

Compliance Assessment Report

Report ID:
CAR_NRW0033753

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

Site	Bulky Waste Recycling Centre	Permit Ref	NP3498FK			
Operator/Permit holder	J L A Recycling Limited					
Regime	Waste Operations					
Date of assessment	27/07/2018	Time in	10:50	Out	11:50	
Assessment type	Audit					
Parts of the permit assessed	See Below					
Lead officer's name	Edwards, Michael					
Accompanied by	Jones, Alys E.					
Recipient's name/position	John Adams/ Operator	Date issued	08/08/2018			

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
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	X	
C4 - General Management - Storage, handling labelling and Segregation	C3	1.1.1, 4.7
D1 - Incident Management - Site security	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Organised site inspection undertaken by Michael Edwards and Alys Jones of Natural Resources Wales met on site by John Adams of JLA Recycling and Ben Rees of Geotechnology.

As discussed during the inspection, for the shredding of waste to be done on site, a permit variation must be submitted. This has since been completed and is with the permitting team.

C2 Management system and operating procedures

Under **condition 1.3.2** of the permit the site is required to hold a copy of the permit and the working plan and ensure that this is available for reference when required by staff undertaking work under the requirements of the permit. These documents were available on request during the inspection.

As previously discussed, it is important to keep the working plan as a live document and update it when procedures on site change.

Under **condition 1.7.1** of the current permit you are required to provide prior notice to NRW in writing of the proposed changes to the working plan sections specified in **table 1.7**.

Please ensure that any future changes to the working plan are made in line with the conditions of the permit and that NRW are notified as required.

C4 Storage, handling, labelling and segregation.

Under **condition 1.1.1** of the environmental permit, you are required to operate within the limitations of **section 2.1** of the working plan and in **table 1.1**.

During the previous inspection you were notified that the waste stored in the sunken bay was not being stored in accordance with **condition 1.1.1a** of the permit conditions. This has continued to the most recent inspection. **(See action below).**

Under your working plan (Version 5. July 2018) you have stated that you will no longer accept waste oils following the closure of the BWRC. During the inspection, waste oil was being stored on the hard standing area of the yard in unlabelled drums. Under **table 1.1 a) viii) - waste shall only be stored within designated skips, drums and tanks upon an impermeable surface.**

As the oil was not stored in an appropriate manner it has resulted in spillage to the ground. **(See action below).**

During the inspection, waste gas cylinders were not stored in line with the requirements of the permit. With several left in a pile of waste near the wall of the recessed bay. **Under condition 4.7 and table 4.8** of the permit, you must store all waste gas cylinders in a lockable caged area and stored upright with their valves uppermost.

These are 3 individual breaches of permit conditions, however the score for the non compliances has been consolidated as a single Category 3 breach of permit conditions on

this occasion.

Actions - Ensure that all wastes are stored in accordance with permit conditions.

Storage of waste wood.

During the inspection there was a pile of waste wood stored towards the rear of the site, near the entrance to the landfill. Please confirm the intended destination of the waste.

D1 Site Security

Under **condition 3.2.1** of your permit, you are required to operate the sites security in accordance with section 4.1 of the working plan. During the inspection no non compliances were identified.

EPR Compliance Assessment Report

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Operator/Permit holder	J L A Recycling Limited	Date	27/07/2018

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			
C2	X	Please ensure that you give NRW prior notice when updating the EMS as required under condition 1.7.1	01/10/2018
C4	C3	Store all waste in accordance to the conditions of the permit.	01/10/2018

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.