

Compliance Assessment Report

Report ID:
CAR_NRW0026282

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

Site	Veolia Es Cleanaway (uk) Limited	Permit Ref	HP3795FS		
Operator/Permit holder	Veolia E S Cleanaway (U K) Ltd				
Regime	Waste Operations				
Date of assessment	26/07/2016	Time in	11:00	Out	12:00
Assessment type	Site Inspection				
Parts of the permit assessed	Seperate collections				
Lead officer's name	Tye, Laoni				
Accompanied by					
Recipient's name/position	Robert Hughes/ Site manager	Date issued	01/11/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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

Environment officer Laoni Tye visited site on the 26th July 2016 and met with site manager Robert Hughes. The purpose of the visit was to discuss the regulations around separate collections that came into force in January 2015. The visit was to gather information on this and to provide any advice and guidance as necessary to assist the site in complying with the regulations. No other elements of the site were inspected.

Compliance with Directly Applicable Legislation. Category 3 breach.

The site has been scored a category 3 breach for non-compliance with Regulation 13 (1) of the Waste Regulations (England and Wales) 2011 as amended for not providing a separate collection for your paper, plastic, metal and glass and/or not providing a necessity (TEEP) test as to why this would not be possible on site. Please see the letter attached for further information on the requirements of this legislation.

Details of the visit

Waste is brought onto site in a co-mingled form although separate waste collections are offered to some customers such as cardboard collecting. Mixed waste is deposited in the building on site then some waste types are picked out, mainly cardboard and paper. The majority of waste is stored on site before being transferred to another site for treatment. There was also a skip designated for scrap metal and a bay for glass on site.

Currently, Veolia are taking the waste from site in a co-mingled form and are therefore not compliant with the regulations. Robert confirmed that he would discuss the meeting with the head office and begin putting in an action plan to bring them into compliance with the regulations. I explained that although we were not taking enforcement action at this time we will be enforcing the regulations in the future and in which case the relevant processes need to be put in place.

There are plans to get a picking line on site which will assist with complying with the regulations.

The main carriers bringing waste onto site are Veolia, Rhondda Cynnon Taff Council and Suez. They are bringing waste onto site in a co-mingled form and are therefore not currently complying with the waste regulations.

As discussed on site, 'regulation 14(1) of the Waste Regulations 2011 as amended, once the four waste materials for recycling have been separately collected, the regulations require the materials to be kept separately and not mixed with other wastes or other materials with different properties.' It was confirmed that any segregated wastes on site remain segregated and are transferred off site in compliance with this.

We discussed the TEEP test and why this would need to be applied if the waste was not to be collected separately. The site would need to prove that it was not technically, environmentally or economically practicable to collect the waste in separate fractions, or again this would be non-compliance with the legislation.

I hope the visit was beneficial. Please read the attached letter which offers standard advice and guidance on the matter and follow the link below:

<https://www.gov.uk/guidance/separate-collection-of-waste-paper-plastic-metal-and-glass>

It is up to you as a waste carrier to ensure you are compliant with the regulations. If you have any questions please get in touch.

Kind regards,

Laoni Tye
Environment officer
03000 65 4492
Laoni.tye@naturalresourceswales.gov.uk

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.

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 reports 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 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.