

Compliance Assessment Report

Report ID:
CAR_NRW0026403

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	06/09/2016	Time in	11:00	Out	12:30
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	03/10/2016		

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
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	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

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

A site inspection was conducted by Alex Bowder at Lamby Way Cardiff Council site on Tuesday 6th September 2016 at 11:00am. Met with Pat McGrath, Gareth Ffoulkes and Ben Maizey to discuss the site's various permitted areas and the moving of the HWRC. The weather was warm and dry.

Lamby Way has had the environmental permit **EPR/EP3995FL** (EAWML 30338) for over ten years which has undergone modification as well as transferring parts of the licence.

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

A copy of your environmental permit EPR/EP3995FL for Lamby Way and an International Waste shipments (TFS) table to be filled out was sent separately by email. The TFS table has been completed, thank you for doing this so swiftly. WAMITAB competencies are being sent through.

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 seen along the vegetation and in reën at the rear of the site.

A wall/fence is said to be built in the immediate future which should help alleviate this issue.

We understand that is an ongoing issue and that it is difficult to control with the weather, however, in the meantime improvements must be made to minimise the amount of waste leaving the area.



Pictures 1 (a) and (b) – showing litter blown into the vegetation and in the reën

Household waste recycling centre (HWRC)

First met in the council office building on site to discuss the planned development of HWRC to the car park. It has been discussed with our permitting department whether a full permit variation would be required for the planned operation changes; or whether a working plan modification and new risk assessments would suffice. It was stated that 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.

Our planning department want you to submit any further drawings you hold for the surface water and foul drainage plans, as they weren't entirely confident of the information provided so far. The discharge plans need to be sent through as the surface water pipe discharges to a SSSI at the rear of the site. Perhaps with a short summary of the joining works to the pumping station at Welsh Water that you mentioned on the day etc.

We talked about the waste collection regulations; the site was aware of the changes in legislation and how this may affect the business. Mentioned about how the curb side collection system that operates in Cardiff and how it makes things difficult when the MRF.

In the yard all waste streams were separated in containers and appropriately labelled. Not much litter build up was seen between the skips which was good to see. Spill kits were present and staff were aware of where they were kept. Any car batteries received segregated.



Picture 2 - showing HWRC metal skips containing separated waste

The maximum quantity of hazardous waste that can be accepted, stored or treated at the site shall not exceed 10 tonnes per day in total. The site rarely gets any asbestos material but it is brought in it is properly dealt with and removed by a registered waste carrier as and when it comes in.

Household, commercial and industrial waste transfer station with treatment

No big changes witnessed since last visit. Waste was adequately separated in the bays, all waste was within tonnage allowances and height restrictions. Operations can get more difficult when the unit is full. Discussed the spraying system in the unit that operates ad hoc to eliminate odour and reduce fire risk. No breaches observed.



Picture 3 - showing the spraying system in the transfer station

Materials Recycling Facility (MRF)

Ben Maizey showed around the MRF and explained the processing line from start to finish. Bag waste comes from Cardiff and Caerphilly, the various waste streams are separated along the picking line to produce the different grades of paper some which is still being exported to the Netherlands.

The line separates the contaminated waste which is then sent to the transfer station and then eventually sent to Viridor for disposal - no noticeable changes witnessed since last visit.

Cardboard from the HWCR is stored around the back of the facility in a concrete bay ready to be put through the processing line.

Spoke about wall/fence that will be built in the future that will help contain litter blown around the yard. This will need to be included in you updated working plan.



Picture 4 – showing workers on the picking line separating plastics bags and cardboard

Working Plan/EMS (Environment Management System)

Your working plan will need updating to incorporate the planned move and development of the new HWRC area. It must state the area usage/operations taking place, contain a labelled by diagram detailing work areas and outline the drainage system.

Waste Returns

The business has been using the correct EWC codes on the return spreadsheets and have been submitted diligently for this year's quarters so far, please continue to follow this habit.

Good overall management observed. Thank you for again for showing me around site, I look forward to the next visit. If you have any queries please contact Alex Bowder on 0300 065 3394.

EPR Compliance Assessment Report

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Site	Lamby Way Depot	Permit Ref	EP3995FL
Operator/Permit holder	Cardiff Council	Date	06/09/2016

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.

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	Improve management	10/01/2017

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 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.