

Compliance Assessment Report

Report ID:
CAR_NRW0031472

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	13/04/2017	Time in	10:00	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	Storage					
Lead officer's name	Tye, Laoni					
Accompanied by	Matthew Bradford					
Recipient's name/position	Carl Jones and Luke England/ TCM and Director	Date issued	11/05/2017			

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
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1

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	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

Environment officer Laoni Tye attended site with Matthew Bradford (FRS/NRW) and met with Carl Jones, Nigel England and Gareth (new SHEQ). Carl and Gareth showed us around site. The weather was dry at the time of the visit.

C4 – Management – storage, handling, labelling and segregation. Category 3 breach.

Condition 2.3.1, table 2.3 states that unless stored or treated outside as specified waste:

- a) all bulking, transfer or treatment of waste shall be carried out inside a building;
- b) all waste shall be stored in a building or within a secure container
- c) all waste shall be stored and treated on an impermeable surface with sealed drainage system

Specified waste shall be stored and treated on hard standing or on an impermeable surface with a sealed drainage system.

Fire burnt waste

Due to the incident with the fire, there are now large volumes of fire burnt waste being stored outside of the building. You have been scored a category 3 breach on this occasion but due to the circumstances this breach will be suspended until a time that either the material has been removed, as agreed in the plan or a time that NRW decide is necessary to un-suspend. There is a regulation 36 notice currently in place which requires the removal of this waste in line with your IMS and associated documents. This notice is going to be amended to include a date for its removal.

Action: Please continue improving and removing waste from site. A date for completion to be agreed with NRW and included in a compliance notice.

Waste fines:

Large volumes of waste fines are currently being stored outside which is not allowed under this standard rules permit. In August 2017 some of the fines would have been on site for 3 years, the maximum time for waste destined for disposal to be stored on site is 1 year. Leachate was seen to be coming out of the waste fines material and due to the infrastructure will be able to penetrate into the ground. Although we understand that there are different priorities on site the removal of the fines will be required to bring the site back into compliance.

Some of the cover over the fines had been damaged due to the fire and was in need of replacing. We were advised that the material was on order and it would be repaired as soon as possible. We were also advised that the areas contaminated with leachate would be scraped back to help minimise risk.

Action: A plan to minimise risk and remove fines from site will need to be actioned. This can be discussed in more detail at a later date.

Please note that the storage of this waste on site for a period of more than 3 years could have implications in terms of the Landfill (England and Wales) Regulations 2002.

FPMP and IMS updates – compliance notice

The fire prevention plan was issued in January 2016 with a review date of June 2016. The site needs produce a revised and up to date Fire Prevention and Mitigation Plan (FPMP) that takes account of the current situation of the site. This has been included in a regulatory notice issued during the fire. There are currently no plans in place and we are going to be looking to 'amend' the notice to include end dates for

completion.

Action: Please agree a reasonable timeframe with NRW to be included on the notice for the FPMP to be updated.

The Environment management system (Integrated management system) has not been updated for a number of years and will need to be revised to bring up to date with current on site processes. Updating this document is currently included in the regulation 36 notice that was issued during the fire. We are looking at amending the notice to include a date for this to be updated.

Action: Please agree a reasonable timeframe with NRW for the IMS to be updated.

Weighbridge figures breakdown

Week ending 16/04/17

Hangar B

outgoing 73.98

Hangar A

Incoming 270.96.

Outgoing 341.80

Week ending 21/04/17

hangar B – outgoing 120.3

Hangar A

Incoming 364.42

Outgoing 210.90

Thank you for sending these through in a timely manner.

Other discussions and observation during the visit

We discussed the weekly weighbridge figures and how best to report them to ensure no uncertainty on either side. We confirmed that Hangar B waste was all waste that was stored within the old Hangar B including those RDF bales that were removed from the hangar and stored outside during the fire. All mixed municipal waste on the figures will relate to Hangar B waste.

All RDF bales from Hangar B had been removed from site which we were pleased to see. We were advised that each load also takes an RDF bale from Hangar A, which is opened and added to the load before being sent to FCC landfill.

All waste fire water had now been removed and the area of hardstanding beneath had been scraped back. This material is due to be removed and disposed of off site along with the clay bund from this area. The clay bund around the old Hangar B building is still in place and will remain in place whilst necessary.

During the visit, we could see that the waste in Hangar A had decreased since the last visit, which we were advised was due to bank holiday where it fluctuates. We discussed the fluctuation of waste and agreed that an average net decrease over the month would be sufficient. This is providing volumes in Hangar A do not exceed limits written into the IMS and that fire risk procedures are still adhered to e.g stack sizes and separation distances.

Some of the processed plastic bales had been pulled out from under the lower roof of the building which will help decrease fire risk. Please continue removing these into the main body of the building and/or reduce stack sizes.

If you have any comments or questions please get in touch.

EPR Compliance Assessment Report

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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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
C4	C3	Waste to be removed from site	09/11/2017

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.