

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035984

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

Site	Project Red Recycling	Permit Ref	XB3393HM			
Operator/Permit holder	Project Red Recycling Limited					
Regime	Waste Operations					
Date of assessment	04/10/2019	Time in	13:00	Out	13:45	
Assessment type	Site Inspection					
Parts of the permit assessed	HCI					
Lead officer's name	Tye, Laoni					
Accompanied by	David Warwick-Brown					
Recipient's name/position	Tom Prichard, Gareth Danter-Hill and Simon Mitchell/ Director, TCM and site manager	Date issued	25/11/2019			

### 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
C2 - General Management - Management system and operating procedures	C3	1.1.1
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	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	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

Environment officers Laoni Tye and David Warwick Brown visited site on the 4<sup>th</sup> October 2019 to conduct a site inspection. The visit had been announced but only the same morning as the visit. We met with Gareth Danter-Hill and Simon Mitchell site manager. This was the first visit to the site since the permit variation to include an HCI waste transfer station. The weather had been very wet although it had stopped raining during the visit. There was minimum amounts of soil, stone and inert material on site and the focus was on the newer operations. We therefore went straight to that area and this visit was for the HCI transfer station only. There was a breach recorded.

### **C2 – Management Systems. Category 3 breach.**

Condition 1.1.1 states that the operator shall manage and operate the activities a) in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operators, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

The sites management system submitted as part of the application to vary permit in May 2018 and later amended as agreed by NRW in February 2019 is not reflective of the site. The mixed co mingled waste is being stored at the front of the building in some hangar type buildings, however, this is not what was permitted or agreed by NRW. The management plan states that there will be roller shutter doors and that they will be constructed of concrete blocks and steel cladding. The front of the building is open, with no doors and one side is made of metal only. This is not therefore complaint and needs to be addressed. This would also not be sufficient to mitigate against fire, as discussed, as there are no concrete blocks separating the waste storage buildings meaning a fire would spread more easily across buildings. There were also baled wastes being stored at the front section of the building which again is not compliant with the management system.

**Action:** Waste to be stored in line with management systems so that they are stored within a proper building as outlined in variation documentation. Waste to be stored in line with FPMP guidance.



### **Other comments**

The picking line appeared to be working effectively, with numerous staff along the line hand picking recyclables, before it enters the magnetic area. The waste is reprocessed until it reaches a good quality, usually twice. It is then baled and stored and sent off site for further processing. It was good to see this process properly on site and visit the picking line.

The HCI side of the site is temporary only and the activity is due to be coming to an end soon with waste being diverted back to Bryn Pica.

### **Site infrastructure**

There was a lot of standing water going down towards what we were advised was a sealed sump. The site regularly has street sweepers ensuring standing water goes into this drainage area and into the sump. There was one present on site at the time of the visit. The sump we were advised is regularly emptied.



**Action: Please provide NRW with copies of waste transfer notes for the past 6 months showing site drainage disposal. Please send these by the 6<sup>th</sup> December 2019.**

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## EPR Compliance Assessment Report

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Operator/Permit holder	Project Red Recycling Limited	Date	04/10/2019

### 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.

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	C3	Store waste in line with management systems	13/12/2019

## 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](mailto: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.