

Compliance Assessment Report

Report ID:
CAR_NRW0034676

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

Site	LAS Waste Ltd.	Permit Ref	JP3698FK		
Operator/Permit holder	L.A.S. Recycling Limited				
Regime	Waste Operations				
Date of assessment	16/01/2019	Time in	11:00	Out	13:20
Assessment type	Site Inspection				
Parts of the permit assessed	See criteria listed below				
Lead officer's name	Goddard, Jeremy				
Accompanied by					
Recipient's name/position	Mark Saunders/ Director	Date issued	22/02/2019		

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
C2 - General Management - Management system and operating procedures	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

Fire Prevention & Mitigation Plan (FPMP)

Jeremy Goddard (Natural Resources Wales), Roy Evans and Wayne Thomas (Mid and West Wales Fire and Rescue Service) met on site with Mark Saunders, Lianne Tinnermann (LAS Recycling Limited) and Richard Simms (Oaktree Environmental Ltd) to discuss the first draft of the site's Fire Prevention and Mitigation Plan (FPMP).

Both Natural Resources Wales and MWWFRS agreed that the document was a good first draft but there were several areas where clarification or additional detail was needed. Comments have been provided in the assessment checklist I sent to Mr. Saunders and Mr. Sims via email on 06/02/2019. As part of the discussion we also walked around the site and discussed a few issues where infrastructure improvements were needed or there had been omissions in the FPMP. A few examples are below:



1. Waste Paint storage area on CA site omitted from the plan.



2. Gap in wall that needs to be filled in to prevent potential escape of fire water into the adjacent Afon Dulas.



3. Gap in the perimeter bund that needs to be filled in to prevent potential escape of fire water into the adjacent Afon Dulas.



4. Rear access gate of the yard is not marked on the plan as a potential access and exit route for fire fighting equipment.

ACTION: Please can you ensure that Oaktree Environmental Ltd produce a new draft of the FPMP which is sent to me by 1 May 2019.

Hazardous Waste Consignment Notes

As already discussed with Keith Evans a Natural Resources Wales compliance audit at a regulated installation identified issues with some hazardous waste consignment notes associated with waste removed from the site by LAS Recycling Ltd.

I have already discussed with Keith Evans the reasoning as to why two separate consignment notes were issued with the same Consignment Note No. CAC633/00050 on 22/05/2018. The explanation offered by Mr. Evans is plausible and we won't be taking this matter any further. It was however noted in the regulated installation audit that there were a number of hazardous waste consignment notes for waste moved from site by LAS Recycling Ltd that had missing or incorrect information.

Using Consignment Note No. CAC633/00050 as an example:

Part A(6) Consignee company name is not fully correct

Part B(1) Process giving rise to the waste is absent

Part B (3) Requires quantity in Kgs not units

Part B (3) Chemical/Biological Component not the product name.

Part B(3) Concentration % or mg/kg of the chemical/biological component

Part B(3) The Hazard code(s)

Part B(3) Transportation/packaging requirements - container type, number of containers, size of container etc.

Part C(6) & D(4) times in that they are expected to be produced in hours and not am/pm

I believe the same type of issues were identified on other hazardous waste consignment notes for waste removed from site by LAS Recycling Ltd.

Guidance on how to complete hazardous waste consignment notes can be found at the following link: <https://www.gov.uk/guidance/hazardous-waste-consignment-note-supplementary-guidance#complete-the-consignment-note>

ACTION: Please review your procedures for ensuring that all the correct information is detailed within the consignment notes associated with hazardous waste you are moving from any site. We will audit your hazardous waste and duty of care paperwork in a future

compliance visit.

ENDS

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.

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.