Cyfoeth Naturiol Cymru / Natural Resources Wales	EPR Compliance Assessment Report			Report ID: 30104/0247290			
This form will report compliance with your permit as determined by an NRW officer							
Site	Bryn Pica Waste Operations			Permit Ref	EPR/AP3199FE EAWML 30104		
Operator/ Permit holder	Cynon Valley Waste Disposal Company Ltd						
Date	25/08/2015			Time in	10:00	Out	12:25
What parts of the permit were assessed	Materials Facility						
Assessment	Procedure review	EPR Activity:	Installation	Waste Op X		Water Discharge	
Recipient's name/position	Lee Foulkes						
Officer's name	William Powell, Dafydd Robbins-Hill			Date issued	11/09/2015		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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				Condition(s) breached
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	A		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	N		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1**. Air	N		
	2. Land & Groundwater	N		
	3. Surface water	N		
	4. Sewer	N		
	5. Waste	NA		
f) Amenity	**1**. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	N		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	**1**. Efficient use of raw materials	NA		
	2. Energy	NA		

KEY: **C1, C2, C3, C4** = CCS breach category **(* suspended scores are marked with an asterisk),**
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Meeting with Lee Foulkes and Shaun Thomas to discuss Amgen/Bryn Pica's Material Facility sampling procedures and waste returns.

This visit was intended purely as an advice and guidance visit to discuss current procedures at Bryn Pica to comply with the Environmental Permitting Regulations Schedule 9A Material Facility (MF) regulations. Therefore no breaches have been scored.

Sampling procedure

Natural Resources Wales had reviewed Amgen's current procedure and quality plan for sampling, and provided a list of areas to discuss

- Ensuring randomised samples
- Sampling proceedures for different inputs and suppliers
- Green waste procedures
- Screen sizes
- Scheduling samples
- Waste returns

Randomised samples

The procedure plan did not provide much evidence of how selection bias was prevented and random samples ensures. Rather than using the sampling techniques recommended in the WRAP guidance, Amgen have opted to take part samples, making up a bulk load.

Amgen explained that part samples were more practical on this site. Whilst it is difficult to ensure random samples are taken, the results have so far been consistent with the end recyclate quantities. Samples are taken from the centre-front of the off-loading area. Waste collection vehicles will tip the waste at the front, and this is gradually pushed through to the MRF inputs. Samples include bagged and loose waste streams, and are loaded into a trolley manually.

Sampling different input sources

Recent waste returns have shown two waste inputs. The procedure plan did not indicate how these two different input sources could be identified and therefore how a sample of each input could be taken every 160t.

Amgen clarified that they only take in waste from Rhondda Cynon Taff, though some waste does come in from bring sites, nearly all of the waste is from the same local authority collection. Amgen did briefly trial taking some waste from Caerphilly, however this has since ceased. If any contracts are put in place to take waste outside from RCT then your sampling procedure may need to be adjusted.

Green waste
The sampling procedure refers to green waste being excluded from the MF sampling. Green waste is now no longer collected with the co-mingled recyclate, and therefore this does not pose an issue. Amgen were advised to amend their sampling plan accordingly.

Screen size
WRAP guidance for Material Facilities recommends sampling screen sizes of 45mm for all target waste except glass and 12mm screen for glass, to separate out the fines - or "material particles". This is because Schedule 9A of the environmental permitting (amendment) regulations (2014) requires:

> (a)
> for specified output material that is made up in largest proportion of glass material, particles of that material that measure less than 13 millimetres along their longest dimension; and
> (b)
> in relation to all other types of specified output material and for mixed waste material, particles of material measuring less than 55 millimetres along their longest dimension;

Amgen explained that they believed they operated a 55mm sampling screen because that matched the screen size on their ballistic separator. On inspection however it was noted that the sampling screen size is 45mm inline with WRAP guidance. Currently there is no provision for a 12mm screen for glass material. Whilst I understand Amgen's reasoning for not using a smaller screen size, it is required by the regulations, and would make Amgen's sampling result more consistent with other Material Facilities.

Sampling variety and scheduling
The example sampling schedule provided in the procedure and quality plan states that all incoming wastes will be sampled in the afternoon. Amgen explained that the refuse collection vehicles arrive around 11-11:30 to unload, therefore it is both more representative to sample incoming wastes in the afternoon and safer due to les vehicle movements in the area.

Samples of incoming waste are taken from the front-centre of the bay. Machinery pushes the waste further into the bay regularly, which ensures further mixing of waste. Whilst there is a risk of this technique not ensuring a representative sample as some bring-site collections may be tipped elsewhere, Amgen argue that the sample is consistent to their outgoing waste samples.

Sampling frequency is reviewed monthly. It was pointed out that the number of samples taken in the last quarter did not match the frequency required for the volume of waste coming in. Amgen will review their measures to ensure this is improved.

Waste returns
Please use the EPR permit reference (rather than EAWML reference) in the waste returns form and report your MF site as the correct site type: “MF1: Material Facility under Schedule 9A” from the drop down selection box.

When entering data into the waste return spreadsheet, it is better to use the drop-down selection boxes rather than pasting in data from your own source. As the returns sheets are “protected” to reduce malicious code being received, and also to limit mistakes or errors in reporting from all Permit holders, it is better to use the selection lists in the form as it is more likely to be accepted by the waste returns database as being compatible. If it is not compatible the Waste Returns team will ask you to resubmit in a format which will be accepted.

Q4 2014 (Oct-Dec 14): Waste Received Tab:

The Sampled waste on the MF inputs should be on the same row as the LA origin from which it has originated, so that NRW's automatic QA can account for the correct input tonnages to work out how many samples should have been taken for the quarter. Currently, the RCT LA sampled waste is on the same row as Mattresses from Blaenau Gwent.

Please report next to all of the waste inputs whether they are MF inputs or not (for all entries, even if it is a "no") - as long as you have correlated the sampling to the input origins.

According to the MF Regulations, a 9,712.6t input would require 60.7 samples (61 rounding up). You have recorded 50. Please review your sampling procedure to ensure you are collecting enough samples.

The sample data should add up to 100% - take care to use whole number (up to 2DP) % values. For example you should represent the value 4 percent as "4.00" rather than "0.04" (to allow the QA database to correctly account for your data).

Q4 2014 (Oct-Dec 14): Waste Removed Tab:

The sampled wastes should correlate to the output details (e.g. line1 is EWC 19 12 01: recycling of waste paper to non-UK destinations, but in the MF samples section, it relates to Aluminium samples).

The Output samples should add up to 100% - take care to use whole number (up to 2DP) % values. For example you should represent the value 4 percent as "4.00" rather than "0.04" (to allow the QA database to correctly account for your data).

Q1 2015 (Jan-Mar 15): Waste Received Tab:

According to the MF Regulations, a 9,084.57t input would require 56.8 samples (57 rounding up). You have recorded 37. Please review your sampling procedure to ensure you are collecting enough samples.

The sample data should correlate to the origin of the waste (i.e. the RCT samples should be on the same line as the RCT waste input. Likewise the Caerphilly samples should be on the same line as the Caerphilly waste input.

Q1 2015 (Jan-Mar 15): Waste Removed Tab:

Again, the sampled wastes should correlate to the output details (i.e. material samples should be on the same line as the output wastes).

Q2 2015 (Apr-Jun 15): Waste Received Tab:

The Sampled waste on the MF inputs should be on the same row as the LA origin from which it has originated, so that the automatic QA can account for the correct input tonnages and waste types to work out how many samples should have been taken for the quarter. The RCT samples should be on the same row as the waste where it originated from.

It appears the number "13" has been entered into the SD Total Target Materials (Cell X8), which I believe should have been entered into either of the "Non Target %" or the "Non-Recyclable %" - as the Target material % plus SD Total target materials plus Non Target % equals 100, but the non-recyclable % cell is empty. Please ensure you enter the correct figures in each of the relevant cells.

According to the MF Regulations, an 8,398.32t input would require 52.48 samples (52 rounding down, or 53 rounding up). You have recorded 50. Please review your sampling procedure to ensure you are collecting enough samples.

<u>Q2 2015 (Apr-Jun 15): Waste Removed Tab:</u>
Again, the sampled wastes should correlate to the output details (i.e. line one in Apr-Jun 15 is Metals recovery activities to Swindon EWC 191203, but in the sampling section refers to mixed glass, but it should be details about the metal).

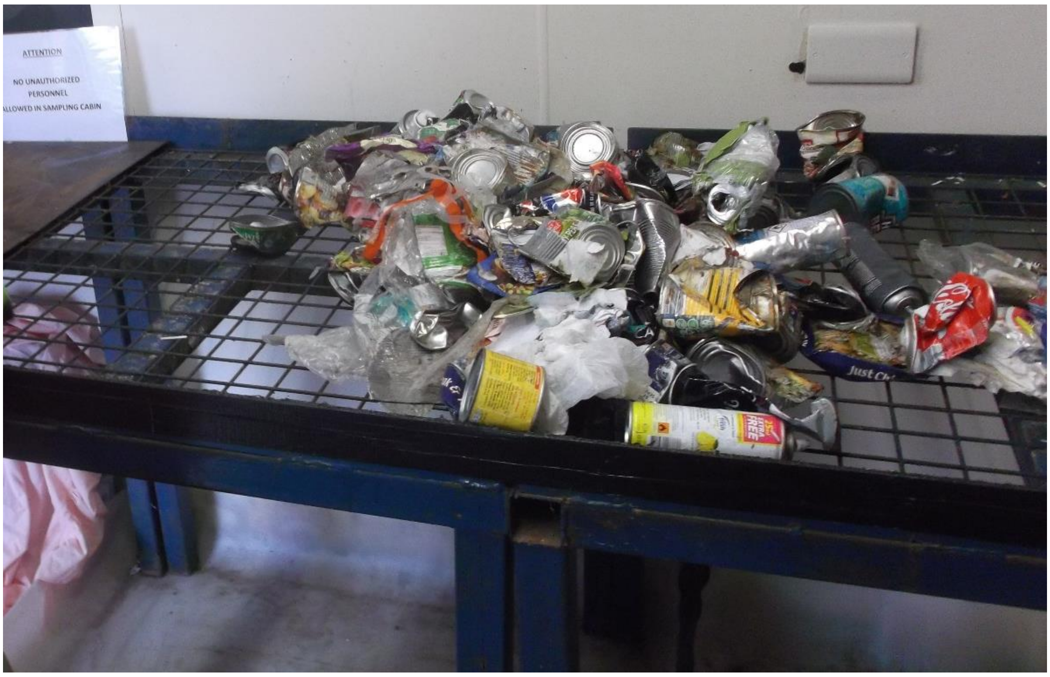
It is difficult to verify that sufficient sampling data has been taken by destination because of the above, but it is clear that insufficient number and weight of plastic samples have been taken.

Some EWC codes are incorrect - EWC 20 02 02 is on the input tab, reported as temporary storage, incorrectly changes to EWC 17 01 07 on the outputs.

Sample processing
Incoming samples are taken from the central bay of 3 bays. Each bay contains around 65t of co-mingled waste and stores around 2-3 days worth of waste input. Waste is shovelled manually into a trolley, and taken to a separate area for quality assessment. The incoming waste sample and trolley are weighed together, and the trolley weighed separately after. Samples are stored and processed inside a building - the sample run over a 45x45mm screen.

Samples are weighed using scales calibrated daily.

An output sample analysis of ferrous metal was witnessed during the visit. The sample was loaded onto the screen, and spread throughout the sorting - however no sample material was forced through the screen. Waste was split into target, non-target, non-recyclable and fines, all stored in plastic boxes. The target material was assessed using a small handheld magnet. Any contamination mixed in with the material, for example plastics crushed inside cans, were removed, and put in either the non-target or non-recyclable boxes.



The boxes are then emptied into clear plastic bags for weighing.

Samples were recorded correctly onto the forms, and sampler retains information from each sample as well.

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

Site	Bryn Pica Waste Operations	Permit	EAWML 30104
Operator/ Permit	Cynon Valley Waste Disposal Company Ltd	Date	25/08/2015

Section 3- Enforcement Response **Only one of the boxes below should be ticked**	
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.	X
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	**CCS Category**	**Action Required/Advised**	**Due Date**
See Section 1 above			
-	-	The following improvements should be made: A 12mmx12mm screen for glass to be used. Ensure waste data returns outputs add to 100% Ensure sufficient samples are taken in respect to waste inputs and outputs Ensure MF data corresponds to the correct line on the waste return	31/10/2015

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.