

Compliance Assessment Report

Report ID:
CAR_NRW0034228

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

Site	Bryn Pica Waste Operations	Permit Ref	AP3199FE		
Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd				
Regime	Waste Operations				
Date of assessment	18/10/2018	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	1.0				
Lead officer's name	Taylor, Richard				
Accompanied by	Wrangham, Natalie				
Recipient's name/position	Lee Foulkes/ Technical Manager	Date issued	16/11/2018		

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
B4 - Infrastructure - Containment of stored materials	C3	3.1.3
B5 - Infrastructure - Plant and equipment	C3	3.1.1.
C2 - General Management - Management system and operating procedures	O	1.1.1(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	2	Total compliance score (see section 5 for scoring scheme)	8
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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:

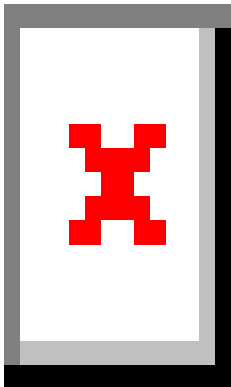
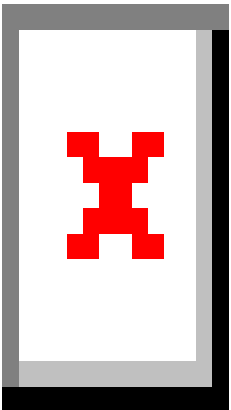
- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details 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

Bryn Pica MRF, Permit EPR/AP3199FE.

The site was inspected on 18th October by Officers from Natural Resources Wales (NRW). Permit AP3199FE for the MRF was inspected on the day. This CAR for summarises the inspection and the findings on the day.

Two breaches of permit conditions were found. One for storage of oils and liquids on site. The other for cleanliness of the refuelling point which was seen to have odorous standing water within the pump housing which was seen to be staining the floor in the immediate vicinity. These breach the following permit conditions;

PC 3.1.1	Emissions of substances not controlled by emission limits shall not cause pollution (unless appropriate measures have been taken to prevent and minimise those emissions).	1. Uncontrolled refuelling hose pipe allowed to drape into standing water which smelled of diesel/oil – potentially shortening the life of the hose and increasing the risk of uncontrolled leakage/release. 2. Standing water within the refuelling point contaminated with fuel oil. 3. Debris and waste allowed to collect within the refuelling area. Result – Cat 3 breach of permit condition 3.1.1. for a noncompliance which could have caused minor pollution and which could continue to cause pollution if not checked. Remedial Actions 1. Site to check the integrity of the hose to ensure it is fit for purpose against the relevant regulations and standards. 2. Site to elevate the hose to prevent
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		it draping onto the ground. 3. Site to clean the area of water and oil in the pump housing. 4. Site to clear the area of debris and ensure waste is not allowed to collect in this undesignated area. 5. Remedial actions to be in place <i>for 1st Jan 2019.</i>
PC 3.1.3	All liquids with the capability of causing pollution shall have secondary containment. 	Secondary containment was lacking for some containers pictured below. IBC's were seen to be stored within a converted shipping container without a secondary bund and positioned on made ground within the vicinity of the mattress recycling facility. Some drums were seen on the floor. The system in currently in place raises the risk of pollution from the site and contravenes the permit condition for requiring secondary containment. It also does not meet the requirement to use appropriate measures to prevent or minimise leakage from the primary container. Result - Cat 3 breach of permit condition. 3.1.3. for a noncompliance which could foreseeably result in pollution. Site need to be aware of the Oil storage regulations (Wales) which came into force in 2016. https://www.gov.uk/guidance/storing-oil-at-a-home-or-business Note that holders of an EPR permit will have a clause added WEF 2020 to their permits which requires the minimum standards of the OSR will be met.

		Action – Site to ensure that adequate secondary containment is provided for onsite IBC's and drums. A plan is to be in place for Jan 1st, 2019.
PC 1.1.1(a)	The Operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator.	NRW looks for the root cause of environmental incidents in accordance with In both these cases the management system for the site was not being adhered to. Both breaches above can ultimately be traced to a failure to implement PC1.1. 1.. This breach is suspended at this time pending the actions outlined above. This means that the score will not apply but the breach is listed on this CAR form. The score will be re-evaluated in connection to the sites response to the deadlines given above for the actions to be carried out.

Permit Condition	Discussion
1.1 Management	As above
2.0 Permitted activities	The activities matched the site permit, using the operating techniques set out in Schedule 1. The waste separation activities were seen and found to be working efficiently. Hazardous waste routes are kept separated from the main municipal streams. The waste acceptance criteria and method of managing the wastes was interrogated and the Site Technical Manager thoroughly explained the methods involved. Waste transfer notes were asked for at random and supplied on the day. The methods of calculating municipal waste was seen to rely on averages rather than daily maximums. A compilation sheet of quarterly returns was shown and then interrogated further. The result was that the waste accounting system was robust and was well archived. The site annual throughput is calculated from these and is an ongoing electronic system. Site is allowed to take x4 hazardous waste codes. The management of these was looked at to ensure they were accounted for and well managed. Haz waste wood was shown to go to a specialist licensed subcontractor. Waste paint cans were well accounted for with a licensed sub-contractor. (EA license REFCBD05070). Temporary storage of these is in weatherproof bunded vessels. No waste is accepted on site without prearranged notification. Site has a confinement area for rejected waste loads equipped with high view

	cameras. Site weighbridge telemetry has the capacity to link the waste type with the waste vehicle. The weighbridge is calibrated on a regular schedule. A weakness in the system is the continued running of the sorting conveyors as well as the numbers of staff present. To manage this, site schedule regular maintenance shutdowns and employ a number of casual employees. The mattress recycling facility was seen to be operating well.	
3.0 Emissions	Odour -No excess odour experienced off site. Noise - generated by site sorting equipment and vehicles is controlled to HSAW standards and is controlled by zonal signs for PPE. No excess noise experienced off site. Pests – IMPROVEMENT site has reinstated the use of a falconer on a 4 month contract to control the numbers of birds previously seen on site (as detailed in previous CAR form). Numbers of pests (birds and vermin) were down to only a handful of crows present. This represents a commendable improvement. Site surface water is collected by covered drains which must be kept free from debris to ensure continued flow. The outlet point was seen and the resulting runoff sampled (not tested). The water was free from odour and clear without bubbles. Flow rates were low, estimated at 5 ltrs per minute at the time of inspection.	
End.		

EPR Compliance Assessment Report

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Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd	Date	18/10/2018

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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	O	Improvements to be in place by deadline	01/01/2019
B4	C3	Plan required to meet OSR regs.	01/01/2019
B5	C3	as listed in CAR form	01/01/2019

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.