

Compliance Assessment Report

Report ID:
CAR_NRW0031420

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	16/03/2017	Time in	14:00	Out	15:00
Assessment type	Site Inspection				
Parts of the permit assessed	Operational area				
Lead officer's name	Tye, Laoni				
Accompanied by					
Recipient's name/position	Carl Jones, Nigel England and Luke England/ TCM and Directors	Date issued	10/04/2017		

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
E1 - Emissions - Air	C1	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	1	Total compliance score (see section 5 for scoring scheme)	60
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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 visited site on the 16th March 2017. The purpose of the visit was to check up on any progress or issues after the incident and to conduct an inspection on other areas of the site. Carl Jones was on site and accompanied me on the visit. Details of the visit can be found below.

Breaches recorded

There were breaches recorded on site which are referenced below.

E1 – Emissions – Air (2nd to 16th March). Category 1 breach.

Condition 3.1.1 states that 'Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution..'. This breach is in relation to the major fire that you had in Hangar B which started on the 2nd March 2017 and was officially declared stopped on the 16th March 2016. The incident resulted in a release of potentially harmful smoke which was persistent for many days and led to public health concerns. This has been classed as a major incident in line with our incident categorisation guidance.

Action: Parts of the permit have been suspended, please refer to the regulation 37 notice issued on 13th March 2017.

Waste fines

Please see CAR form from site visit dated 22nd March 2017. This is still considered a non-compliance and a breach of the permit however we will not be scoring it on this occasion.

Information relating to the incident

We are not scoring any breaches in relation to the waste currently stored outside of the building due to the fire. There is an agreed addendum, chapter 15 of the Integrated Management System (IMS) in place which will ensure this waste is removed from site at a rate of 200 tonnes per week which we have agreed is acceptable. We have received weighbridge figures and understand that this rate has not yet been met (as of date of visit). However, we understand that the reason for this is that you have been sorting out the logistics of where waste can be taken to. We do expect to see that this will be complied with going forwards and will await this information when the weighbridge figures are submitted to us on a weekly basis. The waste is still considered a fire risk and therefore it is essential that this is complied with going forwards, which you have agreed.

Whilst on site waste was being moved from the area of hardstanding back onto the impermeable pad. Fire water could be seen to be gathering on the area of hardstanding which was being contained within the bund. We discussed timeframes for this and we have since been advised that it will be tankered away at the beginning of the week commencing 20th March. As discussed, it is essential that this progresses quickly to limit any potential impact on groundwaters. You advised that there were plans to build a clay bund around the entire concrete pad, allowing access for waste to be removed but mitigating any potential pollution from further waste water. The bund around the concrete pad at the front is currently working effectively and no water is escaping.

You have confirmed that the waste from Hangar B will be getting taken to FCC landfill site. You advised that two loads of the hard plastic waste which had been damaged in the fire equating to approximately 40 tonnes has been removed so far.

Hangar A

There were numerous stockpiles of waste in Hangar A which all looked to be in line with storage volumes and stack sizes as set out in your plan 'Application for reduction in regulation 37 restrictions.' Stockpile sizes were reduced further as there was some uncertainty as to whether a stockpile of cardboard/paper was exceeding limits. We thank you for your fast response in reducing this stockpile.

There was still a stockpile of RDF/SRF bales stored to the left of hangar A although you advised that some of the bales had been removed from site. Please continue removing these in line with your plan to reduce any fire risks further.

There was a stockpile of plastic to the left at the front of the building. The bales were being dismantled and fed onto the picking line for further sorting.

Regulation 36 notice

Please refer to the regulation 36 notice issued on 13th March 2017 for all other requirements and steps to be taken which includes updating the site IMS and FPMP.

EPR Compliance Assessment Report

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Operator/Permit holder	Siteserv Recycling (sw) Limited	Date	16/03/2017

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			
E1	C1	Incident has been resolved and is now forming part of regulatory work	28/03/2017

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.