

Compliance Assessment Report

Report ID:
CAR_NRW0023776

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP		
Operator/Permit holder	Siteserv Recycling (sw) Limited				
Regime	Waste Operations				
Date of assessment	16/03/2016 - 23/03/2016	Time in	N/A	Out	N/A
Assessment type	Site Inspection				
Parts of the permit assessed	Noise				
Lead officer's name	Powell, William				
Accompanied by					
Recipient's name/position	Luke England/ Director	Date issued	03/08/2016		

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
C2 - General Management - Management system and operating procedures	X	
	C3	1.1.1 & 3.3.1
F2 - Amenity - Noise	C2	3.3.1

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	2	Total compliance score (see section 5 for scoring scheme)	35
-----------------------------	---	--	----

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

Noise impact assessment

Between 16th of March and 23rd March 2016 NRW conducted a noise monitoring survey at a location adjacent to Siteserv Recycling (SW) Ltd's waste management facility at Triple Crown House, Llandow Trading Estate. The survey was conducted in accordance with BS4142:2014, and is intended as an advisory guide for NRW officers in their regulation. A redacted copy of the report is attached with this CAR form.

Breaches

C2 – General Management - management systems and operating procedures; breach of condition 1.1.1 & 3.3.1:

"The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risk of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints;

&

"Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration."

Operations found to be having a significant noise impact. Frequent early morning noises from skip and vehicle movements as well as drones from the generator were having a significant impact on the amenity outside of the site.

This is the route cause breach.

Category 3 breach

C2 – General management – management systems and operating procedures; ACTION ONLY condition 3.3.2:

"The operator shall:

(a) if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and

Produce an effective written noise and vibration management plan, to control, and prevent the impacts of noise and vibration from site activities

vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan;

(b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.”

ACTION ONLY

F2 – Amenity – noise; breach of condition 3.3.1:

"Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration."

Noise levels giving rise to pollution, particularly in the early hours, including both tonal noises from the generator, and impulsive noises from vehicle and skip movements.

Category 2 breach

Noise monitoring survey

The noise monitoring survey identified that at the Llandow Trading Estate there was in affect two different noise characteristics, depending on the time of day. During the day the background noise had more industrial characteristics, where as during the night the survey took on rural characteristics. The survey focused on night time noise, 7pm – 7am, as the majority of complaints about noise received by Natural Resources Wales relate to early morning noise activity.

As detailed in the report, the survey found that there were tonal and impulsive noises coming from the activities from Siteserv Recycling Ltd. The tonal noises mostly relate to the hum from the generator, situated at the time of the survey, at the rear of Hangar A, close to the boundary of the site. Some tonal noise is also created by idling engines of lorries/HGVs.

Impulsive noises relate to vehicle movements, particularly clattering noises from vehicles moving over uneven road surfaces, and the movement/dropping of skips. The road around the rear of Hangar A was a hardstanding track, leading to areas of broken concrete. This road contained many pot holes, which when the wheels of skip-loading vehicles hit would make loud noises, particularly from chain loaded builders skips, where the chains would hit empty skips. There was some impulsive noise also recorded from reversing alarms.

NRW considers this activity to be a category 2 breach of the permit condition 3.3.1 (see above). This decision is based upon:

- Noise impacts being substantiated by an NRW officer – previous reported noise incidents were not substantiated before 7AM by an authorised officer.

- NRW's Compliance Classification Scheme – the core guidance for NRW staff in assessing permit compliance. This guidance suggests, in line with the Common Incident Classification System, all ongoing amenity non-compliances are a category 2 breach by default. However only one breach should be scored per calendar month.
- NRW's Common Incident Classification System; based on a significant effect on human senses – the survey covered 1 week where.

This breach is based on the actual noise impact that occurred during March, and not on Siteserv Recycling's current potential to give rise to noise pollution.

Actions taken and improvements made since survey

This survey was undertaken between March 16th and 23rd 2016. Since the survey, and prior to Natural Resources Wales completing the attached report, Siteserv Recycling have already undertaken several improvements across the site. These are listed in the reports conclusions.

The resurfacing of the site roads around Hangar A, has provided a smooth tarmac surface, which has made a very noticeable improvement. NRW officers have since noted no impulsive noises from vehicles over this stretch of road. NRW officers have also noted Siteserv Recycling vehicles adhering to the 5 mph speed limit along this road during site inspections.

Siteserv Recycling have relocated the generator into an alcove within hangar A. The generator is currently contained by all but one side by the building. Containing the generator here appears to have minimised much of the noise from it's operation.

Siteserv Recycling have also replaced all site based plant and vehicles with non-tonal reversing alarms. Whilst Siteserv Recycling cannot account for contractor and customer vehicles, the majority of vehicles onsite now use a "white noise" type alarm.

Siteserv Recycling have changed their practices to ensure that vehicles are loaded at the end of each shift, rather than at the beginning, to prevent the noises created by skip loaded early in the morning.

Since spring, the number of reported noise incidents to NRW regarding Siteserv Recycling's activities has decreased, suggesting these changes are improvements.

Further actions

Natural Resources Wales requires Siteserv Recycling (SW) Ltd to produce a written noise and vibration management plan that details the appropriate measures to prevent, or where impractical, to minimise the impact of noise and vibration from Siteserv Recycling's activities at Triple Crown House. This CAR form is written notification that Siteserv Recycling's activities have been giving rise to pollution outside of the site due to noise and vibration. Please see condition 3.3.2 of your environmental permit for detail (listed as an action above). Part of this plan may include formalising the steps and measures Siteserv Recycling have already taken. The deadline for producing an effective noise and vibration management plan is 31st August 2016.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0023776**

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP
Operator/Permit holder	Siteserv Recycling (sw) Limited	Date	16/03/2016

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			
C2	X	Noise management plan to be produced	31/08/2016
F2	C2	Effective noise management required	31/08/2016
C2	C3	Produce a noise management plan	31/08/2016

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.