

Compliance Assessment Report

Report ID:
CAR_NRW0035861

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

Site	Wern Tarw Recycling Ltd	Permit Ref	EB3430RT			
Operator/Permit holder	Wern Tarw Recycling Ltd					
Regime	Waste Operations					
Date of assessment	22/10/2019	Time in	10:30	Out	11:15	
Assessment type	Site Inspection					
Parts of the permit assessed	A, B, C, F and G					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Leyton Shillibier and Nick Gillam/ Director and Transport Manager	Date issued	23/10/2019			

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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

Officer Alex BOWDER attended Wern Tarw Recycling Limited at Unit 43 Village Far Industrial Estate, Pyle, Bridgend CF33 6BN at 10:30 on Tuesday 22nd October 2019 to carry out an introductory inspection of permit **EPR-EB3430RT** (*EAWML 100022*). The weather conditions were mild and dry at the time of the visit. Met with business Director Leyton Shillibier and Transport Manager Nick Gillam who showed the Officer around the permitted area and explained the operational procedures on site.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment/people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

PREVIOUS CAR FORM ISSUES

- Technically Competent person - valid qualification
- Updating the Environment Management System (EMS)

GENERAL OBSERVATIONS

Wern Tarw Recycling Limited operate a Tier 2 Bespoke environmental permit that allows Waste Transfer Station activities for inert and excavation wastes (*EAWML 100022*). Wastes can be accepted for treatment, recovery or disposal. The inputs do not include hazardous waste such as asbestos and the maximum quantity for waste to be accepted on site shall not exceed 25,000 tonnes annually.

The permit states that inert materials must be stored and treated on hardstanding or impermeable surface with sealed drainage. All waste materials were stored in this manner during the inspection.

The site asked about the permit surrender process for the business' other permitted site. This information is included on separate CAR Form for that permit.

TRADING NAME

The Officer questioned whether the company was trading under the name of Shillibier Ltd or Wern Tarw Recycling Ltd. It was stated that both entities exist and are used interchangeably. If the Operator wanted to change the name of the licence holder for the permit for business continuity purposes, you would need to **transfer** the permit into the desired entity name. More information can be found on our website:

<https://naturalresources.wales/permits-and-permissions/waste-permitting/apply-for-a-waste-permit/apply-to-transfer-a-waste-permit/?lang=en>

The site has a Biomass boiler on site for the purposes of heating units. The business buys in wood chip to use as fuel – staff aware not to burn unclean wood. A concrete wall acts as the site boundary around the yard which prevents waste from leaving the site.

There were inert waste piles separated into various grades of aggregate product. There was no contamination witnessed in the mixed concrete. The Officer asked what the procedures are if **hazardous waste** is accepted with a load. It was stated that the material is highlighted, quarantined and rejected. An appropriate contractor is contacted to take the material away if necessary.



Image 1 – showing mixed concrete piles stored on impermeable infrastructure

SOIL TESTING AND ANALYSIS

Customers use the business' products for purposes such as top-soil or construction foundations. All wastes aggregates on site are treated to WRAP Quality protocol for recycled aggregate standards. Sampling and soil analysis are conducted on each batch to ensure they meets the criteria for use as a non-waste. These records are forwarded to the customer. The site sent a recent sampling report to the Officer for review – there were no issues detected.

TECHNICALLY COMPETENT MANAGER (TCM)

Nick Gillam is the designated TCM for the site, who is currently undergoing WAMITAB course to obtain relevant modules.

ACTION: Please can the business send confirmation of the course along with booked test dates.

Spoke about the requirements to complete the continuing competency to keep the qualification valid – **please ensure this is completed once expiry has lapsed.**

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The business' Management System is kept on file in the office. The site has kindly set through the most recent version January 2019 of the file to the Officer. The system seems comprehensive; however, we will look to assess this document in greater detail on the next inspection.

INFRASTRUCTURE AND DRAINAGE

YARD SURFACE

The yard infrastructure within the permitted areas was in a reasonable condition. There were small patches of weakened flooring present - please ensure the site repairs any damaged areas to see that the yard is fully sealed, and all run-off is captured by the system.

The Operator showed the various drain slots and gullies – all were unblocked and clear at the time of visit. Officer was shown the three-chamber interceptor, where the manhole was undergoing maintenance. The Officer asked about what procedures are in place for maintaining the system and how the site knows when the sump is to be emptied, as it is maintained on an ad hoc basis. It was stated that the site waits until it is not running properly and then addresses any issues. No issues noted at the time of inspection.

The business should put in place set dates for checking the system, to ensure it is functioning effectively - rather than waiting until it is not working. This should be incorporated into your EMS document

WASTE RETURN DOCUMENTS

The Officer inspected various waste tickets in the office and the site diary that showed the daily waste acceptance and removal. No issues were noted with the Duty of Care documents.

Please use the most current version of Waste Return document when submitting data in future, as this requires TCM details to be filled out. This can be found at the bottom of the page on our website:

The site submitted its Quarter 2 spreadsheet for 2019 on 29/07/19. It has been declared that 4,402 tonnes were accepted to site, consisting of mixed hardcore material - this has been coded as **17 01 07**. 2,265 tonnes have been removed from site coded as the same.

Wastes are being correctly coded under a 17 code which constitutes construction and demolition wastes (including excavated soil from contaminated sites):

- **17 01** - construction and demolition wastes, concrete, bricks, tiles and ceramics (clean concrete)
- **17 03** - bituminous mixtures, coal tar and tarred products

- **17 05** - soil (including excavated soil from contaminated sites), stones and dredging spoil

No unauthorised waste types were witnessed on site at the time of inspection.

I look forward to working with the site in future.

If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

EPR Compliance Assessment Report

**Report ID:
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Operator/Permit holder	Wern Tarw Recycling Ltd	Date	22/10/2019

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			
C1	X	Submit confirmation of the WAMITAB course along with booked test dates.	24/11/2019

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.