

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0017497**

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

Site	Atlantic Recycling Limited	Permit Ref	PP3993VS		
Operator/Permit holder	Atlantic Recycling Limited				
Regime	Waste Operations				
Date of assessment	26/04/2016	Time in	14:30	Out	15:35
Assessment type	Site Inspection				
Parts of the permit assessed	Reg 37 compliance update/waste input				
Lead officer's name	Danter-Hill, Gareth				
Accompanied by	Moggridge, Lara				
Recipient's name/position	John Edwards/ Compliance Director	Date issued	06/09/2016		

### 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
C3 - General Management - Materials acceptance	C3	2.1.1 (s2.1a)

**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.

<b>Number of breaches recorded</b>	<b>1</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>4</b>
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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

Site was attended by Gareth Danter-Hill and Lara Moggridge. Representatives from Atlantic Recycling Ltd were John Edwards, Lloyd Howells and Phil Ridley.

### **C3-General Management-Materials Acceptance: category 3 breach against permit condition 2.1.1 (s2.1a)**

This breach has been scored for the acceptance of waste above the tonnage permitted at the transfer station for 2015. The site is permitted to accept 130,000 tonnes per annum (112,000 for treatment and 18,000 for storage only) into the transfer station. From this tonnage a maximum of 40,000T per annum is to be processed through the RDF/SRF processing facility. When reviewing the waste returns data submitted by Atlantic Recycling Limited for 2015, a total of 133,560 tonnes has been accepted onto the site and a total of 66,512 tonnes has left the site coded as 19-12-12 and 19-12-10 (typically the EWC codes used for RDF production on site, though NRW accepts that not all of this may have gone out as an RDF/SRF).

Please be aware that your permit only allows for the production of a maximum of 40,000 tonnes per year of RDF/SRF. This figure will need to be considered when forecasting future plans for the sites production of RDF and/or SRF.

**ACTION:** Please ensure that the waste accepted onto site is below the maximum permitted tonnage allowed by the permit. 112,000 tonnes are permitted onto the transfer station for treatment, from this figure a maximum of 40,000 tonnes can be used for the processing and production of RDF and SRF. These tonnages must not be exceeded as they are permit conditions identified within Table S2.1.

#### **Other points to note:**

The purpose of the site inspection was to check for progress on site against a 4 week plan offered by Atlantic Recycling Ltd for the removal of stockpile 1 waste from the site and the relocation of the shredded RDF waste in the transfer station onto the concrete in 'Field 1. NRW have also been informed (via e-mail on the 27<sup>th</sup> April 2016) that 18,233 tonnes has been removed from Atlantic as of the end of 22<sup>nd</sup> April 2016.

When on site it was clear that approximately 2/3 of the tarmac area was empty and NRW were informed that this waste had been transferred onto 'field 1'. The stockpile 1 waste was being processed at the time

of the inspection. Only 1 empty area of where the stockpile 1 waste was being stored could be seen (due to the other areas being filled with waste moved over from the transfer station area).



NRW expressed concerns on site that there appears to be more waste currently being stored on 'field 1' than there ever has been. This is of concern as the waste in the transfer station before relocation totalled approximately 10-12,000T and stockpile 1 totalled approximately 16-18,000T. Therefore, it would be reasonable for NRW to expect a reduction in waste on field 1 as Atlantic Recycling have informed us that 3 of the 4 piles of stockpile 1 have been removed from site and 3 of the 4 stockpiles from the transfer station have been relocated to field 1. In approximate terms, this would mean that 12,000 tonnes has been taken off field 1 and 9,000 tonnes has been brought in from the transfer station. A net reduction of approximately 3,000 tonnes should be evident. However, as previously mentioned the stockpiles of waste on field 1 appear to be larger and a substantial stockpile of waste is yet to come over from the transfer station.

NRW also commented that the type of waste within the field 1 area appears to be a lot darker than that of the other shredded waste stored there. NRW were told that this waste is from the transfer station, therefore this waste is of the same age as the waste in the transfer station as much of it was the fire gap waste removed under a previous suspension notice. NRW would therefore assume that the waste should be the same in appearance as it would degrade at the same rate. The waste was clearly of a different appearance and suggests that the waste is substantially older than that stored across the rest of field 1. NRW would question whether the waste is in fact from the transfer station and not a blend of stockpile 1 waste and that waste moved over. This would coincide with the perceived larger amount of waste on field 1.

**ACTION:** Please provide an up to date spreadsheet (as previously submitted) of the tonnages and destinations of the waste exported from site.

In addition to this, NRW are also concerned that waste from stockpile 1 is being put through a trommel and the fines that are resultant from this process are being sent to Neal Soil Suppliers for washing. These fines were of extremely poor quality and appeared to be finely shredded residual waste and the processes of washing would not gain any significant quantities of recoverable soil/aggregate from the material. NRW would at this stage like to comment that these wastes are not inert and the blending of the organic content with soils would not be supported given the inadequacies of the washing plant process as highlighted in a recent audit of Neal Soil Suppliers.

**ACTION:** Could you please provide details of how the wash plant processes the MRF fines and what happens to the separated fractions post washing.



A further point to note on this is that Atlantic representatives commented that the grits etc. are used as recovered aggregates within the Neal Soil Suppliers site and that 'waste' element of the fines (referring to the plastics, wood, metals etc.) after the washing process return to Atlantic Recycling Ltd for baling and export from site. Having reviewed the waste removal update spreadsheet submitted by Atlantic Recycling, it is evident that a significant tonnage of MRF fines (187.28 tonnes, accurate up to 22<sup>nd</sup> March 2016) goes to Neal Soil Suppliers for washing, it is anticipated that this volume has increased significantly when considering the recent total of exported waste from site.

**ACTION:** Could you please provide a total tonnage and a representative sample of waste transfer notes for the removal of fines from site to Neal Soil Suppliers and transfer notes for the contaminated elements of the fines (as detailed above) from Neal Soil Suppliers that return to Atlantic Recycling for baling and export from site? NRW believe that the initial export tonnage to Neal Soil Suppliers is not an accurate representation of the removed tonnage if a proportion is ultimately returning to site before being exported for final recovery.

The exposed areas of the tarmac were looked at in passing and appeared to be in a poor state with patches that showed signs of break up and degradation. The tarmac surface will be assessed further and in more detail by NRW when the entire area is cleared so that a more accurate picture can be provided highlighting areas of greatest concern.

## EPR Compliance Assessment Report

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CAR\_NRW0017497**

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Site	Atlantic Recycling Limited	Permit Ref	PP3993VS
Operator/Permit holder	Atlantic Recycling Limited	Date	26/04/2016

### 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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 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			
C3	C3	Ensure that waste acceptance procedures do not allow this	29/04/2016



## 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](mailto: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.