

## Compliance Assessment Report

Report ID:  
CAR\_NRW0020640

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	09/05/2016	Time in	14:30	Out	15:45	
Assessment type	Site Inspection					
Parts of the permit assessed	Reg 37 Compliance					
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
A1 - Specified by permit	A	
C3 - General Management - Materials acceptance	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

The site was attended by officers Gareth Danter-Hill and Lara Moggridge, site representation was made by John Edwards and Lloyd Howells. This inspection of the site was carried out at the request of Atlantic Recycling. The weather was dry and sunny.

The reason for the site visit was to inspect the repair works on the tarmac area of the site and to assess whether or not they are suitable as a temporary repair until the surface is replaced by concrete. The improvement works are to be carried out by the date proposed by Atlantic, 31<sup>st</sup> January 2017. Due to the nature of the visit, no breaches against the permit will be scored within this CAR form.

The first area to be inspected was the transfer station and the repairs to the tarmac. NRW are satisfied that as a temporary repair the quality of work carried out is sufficient in the short term. However, it was pointed out by NRW that the extent of the required repair work is evidence that the tarmac is not a fit for purpose surface within the transfer station to store and treat the waste. This was not disputed by the staff of Atlantic and it was confirmed that the surface will be replaced with concrete by the deadline proposed.

The fines waste that were created by the processing of stockpile 1, are still on site at this stage. Upon close examination the fines appeared to be composed of very finely shredded waste and were not the fines that would be expected from the RDF operations. When the staff of Atlantic were questioned about the quality of the fines and the treatment options, NRW were informed that they are destined for washing at the wash plant at Neal Soil Suppliers.

There was a high number of baled waste on site, pending removal. It was noted that none of them had been date stamped.

The visit then progressed to the field 1 area of the site. NRW pointed out that there appeared to be more waste being stored in this area than there was previously (when stockpile 1 was in place). This is surprising to NRW as the figures that are being reported are suggesting that approximately 21,500T of waste has been removed from site, yet there are no visual signs of this on field 1.

There is currently approximately 3-4,000T of stockpile 1 waste remaining on site. This waste was clearly identifiable due to its type and level of degradation.

NRW made an assessment of the baled stacks of waste while on field 1. There are currently 15 old (2012/13) waste stacks of bales and 11 new (2015) waste stacks of bales. Within some of the 2015 bales the new green wrap was noted within the stacks. This has not been seen previously and NRW questioned the staff of Atlantic who denied all knowledge of why they were there. NRW have previously been informed that this colour of wrap was to be used for the old waste only, at this time stockpile 1 waste was reported as being baled. NRW are of the opinion that these bales contain stockpile 1 waste that should be going off site.

A further observation from this area of the site is that stockpile 1 waste is blending in with 3-4 existing waste piles on the site. This was not part of the agreement and NRW are keen to impress that all of stockpile 1 waste needs to be removed from site before the end of the 4 week period (13<sup>th</sup> May 2016).

After the site inspection period of the visit a meeting was held in the Atlantic offices to discuss the waste reduction plan submitted. NRW offered suggestions for what would be acceptable as an effective and workable waste reduction plan for the waste stored on field 1. This was accepted by Atlantic Recycling and a revised version is to be submitted.

No processing for waste was seen to be occurring when NRW were on site.

## EPR Compliance Assessment Report

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Operator/Permit holder	Atlantic Recycling Limited	Date	09/05/2016

### 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.

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 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.