

Compliance Assessment Report

Report ID:
CAR_NRW0036058

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

Site	Transfer Station	Permit Ref	ZP3298FV		
Operator/Permit holder	Carmarthen Recycling & Environmental Services Ltd				
Regime	Waste Operations				
Date of assessment	04/12/2019	Time in	12:20	Out	13:05
Assessment type	Audit				
Parts of the permit assessed	See Below				
Lead officer's name	Edwards, Michael				
Accompanied by	Sabine, Pippa				
Recipient's name/position	Julian Jones/ Director	Date issued	16/12/2019		

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	C3	1.3.2
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
C4 - General Management - Storage, handling labelling and Segregation	C2	4.3.2

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)	35
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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

An unannounced site inspection was undertaken by Michael Edwards and Pippa Sabine on 4 December 2019, accompanied on site by Julian Jones.

Availability of working plan and permit.

Under **condition 1.3.2** of the environmental permit that the site operates – *A copy of this licence and the working plan shall be kept available on site for reference when required by all site staff carrying out work under the requirements of the licence.*

During the inspection officers had asked for both the most recent working plan and the permit. The permit was available on request however the current working plan was not. The working plan that was made available was outdated (2000). The most current working plan that NRW has on its system is Version 4 dated May 2017. This has been recorded as a **Category 3 breach of condition 1.3.2.**

Action – Steps to rectify this have already been undertaken, however, as we discussed on site all members of staff must have access to both these documents as required by the permit .

Recording of waste activities

Some waste transfer notes were reviewed on site and no issues were identified with these.

Storage, handling labelling and Segregation

Condition 4.3.2 requires – *All wastes accepted at site shall be handled, kept and recorded in accordance with section WP/1.110 and section WP/4.210.*

In the working plan submitted to NRW titled '*Modified Environmental Management System (EMS) (4) (Previously known as Working Plan)*' dated May 2017. Asbestos must be stored in a closed and lockable container. Under section WP/1.110 (f) – *All bonded and fibrous asbestos received at the site will be stored in a marked, steel, secure and lockable container (supplemented if necessary by a second enclosed and secure container) Specifically designed for secure storage and transportation of materials. The container will remain closed at all times unless loading or unloading is taking place.*

During the inspection officers noted that there were several asbestos skips on site. Two were on the main yard as presented in the site plans included in the above working plan, and the third in a skip at the rear of the site. These containers were unmarked open skips and do not conform to the methods that you have stated will be used in the working plan (noted above). This has been scored as a **Category 2 breach of permit condition 4.3.2.**

Action – Ensure that wastes are stored in an appropriate manner and in line with the conditions of the permit and submitted working plan.

Further to the above, please be aware that under **Table 1.2** of the permit, the site is only able to accept cement bonded asbestos. Please amend the submitted working plan to reflect this.

Site infrastructure

During the inspection, officers noted a build up of mud on site near the entrance to the transfer shed. Please ensure that maintenance of infrastructure if undertaken to ensure that all drainage channels are free from build up and pooling.

Many thanks for your time during the inspection.

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
A1	C3	Ensure that all members of staff must have access to both these documents.	28/02/2020
C4	C2	Ensure that wastes are stored in an appropriate manner and in line with the conditions of the permit and submitted working plan	28/02/2020
B3	X	Please ensure that maintenance of infrastructure if undertaken to ensure that all drainage channels are free from build up and pooling.	28/02/2020

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.