit will be checked on return to the office to determine whether the storage of this waste is compliant with the permitted conditions.



Figure 2 – storage of WEEE on site during the inspection

Permit condition 2.4.1 states that *'the storage (including temporary storage) and treatment of WEEE shall be carried out in accordance with the technical requirements of Annex VIII of the WEEE Directive'*. The part of Annex VIII of the WEEE Directive that condition 2.4.1 refers to states that *'weatherproof covering for appropriate areas'* are required for the storage of WEEE (including temporary storage) prior to its treatment. Regarding the wording of 'appropriate areas', the DEFRA Guidance for the Best Available Treatment Recovery and Recycling Techniques (BATRRRT) and treatment of Waste Electrical and Electronic Equipment (WEEE), states that weatherproof covering is intended for those appliances destined for reuse. Since this is the case, we can confirm that there is no requirement for storing the WEEE identified during our inspection under waterproof covering.

Conclusion

Following the noise monitoring survey and the unannounced site inspection, there appeared to be only minor issues with the site in terms of noise emissions. Nevertheless, issues regarding the receipt of noise complaints at the site are on-going, and as you are aware we have been requesting that CCTV footage at certain times/dates is checked to determine whether the reported noise can be correlated with what appeared to be happening on site at these specific times. Unfortunately, doing so has generally not been successful in gaining a clear understanding as to whether the reports of excessive noise relate to the activities at the Recycling Centre, as the results from the CCTV footage have generally not appeared to match the reports.

Following our recent phone conversation, we have arranged to meet at the site on the **3rd October at 14:00** to discuss this on-going issue and to view the CCTV footage at specific times/dates that excessive noise has been reported to be originating from the site. We appreciate that this has been previously done for certain times/dates, but since the cameras have been installed requests for the CCTV to be checked have been frequent. If we can review and verify the CCTV footage, then we will be able to take the next appropriate measures and inform the complainant of this information. We would also like to discuss the progress of the appropriate measures assessment and follow up noise assessment/monitoring requested to you via email on Monday 29th July 2019.

Thank you for taking the time to show us around the site during the inspection.

If you have any issues with this report, please contact David Warwick-Brown on 0300 065 3683 or

david.warwick-brown@cyfoethnaturiolcymru.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035694**

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

Site	Treherbert Community Recycling Centre	Permit Ref	AB3091HR
Operator/Permit holder	Cynon Valley Waste Disposal Co Ltd	Date	12/09/2019

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.

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			

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.