

Compliance Assessment Report

Report ID:
CAR_NRW0034074

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

Site	A J Recycling Ltd	Permit Ref	JP3998FN		
Operator/Permit holder	A J Recycling Ltd				
Regime	Waste Operations				
Date of assessment	17/10/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	MRF Returns				
Lead officer's name	Wakeford, Sally				
Accompanied by					
Recipient's name/position	Sonia Jenkins/ Manager	Date issued	17/10/2018		

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	
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

A routine audit of your waste returns was undertaken for Q1, 2 and 3 of 2018, with regards to the MRF requirements.

Q1 2018:

You have plastic as a target material. Yet there is no plastic output sampling. If the plastic removed from site was that originating from the orange bags, there should have been some sampling, as there are 2 lines (1 and 12) which are above the threshold for output sampling. Sampling should be a 20kg sample every 15 tonnes of output.

The percentages from the paper outputs (column U % Av Paper) don't match across to the total target % (column AA). These should be equal. The % in column AA when added to the non-target and non-recyclable does add to 100% on all sampling rows.

The waste code used for the cardboard and steel outputs are 20 codes. As the waste has been through a mechanical sorting operation it should be classified as the relevant 19 code.

Q2 2018:

I believe you have added the glass as a target input, where it should be included in the non-target recyclables.

Plastic is a target material, however there is no sampling for plastic outputs. Row 11 (84 tonnes of plastic 19 12 04) would require sampling if originating from the mixed input.

The percentages from the paper and metal outputs (column Q % Av Metal and column U % Av Paper) don't match across to the total target % (column AA). These should be equal. The % in column AA when added to the non-target and non-recyclable does add to 100% on all sampling rows.

The waste code used for the cardboard and steel outputs are 20 codes. As the waste has been through a mechanical sorting operation it should be classified as the relevant 19 code.

Q3 2018:

Output Newspaper and Magazines – original returns showed the Standard Deviation to be very large, I wouldn't expect such a large SD with such a high percentage. This was confirmed as an input error and should have been 0.82.

The waste code used for the cardboard and steel outputs are 20 codes. As the waste has been through a mechanical sorting operation it should be classified as the relevant 19 code. This will be amended going forward.

In Q3 returns I noted no plastics had been exported from the site which had originated from the MRF. Sonia confirmed in Q3 that any plastics which had been sent were those brought in from Withy hedge and shipped straight back out again.

Following the review of your waste returns, the resubmitted return for Q3 appears to fulfil the requirements of the regulations for the sampling of co-mingled recyclates.

As a note to discuss at the next inspection: Although noted above for Q3, no plastic wastes were sent out from the MRF in Q1 or Q2, and no sampling was undertaken. With an average of plastics in incoming wastes at around 19%, of the total 1491 tonnes, it would equate to approximately 283 tonnes of plastic wastes from the MRF which haven't been accounted for in the outputs on the waste returns or sampling. I would like to discuss this at the next inspection.

Thank you for your assistance in answering my queries and the resubmission of the returns.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural

Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

EPR Compliance Assessment Report

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Operator/Permit holder	A J Recycling Ltd	Date	17/10/2018

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			

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.