

Compliance Assessment Report

Report ID:
CAR_NRW0000009

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

Site	Biffa Viking Place Waste Transfer Stn		Permit Ref	SP3795FZ	
Operator/Permit holder	Biffa Waste Management Ltd				
Regime	Waste Operations				
Date of assessment	25/02/2016	Time in	14:00	Out	15:30
Assessment type	Site Inspection				
Parts of the permit assessed	MF compliance				
Lead officer's name	Powell, William				
Accompanied by	Daf Robbins-Hill				
Recipient's name/position	Kathryn Sampson/ Site Manager	Date issued	12/04/2016		

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	
B5 - Infrastructure - Plant and equipment	X	
C3 - General Management - Materials acceptance	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to the Environment Agency	X	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

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

Site visit to assess Viking Place's sampling procedures.

This visit was intended purely as an advice and guidance visit to discuss current procedures at Viking Place to comply with the Environmental Permitting Regulations Schedule 9A Material Facility (MF) regulations. Therefore no breaches have been scored.

Site inspection

Outside in the front yard, single streamed wastes were stored, including baled paper, card, plastic film and loose glass. Some wood waste was stored onsite as well.

Dry mixed recycling (DMR) is accepted inside the building. At the time of the visit there were two piles of DMR, one was over a week old and was being prioritised. The MRF currently processes 188t of DMR a week. Biffa have been working through a backlog of waste onsite following the departure of the previous MRF manager.

Waste is loaded onto a sunken conveyor, which takes the waste up to a raised picking bay. Viking place is predominantly focused on producing high quality MRF target outputs. This means a higher waste rate, of 30%, which is currently sent to energy from waste. Glass is not accepted in DMR at Viking Place.



DMR loaded onto sunken conveyor

The waste in the non-recyclable output did appear to contain a lot of recyclables, which if sampled (while it is not part of the MF regs to sample the residual output as it is not a "Specified Output Material") could indicate to the site on what revenue is being missed by not being sorted. Biffa may look to sample and reprocess this waste in future.

Sampling procedure

Samples are collected in large plastic crates, and weighed on pallet scales. The wastes are then separated into rubble buckets, and weighed individually, with the weight of a rubble bucket subtracted from each result.

General waste is sorted out of the floor first. There is no 55mm screen used in this process, meaning there is a possibility that fines will be missed. A screen will need to be used to comply with the schedule 9A requirements.

Sample scheduling

The number of samples scheduled is currently 3 a month for samples of inputs and outs. The number of samples required are reviewed quarterly based on waste return data.

Waste returns

In the Oct-Dec return there were a couple of entries that had data left in from the previous quarter, showing sample data against non-MF materials (EWC 15 codes). If the site groups together the MF inputs (where the "MF material" column on the return should be selected as "Yes"), it will help review MF data more easily - and hopefully reduce user-input error on the waste return.

The Standard Deviation on a few cells requires looking at (there were 2 entries discussed where the SD was to 3DP so still showed up as 0 at the standard 2DP on the return, and one entry with only 1 sample, so SD was not able to be calculated).

Care should also be taken over reporting of "non-recyclable" tonnage and "non-target" tonnage, when reporting composition of input. It was deemed that the 9.11% "non-recyclable waste" on the waste return was not representative of the plastic film / "LDPE clear" material that had been observed under the picking bay during the visit. As the Biffa's MF results are published on the WRAP portal, it is in the site's best interests to accurately represent the material outputs to improve the chances of anyone viewing the data having confidence in the output material they may wish to buy from the site. The possible reason given for the weight (and therefore % difference) was that the receptacles used for weighing the waste may not have been "tared" or had the weight deducted from total weight. Therefore care should be taken when weighing the samples.

EPR Compliance Assessment Report

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Operator/Permit holder	Biffa Waste Management Ltd	Date	25/02/2016

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.

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			
B5	X	Ensure a 55mm screen is used for MF sampling	31/07/2016
G4	X	Ensure waste returns have correct standard deviation and are not copied from previous returns	31/07/2016

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.