	EPR Compliance Assessment Report	Report ID: 30338/0240511			
This form will report compliance with your permit as determined by an NRW officer					
Site	Lamby Way Depot		Permit Ref	EPR-EP3995FL EAWML 30338	
Operator/ Permit holder	Cardiff Council				
Date	12/05/2015	Time in	11:00	Out	12:20
What parts of the permit were assessed	Site handover looking at all operations				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Pat McGrath, c.c. Ben Maizey				
Officer's name	William Powell, Jacqui Collier		Date issued	16/06/2015	

Section 1 - Compliance Assessment Summary					
<p>This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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.</p>					
Permit Conditions and Compliance Summary				Condition(s) breached	
a) Permitted activities	1. Specified by permit	A			
b) Infrastructure	1. Engineering for prevention & control of pollution	N			
	2. Closure & decommissioning	NA			
	3. Site drainage engineering (clean & foul)	N			
	4. Containment of stored materials	N			
	5. Plant and equipment	N			
c) General management	1. Staff competency/ training	N			
	2. Management system & operating procedures	N			
	3. Materials acceptance	A			
	4. Storage handling, labelling, segregation	C3		1.1.1; 2.1.1;	
d) Incident management	1. Site security	N			
	2. Accident, emergency & incident planning	N			
e) Emissions	1. Air	N			
	2. Land & Groundwater	N			
	3. Surface water	N			
	4. Sewer	N			
	5. Waste	NA			
f) Amenity	1. Odour	A			
	2. Noise	A			
	3. Dust/fibres/particulates	C3		3.3.2;	
	4. Pests, birds & scavengers	N			
	5. Deposits on road	N			
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N			
	2. Records of activity, site diary, journal & events	N			
	3. Maintenance records	N			
	4. Reporting & notification	N			
h) Resource efficiency	1. Efficient use of raw materials	NA			
	2. Energy	NA			
<p>KEY: C1, C2, C3, C4 = CCS breach category (*suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored</p>					

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Site Handover from officer Jacqui Collier to Will Powell, with Recycling and Development Officer Ben Maizey. Dry and very windy weather during inspection.

Breaches

C4: Management - Storage, Handling, Labelling & Segregation - breach of condition 1.1.1 (management system point 4.11); & 2.1.1 (Schedule 2, table 2.1);

1.1.1 "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 and those drawn to the attention of the licence holder as a result of complaints."

2.1.1 " The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities").

All bulking or transfer of non-hazardous waste must be carried out inside a building."

Mixed waste stored on the concrete pad - Activities on the composting area not being managed in-line with management system.

Point 4.11 of your management system states that any wastes other than the two streams accepted for composting will be 'turned away'.

Category 3 breach

F3: Amenity - Dust/Fibres/Particulates & 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 on site, including in and around the reen.

Mixed waste including light weight wastes stored up against estuary boundary on composting pad, allowing litter to easily blow off site boundary.

Category 3 breach



Waste transfer station

The waste transfer station contained mixed general waste from commercial sources and the Vale of Glamorgan, and food and black bag waste from Cardiff's collections. Some plasterboard was stored here. There was also a pile of street sweepings stored at the far end of the permit. The street sweepings were contaminated with plastic bottles and other material, and were going to be further treated at a soil wash. Whilst you can accept street sweepings, these street sweepings appeared to be being de-watered at the Waste Transfer Station, which isn't an activity covered by your permit - if this is to be a long term activity then you may need to consider varying the permit to include this activity.

Material Recovery Facility

The materials recovery facility was in operation with stockpiles of un-processed waste generally low. The facility will typically process around 140 tonnes a day, provided there is no plant or machine down time, or other delays. Facility generally produces two different grades of materials, with low contamination levels within grade 1, and higher contamination in grade 2. Some of these grade 2 materials, such as grade 2 LDPE go straight to the Energy from Waste plant, where as other grade 2 materials go to other facilities for further processing.

Outside of the facility the waste fines are stored in a bay. These appeared to be attracting a lot of pests, such as seagulls, due to the organic content. There was a lot of litter around in this area, including litter that had been blown into the reed/large ditch that runs through the site, and connects to the outfall on the Severn Estuary. There were little measures to prevent this litter being blown away, and once it has been blown into the water it is tricky to remove. Staff will clean up after every shift, but greater measures may be required to prevent litter being blown away.




Composting area

A lot of green waste was being stored at the composting area, some of which appear to have been composted. There was also a significant amount of mixed waste stored on this pad. None of the staff onsite were able to explain why this waste had been stored here. Mixed waste stored in this area is not compliant with your permit. Under schedule 2, table 2.1 all non-hazardous waste pending recycling or disposal must be stored within a building with sealed drainage or a sealed container. By not storing this waste in the building, there is no control over emissions. Litter was seen being blown off the yard into the Severn Estuary.



There was also a large pile of mixed hard plastics and inert waste stored on this part of the yard. Please be aware that the waste here needs to be cleared before the permit for the composting transfers over.

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Operator/ Permit	Cardiff Council	Date	12/05/2015

Section 3- Enforcement Response		Only one of the boxes below should be ticked	
<p>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.</p>			
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.			X
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.			
We will now consider what enforcement action is appropriate and notify you, referencing this form.			

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
C4	C3	Ensure mixed waste is stored in a building, and not on the composting area	N/A
F3	C3	Improve litter management across site	N/A

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.