

Compliance Assessment Report

Report ID:
CAR_NRW0027048

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

Site	Lamby Way Depot	Permit Ref	EP3995FL		
Operator/Permit holder	Cardiff Council				
Regime	Waste Operations				
Date of assessment	27/01/2017	Time in	10:30	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Patrick McGrath/ Site Manager	Date issued	01/02/2017		

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	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	C3	F3: Amenity – Dust/Fibres/Particles & Litter breach of condition 3.2.2;
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

Routine site inspection was conducted by Alex Bowder at Lamby Way on Friday 27th January at 10:30am. Met with Site Manager Pat McGrath to discuss the Environmental permit **EPR/EP3995FL** (EAWML 30338), the various permitted areas and the moving of the HWRC. The weather was warm and dry.

The permit covers operations of:

- Household waste recycling centre (HWRC)
- Household, commercial and industrial waste transfer station with treatment
- Materials recycling facility (MRF)
- Composting area

Breach – Category 3

F3: Amenity – Dust/Fibres/Particles & Litter breach of condition 3.2.2;

“Litter or mud arising from the activities shall not cause pollution. The Licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise the litter and mud.”

A lot of litter was again seen in the site perimeter vegetation, in the dugout ditch for the power cable and in reën at the rear of the site behind the MRF unit. A breach has been scored against this condition as a result.

A wall/fence is said to be built in the immediate future which should help alleviate this issue. It was stated that this will be a focus after the development of the HWRC.

It was stated that the facility had a busy workload after the Christmas period with the increased waste volumes.

Movement of the HWRC

The general car park has been constructed and is in use. Discussed the drainage plans and the connecting lines for the area. Talked about diverting the flow of traffic gradually once the area is ready and reusing the old HWRC plot as a potential wash down area – please make sure drainage is equipped to handle this type activity and is maintained regularly.

Inspected transfer station with no issues apparent. The MRF was running smoothly with no issues apparent within the unit.

Working plan

As stated in the last report so long as the business stays within the issued permit boundaries and meets all the infrastructure/drainage requirements of the permit then a working plan update is all that would be

needed. A Working Plan update will therefore be required as soon as possible to accommodate the HWRC move. It should detail the work areas, operating procedures and outline the drainage system.

Waste returns

Document quarter checked, correctly completed.

I look forward to the next visit. If you have any issues regarding this report please contact Alex Bowder on 0300 065 3394. Thank you.

EPR Compliance Assessment Report

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Operator/Permit holder	Cardiff Council	Date	27/01/2017

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.

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			
F3	C3	Improvements must be made to minimise the amount of waste leaving the area.	28/04/2017

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.