

Compliance Assessment Report

Report ID:
CAR_NRW0034711

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

Site	The Recycling Centre EPR/KP3636HB		Permit Ref	KP3636HB		
Operator/Permit holder	Egan Waste Services Limited					
Regime	Installations					
Date of assessment	19/02/2019		Time in	10:00	Out	12:00
Assessment type	Audit					
Parts of the permit assessed	1.1, 2.3.3, 3.2.3, weighbridge, interceptor, site tour					
Lead officer's name	Taylor, Richard					
Accompanied by						
Recipient's name/position	James Egan/ Director		Date issued	19/02/2019		

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
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

Egan Waste KP3636

NRW Officer RT conducted a pre-arranged site inspection at Egan Waste Services Limited at Treforest Industrial estate.

Present - James Egan (Director), Pete Jones (Site manager), Richard Taylor (NRW)

This was a familiarisation Inspection which followed the agenda items previously sent to site.

1. Permit condition 1.1 – EMS and competency.

Senior site managers had their waste management certificates on display in the reception area. Staff need to ensure that they remain technically competent to carry out their roles (as defined in permit condition 1.1.1.(b)). The WAMITAB system requires a retest within 2 years of the last continuing competency certificate. <https://wamitab.org.uk/competence/continuing-competence/>

Action – Ensure competency qualifications are up to date. Ensure a retraining course is either booked or passed by 1st April 2019 for relevant members of staff.

The site is the holder of ISO14001 and ISO9001 certificates. These were seen on the day and are welcomed by NRW as representing a standard which the site has aimed to operate by.

2. Permit condition 2.3.3 - Waste acceptance criteria.

Site staff talked through the process of waste acceptance. The outcome was that there are no unscheduled loads which appear at the gate which are accepted. Site has the measures in place to inspect and reject waste loads. The site also has an effective quarantine area, but this is minimised at source through the initial assessment of the waste loads. EWC codes are routinely issued by site admin staff, but more technical assessment is deferred to technically experienced personnel. There is a great deal of waste classification experience from the management staff on site. Site minimises the risk of importing contaminated waste to site by using their own vehicles and trained drivers.

3. Permit condition 3.2.3 secondary containment check.

– records of tank/bund inspections were checked. Site inspects tanks and bunds on an ad hoc basis and responds to any maintenance work in a reactive way. Site could look at improving the EMS by scheduling in these inspections so that they are planned for on a periodic basis, carried out and accounted for with signatures.

Tank records were shown on the day. These were inspected upon installation by the installation company in 2011. The tanks have been periodically inspected by the site manager with defects acted upon. Again, this is an ad hoc approach which could be improved through scheduled inspections on a proactive basis.

Site is recommended to carry out a scheduled annual inspection of the tanks at the installation in accordance with best practice guidelines (Ground storage – pollution prevention Guidance PPG note 2). Best practice is to include maintenance inspections into the EMAS and include;

- i. Annual Inspection by qualified technician
- ii. Visual inspection once per week as part of routine.

Site needs to be aware of the Oil storage Wales Reg 2016. This was mentioned on the day. Site has an EPR permit in place which takes precedent over the OSR regs but only if there are specific conditions in the permit which renders the controls tighter than OSR. At pc 3.2.3 secondary containment of all liquids in containers (capable of causing pollution) is a permit requirement. OSR

Regs are applicable to all liquids and waste oils over 200 litres including IBC's, tanks, drums and bowers containing oil, petrol, diesel, bio-fuels, vegetable oils, waste oil, synthetic oil, and mineral oil used as solvents. The minimum standards of the EPR permit need to be aligned with the minimum standards of the OSR regs and require site to provide secondary containment for the containers on site. Secondary containment must be able to hold 110% of the containers maximum capacity.

<https://naturalresources.wales/media/681287/osr-wales-faq-rt-pc-final-draft-v2-01022017.pdf>

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Required standards for bunding can be found on the CIRIA website at;

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<http://www.ciria.org/ItemDetail?iProductCode=C736D&Category=DOWNLOAD&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91> for how to construct Containment systems for the prevention of pollution (C736D)

Action – Site to ensure minimum standards are met by providing secondary containment to IBC's and other containers. Alternatively move any storage of containers to a contained area.

4. Weighbridge calibration certificate.

This was provided on the day and was seen to be calibrated by J Maguire & Son on 21st Nov 2018. This is an annual scheduled task. The weighbridge parameters were verified as 0.4 – 40 tonnes which is adequate for the site.

5. Oil interceptor

This was viewed on the day. The site has 2 which are regularly checked as well as maintained on a 4-monthly rolling schedule. The drains are also jet washed on a quarterly basis.

6. Site Tour

The process was shown and talked through on the day. An IBC was seen which needs to be addressed as above, by either providing secondary containment or moving this to a bunded area.

The site sits on top of concrete slabs with flexible joints. These appeared to be in good condition. Site surface drains need to be kept as clear as possible, however this is difficult to obtain as the nature of the site encourages the placement of skip contents around the site. Nevertheless, the site needs to drain freely to avoid puddling.

No birds or pests were witnessed on the day. No uncontrolled waste or mess was seen.

1. Other Issues

Site to review their OPRA profile with the view that the ISO14001 and 9001 status may have a bearing on the annual subsistence fee for NRW. Please send this in for review as soon as practicably

1. Actions summary

	Item	Due date
1.	Ensure competency standards are kept up to date	1 st April 2019

2.	Review Tanks and Bunds inspection regime in line with best practice.	ASAP
3.	Ensure secondary containment is provided to oils and liquids on site.	ASAP
4.	Update OPRA profile and send for review	ASAP

END.

EPR Compliance Assessment Report

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Operator/Permit holder	Egan Waste Services Limited	Date	19/02/2019

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.