Compliance Assessment Report

Report ID:
CAR_NRW0026671

This form will report compliance with your permit as determined by an NRW officer					
Site	Gwent Waste Management Centre NRW/EPR/SP3531SK/V007	Permit Ref	SP3531SK		
Operator/Permit holder	Tradebe Gwent Limited				
Regime	Installations				
Date of assessment	16/11/2016	Time in	10:00	Out	14:00
Assessment type	Report/Data Review				
Parts of the permit assessed	Monitoring, Competence, Storage				
Lead officer's name	Kemp, Andi				
Accompanied by					
Recipient's name/position	Mark Griffiths/ Gwent Regional Business Manager	Date issued	22/11/2016		

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**

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

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

Purpose of Compliance Assessment

This visit was primarily to assess the operators procedures for monitoring emissions as required by the permit – this work will be written up separately using the OMA template. However some comments with regard to monitoring and reporting are included in this CAR1 form, with the full assessment in the OMA audit write up.

Tradebe provided an update on changes to site and the refined effluent treatment project that has been implemented and the nickel laden filter cake that is being sent off site for recovery outside the UK. Other aspects discussed included the necessity for a permit variation, sewer emissions reporting and future compliance work to be delivered. Details of who hold technical competence qualifications for the relevant levels in the waste industry are also included in this CAR1.

Permit Variation

See text from CAR1: March 2015, June 2015 and June 2016 – this summarises the various elements to be addressed by the variation.

AK stressed that this task needs to be started as soon as possible so that these crucial aspects can be covered in the permit:

- Current activities – including Ni filter cake storage and transfer activity, cyanide treatment, oil / water wastes, air pollution control residue treatment and associated generation of gypsum – to be stipulated in Table S1.1; including scope and limits
- Similarly, redundant activities to be removed
- Site drainage and emission point plan updated
- An updated list of waste codes in the appropriate waste tables defined by specific activity (hazardous, non hazardous, treatment or transfer) – site to be able to demonstrate BAT for the waste treatment
- Table S1.2 to be updated to reflect current operating techniques – for example the new ETP final discharge line and new treatment processes

- Agreed basis for monitoring of sewer emissions (continuous not batch) and parameters (e.g inclusion of Cd) and recognition of the method used for any automatic pH probes e.g. meters on scrubber liquor
- Ensuring adequate procedures and engineered areas for the reception and quarantine of containerised waste

The next steps should be:

1. Tradebe to assemble the information that comprises the variation – to address points above and others from the previous CAR1s mentioned
2. AK to look at this draft and advise operator
3. AK to arrange a pre-application meeting with Tradebe and NRW NPS to discuss information requirements, BAT principles and type of variation and associated cost
4. Operator to formally apply using the appropriate forms

Action 1 Tradebe 16112016: *Operator to provide the "draft" permit application.* **Due:** 31st March 2017

Changes to Site Activities

MG presented the recent changes to site operations **(refer to permit variation),** and potential new activities, these are collectively:

- Effluent treatment improvements – new
- Nickel rich filter cake transfer for Ni recovery outside UK – new
- Sourcing Ni rich liquid wastes to ultimately feed Ni recovery from filter cake – proposed
- Treating air pollution control residues (APC) and gypsum production – proposed

The presentation (attached to NRW records) describes how the site have re-routed the final effluent from the filter presses (via concrete holding pit T20), to flow in above ground polypropylene pipework to tanks T21 and T22 to the east of the site. From the final tank T22 the effluent now flows, via a new Siemens flow meter (believed to be on the CSA (formerly SIRA) schedule of Mcerts accredited flow meters) under the road and into the DCWW foul sewer, picking up the end leg of the former route for S1 emission point to sewer. This has created extra capacity and extended retention time, bringing the levels of metals released to sewer down – this was driven by the requirements of the TEC with DCWW. Where previously some levels of metals peaked at 4.5mg/l, the post improvement levels are just under 2 mg/l and the peaks have been smoothed out. Additional benefits include tank T7 becoming available for treatment activities.

This new flow meter must go through the Mcerts certification process and the site must gain the Mcerts self monitoring of effluent flow site conformity certificate – as they did (Aug 2016) for the former flow

meter. This will be included as an action in the OMA write up.

Note: M18 latest version is v5 Oct 2015 (at the 17th Nov 2016)

MG Tradebe explained that nickel rich filter cake from a regular waste producer is currently being stored in the treatment building and being transferred by WRG off site for recovery (smelting), using hazardous waste consignment notes, outside the UK – under TFS. This waste is classed as hazardous waste and this recovery option is further up the waste hierarchy than the formerly used hazardous waste landfill route. The permit variation needs to ensure that this waste and activity are included in a new consolidated permit. As it stands now the current permit has the relevant waste codes for waste transfer activities and the permitted activities include the exchange of wastes R12 prior to any other recovery operation R1 – R11.

Linked to the above and the extra treatment capacity, Tradebe are sourcing other metal (Ni, Cu and Sn) rich waste streams so that a metal rich filter cake can be processed as above. Financial considerations are the main driver here (disposal verses recovery cost and potential value of the waste) in addition to considering the waste hierarchy.

Lastly Tradebe are considering treating sulphuric acid wastes with lime and in so doing producing a waste gypsum.

Note: If the waste gypsum is intended for onward use, a number of regulations may apply. For example transport of the waste gypsum as per the usual UK waste duty of care legislation; receipt by a person authorised to do so, e.g. a waste permit holder; other requirements and standards before the material can be used or incorporated into another product; possibly REACH legislation if the waste definition is removed and the waste gypsum becomes a product.

There is a Waste Quality Protocol for manufacture of reprocessed gypsum from waste plasterboard – gypsum produced during waste treatment of sulphuric acid is not (it appears) in scope of this QP – Tradebe should check with their legal team and WRAP.

Part of the permit variation process would include the operators evidence and the regulators assessment of the application to demonstrate that the treatment processes (new and current) are BAT and any infrastructure changes are also engineered to the appropriate standards – refer to BAT Reference document on waste treatment, where treatment processes, abatement techniques, tanks, pipeline and bunds (amongst other aspects) are discussed. CIRIA C736 is also an invaluable document on the detailed design of pollution prevention systems and equipment.

Technical Competence

All waste operations and installations need to be managed by sufficient and available technically competent personnel, who have passed the required levels of the recognised competency scheme for their facility. See table and certificate attached, where a number of key Tradebe personnel have declared they hold hazardous waste treatment or transfer competency qualifications. These personnel are at shift manager and supervisory level. Guidance on certificates of technical competence requirements are included in guidance *How To Comply With Your Environmental Permit.*

Sewer Emissions Reporting

This will be fully picked up in the OMA write up and addressed in the permit variation. The monitoring basis has been queried by the regulatory officer. The permit requires monitoring after every batch released to sewer, however the site is more or less a continuous treatment process. The operator currently sends a weekly sample from the effluent line to DCWW for analysis. The operator then reports the highest value in their quarterly monitoring return – as the reporting form stipulates. The twelve or so weekly sample results, that make up the quarterly data set, are kept by Tradebe.

MG has also amended the reporting form to now include the analytical method and make reference to the UKAS lab that undertook the analysis.

Future Regulatory Work

The OMA for the sewer emissions and pH monitoring of the scrubber liquors was conducted on 17th Nov 2016. A separate OMA audit form and covering CAR1 form will be issued for that and will include comments about the new flow meter, sampling and monitoring procedures and traceability of analysis data to a UKAS ISO 17025 laboratory.

Phase 1 of waste pre-acceptance, acceptance and storage was carried out in Sep 2015 and will be scheduled to be concluded and written up after a further inspection before June 2017. The next phase will look at randomly selecting a waste container in the reception area and inspecting the associated waste assessment paperwork and on site checks. The same will be apply to a waste container that is awaiting off site removal, so will include additionally, the data and paperwork to accompany the waste with the carrier to the next destination. This work will test Tradebe's procedures.

The site treatment activities, methods, efficiency and emissions control will be assessed in accordance with BAT. This work should come after the permit has been varied and use the most update BAT Reference document.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0026671**

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Site	Gwent Waste Management Centre NRW/EPR/SP3531SK/V007	Permit Ref	SP3531SK
Operator/Permit holder	Tradebe Gwent Limited	Date	16/11/2016

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.