

Compliance Assessment Report

Report ID:
CAR_NRW0033222

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	23/05/2018	Time in	12:20	Out	12:50	
Assessment type	Site Inspection					
Parts of the permit assessed	Storage area					
Lead officer's name	Tye, Laoni					
Accompanied by	Moggridge, Lara					
Recipient's name/position	Nigel England and Carl Jones/ Director and TCM	Date issued	01/06/2018			

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
E2 - Emissions - Land and groundwater	C3	3.1.1

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)	8
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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 officers Laoni Tye and Lara Moggridge visited site on the 23rd May 2018 on an unannounced visit to conduct an inspection and discuss on going compliance issues. Nigel England was on leave and Carl Jones was away from site. We were therefore limited with our visit and did not visit hangar A. We were however able to look at the waste fines and 'hangar B' storage area. The weather was warm and dry at the time of the visit and it had been for several days. Thank you to your office staff for taking the time to show us around site.

There were breaches recorded during the visit which have already been discussed with Carl Jones in a telephone call on the 30th May 2018. There were actions from the previous CAR form and visit that had not been completed as requested and advised.

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.

There are large volumes of waste stored outside of a building which is not in line with this condition. There is the fire damaged waste of hangar B which is currently under notice to be removed by August 31st 2018.

As discussed on previous visits and during a conversation with Carl Jones on 30th May 2018 we are very concerned with the progress that has been made with removing this waste. There are still large stockpiles of mixed waste along with stockpiles of fines that all needs to be removed to comply with the notice by no later than the 31st August 2018. This is an enforceable deadline and there are no extensions to this date which has been more than reasonable in allowing time to get this waste removed. We will have no choice but to consider further enforcement action if this is not complied with.

There are stockpiles of fines currently stored on hard standing outside of the building which is also not in line with the permit conditions. These fines have been in situ for a number of years and require removal. This has led to unauthorised emissions to ground which is outlined below.

As discussed with Carl Jones these will require removal as a matter of urgency and they should start being removed from site as soon as possible. We will be issuing a compliance notice for their removal on the 1st September 2018 with a deadline for their removal.

E2 – Emissions – Land. Category 3 breach.

Condition 3.1.1 states that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where it is practicable, to minimise those emissions.'

There was a pool of thick dark brown/black leachate which could be seen coming from the waste fines during the visit. These fines should NOT be stored on hard standing and have the potential to impact on the ground and groundwater. The situation is worst since the fines are not getting covered and therefore water can permeate through. We have now asked on numerous occasions to get these covered. We were told in an email dated 1st May 2018 that this had been actioned following our last meeting (29th March 2018). However, it was clear during the visit that this was not the case as the same areas of the piles could be seen to be uncovered.

I re-iterated this with Carl Jones during our recent phone conversation and we were told that more netting needs to be ordered. This is something that we hear each time we make this request and we would therefore expect there to already be some on site. If netting is liable to be blown off then you must keep some in storage ready as they should not be left uncovered at all, especially given that they are not due to be removed from site for another 3 months.

Please note that should we come to site again and the fines are uncovered and leaching then we will have no option but to consider our enforcement response. We may also enforce their removal at a sooner date should this be the case to reduce further potential impact to ground and groundwater.

Action: You must ensure the fines are covered. The land will require remediating.

Other comments

The FPMP is produced to a good standard and it is therefore considered sufficient by NRW. Please now ensure that it has director sign off as soon as possible. In the mean time we will be assuming that Mr England has full responsibility of this document as the sole director of Siteserv Recycling (sw) Limited at this time.

There has been no trommelling on site since the last visit. We have since been advised that this will be starting back up on the 4th June and is due to be continuing until all waste has been processed. Please keep us updated.

We did not visit Hangar A and therefore have no comments to make on this Hangar.

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

Photographs



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			
E2	C3	Fines to be covered and removed from site	04/06/2018
C4	C3	See comments section. Notice in place.	31/08/2018

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.