

Compliance Assessment Report

Report ID:
CAR_NRW0036338

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

| | | | | | | |
|------------------------------|---------------------------------|-------------|------------|-----|-------|--|
| Site | RDA Recycling Ltd | Permit Ref | NP3895FH | | | |
| Operator/Permit holder | Kayleigh Parsons | | | | | |
| Regime | Waste Operations | | | | | |
| Date of assessment | 13/02/2020 | Time in | 10:25 | Out | 10:40 | |
| Assessment type | Site Inspection | | | | | |
| Parts of the permit assessed | Various | | | | | |
| Lead officer's name | Lee, Jonathan | | | | | |
| Accompanied by | Burge, Chris | | | | | |
| Recipient's name/position | Kayleigh Parsons/ Permit Holder | Date issued | 14/02/2020 | | | |

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 |
|--|--------------|-----------------------|
| B4 - Infrastructure - Containment of stored materials | C3 | 5.1.4 |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | C4 | 6.1.2 |

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) | 4.1 |
|-----------------------------|---|--|-----|

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

Compliance Assessment Report

Officer Jonathan LEE and Chris Burge in attendance of RDA Recycling Limited, Risca to complete a routine compliance inspection of the permit **EPR-NP3895TH**. Weather was cold with rain at the time of the inspection. Officers met with the permit holder and site TCM, Kayleigh Parsons.

Previous Compliance Inspection – 28th October 2019

The site was previous inspected on the 28th October 2019 by officer Jonathan Lee. One non-compliance was scored during this inspection (CAR_NRW0035910). The actions required to remedy these non-compliances are given below: -

- Clean up spillages. Ensure any future spillages are managed. Submit action plan for secondary containment measures. Due 13/12/2019. – **INCOMPLETE**

Compliance Breaches

The following permit breaches were identified during the inspection.

B4 – Containment of stored materials - Category 3 breach – Permit Condition 5.1.4

Table 5.1 d) control and remediation of leaks and spillages states that 'minor spillages of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately, using sand or proprietary absorbent to clean up liquids and placed in alternative containers.'

During the inspection it was evident that there had been several spillages of End of Life Vehicle (ELV) fluids (oil, fuel etc) in the area of the site used for the storage of depolluted vehicles, engines and vehicle parts. The spillages on site had not been cleaned up appropriately and were entering the drainage system at the time of the inspection (as shown in Photo 1 below).

Table 5.4 b) i) requires oil contaminated parts to be segregated by type and stored within dedicated appropriate containers that are fit for purpose. Several depolluted ELVs, oil-contaminated engines/ELV parts were clearly leaking residual ELV fluids (as shown in Photo 2 below). It was evident that the storage of ELVs and vehicle parts was poor at the time of the inspection.



Photo One: Spillages of oil/fuel entering site drain



Heavy contamination with oil and fuel will potentially reduce the effectiveness of the interceptor on site. The interceptor is designed to be the final resort for collecting polluting liquids. Spillages on site and the storage of waste on site needs to be better managed to see that polluting liquids do not enter the drains on site.

A further **Category 3 Breach** of permit condition 5.1.4 has been scored for failure to remediate spillages of oil and fuel appropriately.

A breach of condition permit condition 5.4.1. (Table 5.4) has not been scored on this occasion, however, a breach of this condition may be scored in future compliance inspections if oil contaminated parts are not stored within appropriate containers or in areas with appropriate secondary containment.

Action: - Clean up spillages of residual ELV fluids. Ensure any future spillages are managed. Install appropriate secondary containment measures. Ensure that oil contaminated parts are stored within dedicated appropriate containers.

A deadline of the **30th March 2020** has been set to rectify this non-compliance.

Failure to comply with this action may result in **further enforcement action** being taken against you.

G4 – Reporting and notification to Natural Resources Wales – Category 4 Breach – Permit Condition 6.1.2.

Permit condition 6.1.2. requires 'a summary record of the waste types and quantities accepted and removed from site shall be submitted to the Agency within one month of the end of the year'.

The annual waste return for 2019 has not been submitted to NRW, therefore, a **Category 4 breach** of permit condition 6.1.2. has been scored.

Action: - Submit outstanding waste return.

A deadline of the **30th March 2020** has been set to rectify this non-compliance.

Waste returns can be submitted online using the link below:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/operator-waste-return-and-deadlines-for-returns/?lang=en>

Summary

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@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

**Report ID:
CAR_NRW0036338**

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| | | | |
|------------------------|-------------------|------------|------------|
| Site | RDA Recycling Ltd | Permit Ref | NP3895FH |
| Operator/Permit holder | Kayleigh Parsons | Date | 13/02/2020 |

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 | | | |
| G4 | C4 | Submit outstanding 2019 waste return. | 30/03/2020 |
| B4 | C3 | Clean up spillages of residual ELV fluids. Ensure any future spillages are managed. Install appropriate secondary containment measures. Ensure that oil contaminated parts are stored within dedicated appropriate containers. | 30/03/2020 |

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.