

Compliance Assessment Report

Report ID:
CAR_NRW0031440

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	23/03/2017	Time in	14:00	Out	16:00
Assessment type	Site Inspection				
Parts of the permit assessed	Storage 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
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	A	

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	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

Environment officer Laoni Tye with Matthew Bradford (seconded from FRS) met with Carl Jones, Nigel England and Gareth Danter Hill on the 23rd March 2017. The purpose of the visit was to check on any progress the site had made since the fire incident and to review stockpile sizes in hangar A and assist the site in managing these. The weather was dry at the time of the visit but there had been heavy rain earlier in the week.

Details of visit

Hangar B

We walked around the area of Hangar B where fire burnt waste is now stockpiled outside. The piles were relatively large but there were good sized fire breaks in between the stockpiles with access from more than one side to each pile which would assist in fire-fighting in case of any flare ups.

A clay bund had been put around the area of impermeable pad which was stopping any further fire water escaping. The bund did not cover the west side of the hangar as the surface slopes away from that area. Nigel confirmed that clay would be added to this area if necessary.

There was fire water stored in the area of hardstanding at the front of the site which has yet to be tankered away. It has now been over 2 weeks since the fire stopped and water in this area has been increasing. We discussed the priority in removing this from site as it has the potential to contaminate the ground and cause serious risk of pollution. Please note that this is also a step to be taken to ensure compliance with the regulation 37 notice.

Please tanker away the water and send over the documentation showing its removal. As discussed on site, the area will also need to be remediated to ensure there is no ground left contaminated which has been agreed in an email since by Carl Jones.

Weighbridge figures Hangar B

Input: 0

Output: 0

Regulation 36 notice

No fire burnt waste from Hangar B has yet been removed from site in line with your IMP and regulation 36 notice. 200 tonnes of waste per week was agreed between the site and NRW to be removed on a weekly basis which has not happened. We will not be considering any proposals to bring in additional waste codes into Hangar A until we start to see progress in line with the notices that have been served. If we do not see progress we may need to consider further enforcement action.

Hangar A

We discussed the various stockpiles and measured distances between piles. We gave advice and guidance on the correct sizes/volumes of the piles to assist the site in the correct storage of wastes in line with the IMS and Regulation 36 notice. We clarified that in order for the stockpiles to be 'separated' they would need a minimum distance of 6 metres – any stockpiles with much smaller gaps, between 1-5 metres could be considered one large stockpile and therefore these distances are essential. This is all information that you agreed and provided in your IMS.

We also discussed the possibility of the site getting concrete bays or blocks to separate piles, which would allow for smaller distances between stockpiles. This is something the site may consider in the future.

RDF Bales – hangar A

There were still RDF bales stored at the front of the hangar. Derwen has taken one bale so far and you have advised that they may only be able to take one per week. You have asked whether you could move the RDF bales to the area outside of the building. We have considered this request and we are going to have to refuse due to the ongoing risk associated with the area around hangar B. Moving the bales to this area, where there is no building is not only further non-compliance but could also increase the fire risk associated with that area. The bales were meant to be getting removed from site as agreed in the IMS you provided and is set out in the regulation 36 notice. Therefore, please continue removing these bales from Hangar A from site. Contingency plans will need to be put in place if the output to Derwen is not sufficient. Please keep us updated in the weekly updates.

Weighbridge figures

From the email with weighbridge figures sent on 24th March 2017 the total inputs and outputs (tonnes) for waste associated with Hangar A, for between 13/03/17 – 24/03/2017 are as follows:

Input: 899.28

Output: 683.02

Net increase of 216.26

The site have agreed to work to a negative mass balance and not exceed 1000 tonnes of waste stored in hangar A at any one time. The figures above are not in line with this and therefore will need to decrease during the following weeks. We will be monitoring this week on week and the site will need to ensure the restrictions set out in the document you provided are adhered to.

TCM

Carl Jones is now going to be the leading TCM for the site. Thank you for sending through the relevant certification and continuing competency certificate which will be valid until 05/04/2018. Luke England will be available for periods when you are away from site.

We hope you consider our response reasonable and we hope to see some further improvements on site during our next visit.

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.

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			

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.