

Compliance Assessment Report

Report ID:
CAR_NRW0031920

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

Site	S L Recycling Ltd	Permit Ref	ZB3593HH		
Operator/Permit holder	S L Recycling Limited				
Regime	Waste Operations				
Date of assessment	28/06/2017	Time in	09:00	Out	17:00
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by	Perry, James				
Recipient's name/position	Stacey Lewis/ Director	Date issued	26/07/2017		

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	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	C3	Schedule 2 – table S2.1
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	
F5 - Amenity - Deposits on road	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	A	

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Officers Alex BOWDER and James PERRY carried out a routine inspection on Wednesday 28th June 2017 at 11:00 at SL Recycling Ltd, Unit 9 Penallta Industrial Estate, Hengoed - Permit number **EPR-ZB3593HH**. Met with company Director Mr. Stacey Lewis and site Technically Competent Manager Becky Tucker. The weather was warm and mild at the time of inspection.

Environment Management System (EMS) Audit

The primary purpose of this inspection was to focus on the site's Management System. The site has been developing the EMS since the beginning its operations in 2015. We have been working with the business to consolidate the document by concentrating on the business' operations ensuring it addresses all the aspects required.

We have spoken about condensing the material into one document under one index rather than split across files, for example. Having analysed the most up-to date version for the purposes of this audit we want to focus on:

Fire Prevention Mitigation Plans (FPMP)

Operating techniques

Permit Variation

As discussed on site your permit states that the total quantity of waste accepted at the whole site shall not exceed 6,000 tonnes in a year. In the pre-application stages the business advised that the site would be looking to accept approximately 5000 tonnes of ferrous and non-ferrous metals with 1000 tonnes of ELV material.

Breach of permit

It is apparent that the site has surpassed this volume and has taken approximately 16,500 tonnes for the last four quarters. **Therefore, on this occasion we must score against the permit to highlight the breach in condition Schedule 2 – table S2.1.** However, if you submit the permit variation application within the next **three months** we will suspend all future scorings of this condition.

Increasing the annual throughput figure of a permit would be classed as a 'Minor Technical Variation' and comes with a fee of **£1,280**. Further details can be found on our website; you would be required to fill out parts A, C and F:

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-vary-change-a-permit-for-waste-operations/?lang=en>

Action: Apply to vary your permit to increase the quantity of waste accepted as soon as possible.

During the pre-application stages of the permit the yard postcode was yet to be confirmed by the council and so the address on the permit is incorrect. This has caused some confusion for some customers looking

up the business to check for associated licences. If you wanted to amend this detail for consistency it would be classed as a free of charge administrative variation and could be put through at the same time.

Useful guidance on what we expect to include can be found with our 'How to comply' document: <https://naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf>

The content of a Management System should depend on the risk and complexity of the activities but as a minimum, it should address the following;

1. Site specific processes, activities or operations – operating hours
2. Emissions and discharges
3. Accidents, incidents and emergencies
4. Site engineering and infrastructure
5. Plant and machinery use and maintenance
6. A review of your activities against what your permit allows you to do
7. Waste acceptance, quantities, treatment and storage procedures
8. Storage of materials on site
9. Fire Prevention Plans
10. Noise Prevention plans
11. Drainage infrastructure
12. Transportation and distribution
13. How any potential pollution could impact on air, water, land & neighbours?
14. Procedures to enable you to apply the waste hierarchy of re-use, recover, recycle, dispose
15. Duty of Care

Fire Prevention Mitigation Plans (FPMP)

Due to the varying work areas in the yard there should be stringent fire plans in place. Due to the metallic nature of the waste there needs to be a specific action plan devised for the storage areas in the yard (if the piles were to ignite).

There should be enough room to ensure a fire service engine can gain access to extinguish different waste streams stored in the yard etc.

The site procedure list and site accident list needs to be looked at.

Operations

At present the information is very generic and needs to relate specifically to working areas. We suggest labelling the different work areas A to G, for instance, then concentrating on the procedures and training for

that area. The depollution bay will have a different section to the metal separation units.

Very clear spill kit and clean-up section in regards to the depollution bay, which was good to see.

Noise

Please ensure activities are limited to specified operating hours and noise is reduced to a reasonable minimum. Noise prevention plan should also be included.

Site Management

It is good to see the business is managing to efficiently process the material coming in keep waste pile down. A new machine present in the yard making it easier to process materials. No amenity issues noted at the time of inspection. Infrastructure in good condition, site checklist visible in office and no issues reported with the interceptor alarm.

It was mentioned that the business had purchasing the yard next door and extending operations. This would be subject to permitting and a standard rule permit could be looked at so long as is can satisfy the drainage and infrastructure requirements.

End of life vehicle bay

The depollution bay activities were working well. Make sure spill kits are in used in any spillages – staff aware of whereabouts.

Under **Table S1.1** of your permit it states that no more than 50 tonnes of intact waste vehicle tyres are to be stored on site – within this volume at the time of inspection.

If you have any issues with the report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

EPR Compliance Assessment Report

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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			
C3	C3	Submit variation to increase tonnage allowance	26/10/2017

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. 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.