

Compliance Assessment Report

Report ID:
CAR_NRW0000131

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	25/02/2016	Time in	10:15	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Storage and Infrastructure					
Lead officer's name	Danter-Hill, Gareth					
Accompanied by	Moggridge, Lara					
Recipient's name/position	John Edwards/ Compliance Director	Date issued	21/04/2016			

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C2	2.1.1 (S1.1 A2 & A5)
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1 (S1.1 A5)
E1 - Emissions - Air	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	35
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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 inspected by Gareth Danter-Hill and Lara Moggridge. John Edwards from Atlantic Recycling accompanied us around the site (but joined as we were finishing in field 1).

B1-Infrastructure-Engineering for prevention and control of emissions. Category 2 breach against permit condition 2.1.1 (Table s1.1 A2 and A5)

This breach has been scored for the poor quality of infrastructure within the field 1 area of the site. Atlantic Recycling have been informed about this issue and the non-compliance against the requirements of the Regulation 36 Notice previously and through CAR forms (30347/0255226, 30347/0250120, 30347/0247256, 30347/0245082 and the audit report carried out in May 2015). It is apparent on site that the concrete is in a poor state and doesn't meet the definition of a sealed surface. There are numerous amounts of cracks and areas of surface degradation across large sections of the slab resulting in a risk of pollution through the escape of leachate and contaminated rain water flows. This is not acceptable as a surface to store this type of waste materials (shredded waste for RDF and baled RDF of which some has been on site for over 5 years), as per the requirements of the permit and regulation 36 Notice. Across the surface waste materials can be seen protruding from the surface as they have been mixed through from the sub base materials.

It can be seen on site that some areas of the concrete have been patched with newer concrete but the edges of which are not finished correctly. The area where the 2 surfaces meet should be sealed and jointed correctly as per the CQA provided by the engineer for the original surface. By leaving the joints as they are, the areas will be subject to future weathering and break up creating further risks of pollution.

ACTION: Could you please confirm the reasoning for the repairs being carried out across the surface of field 1?

ACTION: The surface will need to be repaired correctly or fully replaced to comply with the requirements of the permit. The permit states, in Table S1.1 that "Storage of all hazardous and non hazardous wastes shall be on an impermeable surface with sealed drainage."





The images above are examples of the surface being not fit for purpose and therefore not compliant with the permit conditions. There has even been cracking taking place post repair work as can be seen clearly.

C4-General Management-Storage, handling, labelling and segregation. Category 3 breach against permit condition 2.1.1 (Table s1.1 A5).

This breach has been scored for the storage of shredded RDF outside of a building. Table S1.1 A5 lists the activities that are permitted to be undertaken on site for the RDF and SRF processing facility. Within this table, it states that the only wastes that are to be stored outside associated with the RDF/SRF processing facility are those that have been wrapped or bailed. It is also worth noting within this breach of permit conditions that the treatment of waste and the storage of waste prior to treatment also are only permitted to be carried out inside a building on an impermeable surface with sealed drainage.

ACTION: Please ensure that compliance against this permit condition is achieved by the action date listed within this CAR form. All shredded waste that is destined for use as an RDF must not be stored outside, if at all as the only waste output that is permitted from the RDF processing facility is bailed or wrapped waste.

Other points to note:

Compliance director John Edwards met us on the field 1 and agreed that our assessment of the concrete was accurate. He agreed that the surface is of a poor quality and is not to the same specification and standard of the concrete that was laid over 5 years ago in the transfer station area of the site.

Very little, if any waste has been removed from site at this point. Some small scale processing of waste from stockpile 1 is beginning to occur on the concrete area of field 1.

The waste on the tarmac area and the infrastructure in field 1 is holding pools of leachate. The leachate should be flowing freely to collect in the drainage system, this is not happening. The tarmac area is also in a poor state and is subject to conditions within a Regulation 37 Notice currently in place. As noted on numerous occasions, waste should not be stored on a transfer station long

enough to be producing leachate in these quantities.

The sump that collected the leachate from where stockpile 1 waste was stored is still collecting leachate that is flowing through the ground. This is evidence of potential ground water flows and therefore ground pollution could be occurring.

The only other point to raise from the visit is that NRW have authorised the importation of WRAP QP compliant material onto Atlantic recycling to complete works that surround the front edge of the curbing in field 1. A substantial ditch has been left by the contractor and it is a potential H&S issue. NRW did however point out that if the material that is to be imported is from Neal Soil Suppliers, it needs to be of a better quality than the material imported in May 2015 for the sub base of field 1 infrastructure).

EPR Compliance Assessment Report

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Site	Atlantic Recycling Limited	Permit Ref	PP3993VS
Operator/Permit holder	Atlantic Recycling Limited	Date	25/02/2016

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.

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			
B1	C2	Replace the surfaces to become compliant with permit requirements	16/05/2016
C4	C3	Ensure that no new shredded waste is stored outside, no new waste is to be added to these piles.	14/09/2016

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. 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.