

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0031999**

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

Site	Aberfan Household Waste And Recycling Centre	Permit Ref	ZB3197TJ			
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd					
Regime	Waste Operations					
Date of assessment	02/08/2017	Time in	14:30	Out	15:00	
Assessment type	Report/Data Review					
Parts of the permit assessed	C1, C2, G4					
Lead officer's name	James, Ian					
Accompanied by						
Recipient's name/position	Mark Phillips/ TCM/Area Manager	Date issued	05/02/2018			

### 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
C2 - General Management - Management system and operating procedures	C4	Permit Condition Part 1.1.1 (a)– 'The activities shall be managed and operated: (a) in accordance with a management system which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances.....'

**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> (see section 5 for scoring scheme)	<b>0.1</b>
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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

### Introduction

At 1430 on 2<sup>nd</sup> Aug 2017 your site was inspected as part of the routine assessments for compliance, your new regulatory officer, Ian James, was in attendance. Thanks to Charlie (Supervisor) for taking the time to demonstrate your activities on site.

Your operations consists of a Household Waste Recycling in the Aberfan/Merthyr Tydfil area.

The parts of the permit that were reviewed were;

### C1 – General Management: Staff competency/training

**Permit Condition Part 1.1.1 (b)** – ‘...by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.’

In addition reference: Natural Resources Wales publication – ‘How to comply with your environmental permit’ Part 2 – Waste Operations, Technical Competence Schemes.

It was noted that Mark Phillips is the Technically Competent Manager and a Continuing Competence Certificate was present and in date.

### C2 – General Management: Management system & operating procedures

**Permit Condition Part 1.1.1 (a)**– ‘The activities shall be managed and operated: (a) in accordance with a

management system which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances.....’

A copy of the Management System was available and supplied electronically in advance.

#### **BREACH – CATEGORY 4**

The Management System details the storage of paints. Procedures observed were not in compliance with the Management System at the time of the visit and concerns were raised with the supervisor. Paints should be contained within a lidded container and on hardstanding/impermeable pavement with sealed drainage.

This could also be breached under ‘General Management – Storage, handling, labelling and segregation’ but to save duplication has been scored here.

EMS – SOP-03 Appendix A – Storage and Handling:

Surfacing and drainage	Hardstanding ground or impermeable pavement with sealed drainage.
Additional equipment / infrastructure	Designated container to be a lidded, acid proof container (chemistore). It must be labelled as to its contents.
Storage	Should be delivered by members of the public in suitable, sealed packaging (e.g. their original packaging). If chemicals are brought to a HWRC in unmarked containers, i.e. any container other than that provided by the manufacturers, site operatives should ask members of the public what the substance in the container is, and anything they know about its origin. These details should be recorded to assist the collection contractors with the identification of chemicals.
Handling / treatment	Should be placed carefully into the chemistore in an upright condition. If the waste is not in a suitable, sealed packaging, it should be placed in a suitable ‘over-container’ to prevent spillage and mixing with other wastes within the chemistore.
Maximum quantities	The containers used for the chemistore should be no larger than 3 cubic metres.

Non-compliance;



**Action: Provide suitable storage for paints, including move to 'slab' area, by 30<sup>th</sup> September 2017.**

G4 – Monitoring and records, maintenance and reporting: Reporting and notification

**Permit Condition Part 3.2.1 and 4.2.2–** 'Records of all the wastes sent off site from activities, for either disposal or recovery shall be maintained.' and 'A summary report of the waste types and quantities accepted and removed from the site shall be made for each quarter and shall be in the format required by the agency.'

All waste returns are up to date and in compliance.

Observations;

1. The supervisor, Charlie, was not a regular member of staff at the Aberfan site but appeared conversant with local rules.

Other;

A tour of the site showed infrastructure in good order, other than the points raised previously, with no litter, loose debris/leaves or smells apparent. The conditions were wet.

**If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on [ian.james@naturalresourceswales.gov.uk](mailto:ian.james@naturalresourceswales.gov.uk)**

## EPR Compliance Assessment Report

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Site	Aberfan Household Waste And Recycling Centre	Permit Ref	ZB3197TJ
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	02/08/2017

### 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			
C2	C4	Provide suitable storage for paints, including move to 'slab' area, by 30th September 2017	30/09/2017

## 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](mailto: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.