

Compliance Assessment Report

Report ID:
CAR_NRW0036268

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

Site	SL Recycling Ltd	Permit Ref	BB3299FN			
Operator/Permit holder	SL Recycling LTD					
Regime	Waste Operations					
Date of assessment	28/01/2020	Time in	10:30	Out	11:15	
Assessment type	Site Inspection					
Parts of the permit assessed	various					
Lead officer's name	Burge, Chris					
Accompanied by	Sherratt, Kelly					
Recipient's name/position	Steve Morgan / TCM	Date issued	05/02/2020			

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
C2 - General Management - Management system and operating procedures	X	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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 Chris BURGE and Team Leader Kelly SHERRATT attended SL Recycling Ltd at Pontypool, New Inn at 10:30 on 28 January 2020 to complete a routine compliance inspection of the permit EPR-**BB3299FN**. The weather was dry and over cast. **The** staff member in attendance was Steve MORGAN, who is the Technically Competent Person for the site.

COMPLIANCE BREACHES

The following permit breaches were identified during the inspection.

CATEGORY 3 BREACH -

C4 - General Management - Storage, handling labelling and Segregation

Permit condition - 2.3 Operating techniques

Condition 2.3.1 states that activities shall be operated using the techniques and, in the manner, described in Table 2.3 below:

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste:

a) all bulking, transfer or treatment of waste shall be carried out inside a building;

b) all waste shall be stored in a building or within a secure container.

At the time of the inspection, it was evident that the general waste was protruding out from the building structure, as seen in photograph below. This is due to excessive tonnages of mixed waste being stored at the time of inspection.



Image 1

As per your draft Fire Prevention and Mitigation Plan (FPMP), you have stated the below:

WASTE STORAGE DURATION

4.2.1 - "The waste transfer station building will have a design capacity capable of separating up to 50T/day per day of incoming material. The maximum period of storage will normally be 2 days in the reception bays before processing or removal of waste off Site. The short turn-around time will mitigate against the build-up of hot spots."

Please ensure your waste acceptance procedures are followed to see that waste volumes on site are managed. Move all general mixed waste inside the building with correct fire breaks, as discussed at site.

Deadline:

02 March 2020

GENERAL OBSERVATIONS

No issues were noted with the drainage system or infrastructure at the time of inspection.

Incident 26/01/20

On Sunday 26 January 2020, NRW received reports of a fire within the SL Recycling Ltd site at Pontypool. The incident was attended by the South Wales Fire and Rescue Services (FRS) and Natural Resources Wales Officers. It was confirmed by the FRS that it was not a fire but steam coming from the general waste within the storage building. A site visit was then conducted by Chris Burge and Kelly Sherratt on Tuesday 28 January as a follow up to the incident.

ADVICE AND GUIDANCE (OTHER MATTERS)

- a. As discussed on site, all wood waste needs to be stored and processed within a building to comply with your permit. Again, we require this be rectified by **02 March 2020**

Explained options:

- 1) Vary your waste permit to apply for compliant storage methods (outside a building)
- 2) Move wood waste in a building for storage and processing
- 3) Remove wood waste from site

Please can you inform NRW as to your intentions with regard to this waste stream going forward.

- b) Waste plaster board to be moved into a sealed skip, as discussed on site.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

Condition 1.1.1 of your permit requires you to operate the site in accordance with a written Management System. This document should outline how you are going to run the site, whilst assessing risk to the environment and complying with your permit conditions.

Please can the Operator submit an up-to-date Environment Management System (EMS) and Fire Prevention and Mitigation Plan (FPMP) by **02 March 2020**. These documents will then be assessed by NRW once received.

WASTE RETURNS

Condition 4.2.2 requires the business to submit its Waste Returns data quarterly. The timescales for quarterly submissions are as follows:

QUARTERLY RETURNS PERIOD	RETURN SUBMISSION DEADLINE
- Q1: 1st January to 31st March	- 30th April
- Q2: 1st April to 30th June	- 31st July

- | | |
|---|---|
| <ul style="list-style-type: none">- Q3: 1st July to 30th September- Q4: 1st October to 31st December | <ul style="list-style-type: none">- 31st October- 31st January |
|---|---|

Please ensure these documents are submitted diligently. **Summary** I look forward to working with the site in future.

If you have any queries regarding this Compliance Assessment Report, please contact Regulatory Officer Chris BURGE on 0300 065 3904, or via email at chris.burge@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

EPR Compliance Assessment Report

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Operator/Permit holder	SL Recycling LTD	Date	28/01/2020

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			
C2	X	Operator submit an up-to-date Environment Management System (EMS) and Fire Prevention and Mitigation Plan (FPMP)	02/03/2020
C4	C3	ensure your waste acceptance procedures are followed to see that waste volumes on site are managed. Move all general mixed waste inside the building with correct fire breaks, as discussed at site.	02/03/2020

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.