

Compliance Assessment Report

Report ID:
CAR_NRW0033741

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

Site	The Waste Transfer Station	Permit Ref	BP3599SZ			
Operator/Permit holder	Nolan Recycling Ltd					
Regime	Waste Operations					
Date of assessment	17/07/2018	Time in	11:00	Out	12:00	
Assessment type	Audit					
Parts of the permit assessed	Permitted area					
Lead officer's name	Davies, Gareth					
Accompanied by	Magda Leonwicz					
Recipient's name/position	Emma Cull/ Technically Competen Person	Date issued	06/08/2018			

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
A1 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	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

Present

James Nolan (JN) - Nolan Recycling Limited (NRL)

Gareth Davies (GD) - Natural Resources Wales (NRW)

Magda Leonwicz (ML) - Natural Resources Wales

This was an unannounced inspection to assess compliance with the environmental permit held by NRL, permit reference EPR/BP3599SZ. ML accompanied GD from NRW's waste permitting team. A site tour was undertaken taking in the permitted area.

Waste Treatment Areas

The main processing area within the new building, waste continued to be tipped and hand sorted with the use of machinery. Recyclates on site were then placed in the relevant bays where they were then pushed up to the upper level where they were baled and stored prior to removal off site. There appeared to be little contamination within the baled recyclates. Photographs of the recyclates can be seen in the photograph below.

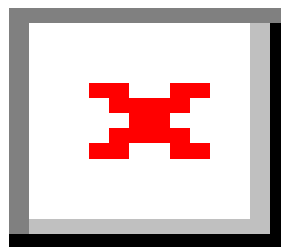
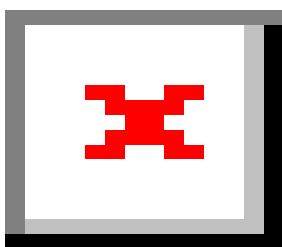


Plasterboard was being stored within the building and on the impermeable surface as required in Table S1.1 of the permit.

Waste types were being segregated and provided with appropriate treatment as required. There was no evidence of stockpiling of waste on site.

Wood Storage

NRL were storing un-treated wood on the hard standing area and treated wood within skips outside on the hard standing area. This can be seen in the photographs below.



Where waste wood is being stored under the wood processing activity (A3) then it is required that treated wood shall be stored on impermeable surface with sealed drainage. This would include where it is being stored within a skip. The household, commercial and industrial waste transfer station with treatment activity (A1) states that all waste may be stored on either impermeable surface with sealed drainage or hard standing unless stated otherwise.

Given that there appears to be a conflict in terms of storage requirements between the A1 and A3 activities, clarification as to the storage requirements of treated wood will be obtained and communicated to NRL as appropriate.

It should also be noted that NRW has adopted the Regulatory Position Statement of the Environment Agency relating to the wood classification. Further information can be found via the links below. NRL should consider the potential impact of this going forward.

<https://www.gov.uk/government/publications/classifying-waste-wood-from-mixed-waste-wood-sources-rps-207>

Waste wood shall also be classified in accordance with WM3 rather than using the PAS 111 which using classifications of Grades A, B, C and D. Wood should either be classified as untreated waste wood, treated waste wood – non-hazardous or treated waste wood – hazardous.

Fire Prevention and Mitigation Plan (FPMP)

GD gave an update on previous correspondence in relation to the variation of the permit to include the requirement to have a FPMP. JN confirmed that they have employed a consultant to produce a revised Fire Prevention Plan. This should be done in accordance with the most up to date guidance, which is available via the link below.

<https://cdn.naturalresources.wales/media/684379/guidance-note-16-fire-prevention-mitigation-plan-english.pdf?mode=pad&rnd=131654969480000000>

The guidance includes parts that are 'musts', these must be included in the FPMP. The guidance also includes 'shoulds', these parts of the guidance should be included in the FPMP, where they aren't included, then a justification as to why shall be provided.

Drainage and Infrastructure

JN confirmed that further concrete had been installed in a number of areas of the site, in front of the new treatment building and in the area around the work shop.

It is intended that a further area of concrete along with an interceptor shall be installed adjacent to the diesel storage area and vehicle parking area. This will provide appropriate infrastructure for the risks in this area of the site.

JN confirmed that they intend to install an interceptor at the site entrance hopefully by the end of the year.

GD requested the most recent paperwork for any waste exports. This was subsequently provided, thank you for providing this information and it has been passed to the relevant team in NRW for their information.

END

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.