

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

Site	Former Morlais Colliery	Permit Ref	BB3091FA		
Operator/Permit holder	Browns Recycling Group Limited				
Regime	Waste Operations				
Date of assessment	27/02/2020	Time in	11:10	Out	11:50
Assessment type	Audit				
Parts of the permit assessed	Permitted area and operations				
Lead officer's name	Wakeford, Sally				
Accompanied by	Lloyd, Cathy				
Recipient's name/position	Leighton Johnson/ Site Manager	Date issued	10/03/2020		

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
A1 - Specified by permit	C3	2.2.1
C1 - General Management - Staff competency/training	C3	1.1.4
C2 - General Management - Management system and operating procedures	C3	1.1.1(a)
C3 - General Management - Materials acceptance	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	4	Total compliance score (see section 5 for scoring scheme)	12.1
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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

On Thursday 27 February an unannounced site inspection was carried out by Sally Wakeford and Cathy Lloyd. This was a routine site inspection to assess permit compliance.

The site inspection was undertaken during a period of intermittent heavy rainfall.

At the time of the inspection NRW had not been informed that the site had become operational.

On arriving at the site, the weighbridge operator, Geraint, described the activities taking place on the site. The Council and Intervention were the main customers to bring waste materials onto the site. A contractor (Shillibiers) is hired when required to crush the material. Geraint showed officers an example of the waste transfer note and weighbridge ticket produced.

There was no one available to accompany us on the site.

Officers followed the main track down the site, past the wheel wash to the furthest extent of tipped waste. When at this point on the site an Intervention vehicle and a Council vehicle deposited waste at the site. They were not accompanied by a member of staff to show where to tip the waste. Waste loads deposited could be described as soil and stone.

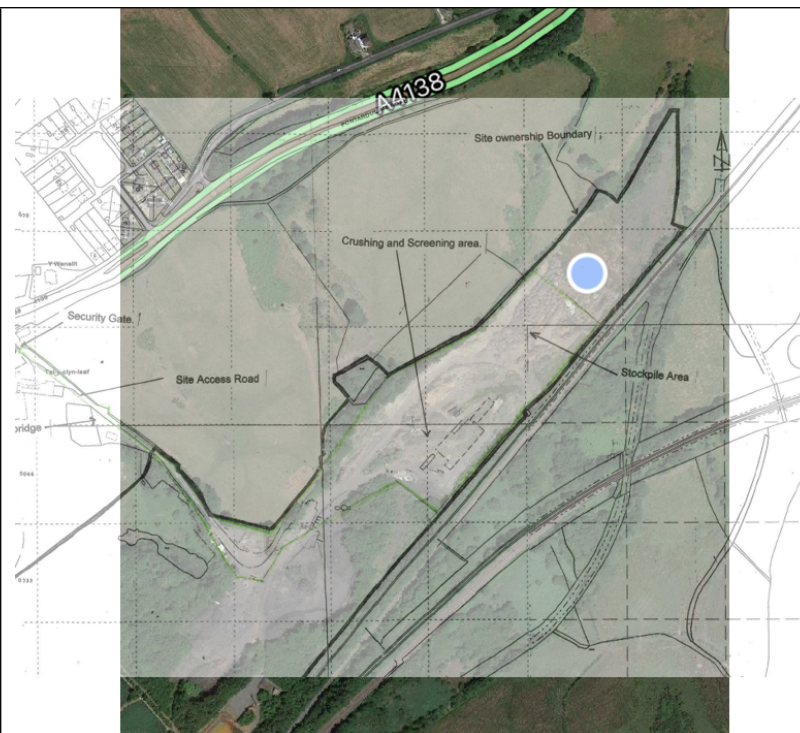
Site Boundary.

A1 – Permitted Activities – CAT 3 – Permit Condition 2.2.1

You have been given a CAT 3 breach of the above permit condition as when on site a GPS mark was taken at the furthest extent of the waste. This has been overlaid with the permit boundary, marked in green on the map, and it shows that the waste deposited was outside of the permitted area.

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

The following map shows the extent to where the operations were taking place, marked by the blue dot, **overlaid by the permitted area.**



ACTION: Remove waste from the area outside of the permit boundary, or, apply to increase permitted area to include this area, by the due date listed in Section 4 of this report.

Environment Management System.

C2 – Management Systems – CAT 3 breach – Permit Condition 1.1.1(a)

You have been given a CAT 3 breach of the above permit condition as the site has been operational for some time, but no Environment Management System has been submitted for the operations. The Resume of Environmental Management System Ref BG4 provided during application for the permit states that “The full environment management system will be presented on receipt of the approved site permit and prior to site operations commencing.” This has not been received by Natural Resources Wales, and neither could it be provided on site when requested.

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

ACTION: Provide a copy of the full Environment Management System by the date listed in Section 4 of this report.

Technical Competence.

C1 – Staff Competency and Training – CAT 3 – Permit Condition 1.1.4

You have been given a CAT 3 breach of the above permit condition as there is no evidence of the Technically Competent Manager qualifications being completed. The WAMITAB website indicates that the relevant course was signed up for in November 2018, however it does not show this has been completed. In Regulatory Guidance Note 5 – Operator Competence, it states that grace periods to complete the Technical Competency qualification is 12 months. This period of time has

lapsed.

1.1.4 states: The operator shall comply with the requirements of an approved competence scheme.

ACTION: Provide evidence of Technical Competence qualification for Leighton Jones, or the details of the person who is acting as your Technically Competent Manager by the due date listed in Section 4 of this report.

Waste Returns.

G4 – Reporting and Notifications to NRW – CAT 4 – Permit Condition 4.2.2

You have been given a CAT 4 breach of the above permit condition as there have been no waste returns submitted since the permit was issued. This should have included Q4 2018, and Q1 – 4 2019. If no waste was imported or exported in any of these quarters, nil returns should also have been submitted.

4.2.2 states: Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from I during the previous quarter.

ACTION: Submit all outstanding waste returns by the date listed in Section 4 of this report.

Other Observations.

It was noted that that wheel wash was fed through a pipe from the upper side of the site and flowed through the wheel wash and out the other side.

ACTION: Confirm the set up of the wheel wash, and the drainage arrangements.

On visual inspection, the types of waste being imported to the site were of a type as listed in your permitted wastes.

Thank you to Geraint for his assistance during the inspection.

Photographs of Site Inspection.







BROWNS RECYCLING
WASTE TRANSFER & RECYCLING
CONTROLLED WASTE TRANSFER NOTE
18139

06937

INERT WASTE RECYCLING
RECYCLED AGGREGATES
SKIP HIRE & RUBBIL AWAY

Customer: **MEVA DOCK**
Address: **Medias Colliery, Pontardulais Road, Llangennech, SA14 8YF**
Tel: **01554 820918**
Email: **browns@meva.com**

Supplier: **CN&G KILMS**
Address: **WELLS ROAD, SA14 8YF**

Product: **1703.04 - Soil - Stone**

Vehicle Reg: **WY16 GJK**

Driver: **Adam D - Y Trosglywydd / Section D - The Transfer**

Signature: **Adam D - Y Trosglywydd / Section D - The Transfer**

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Any compliance criteria not highlighted in the above summary should be considered as not assessed.
In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by

Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036437**

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

Site	Former Morlais Colliery	Permit Ref	BB3091FA
Operator/Permit holder	Browns Recycling Group Limited	Date	27/02/2020

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 all outstanding waste returns	30/04/2020
C1	C3	Provide evidence of Technical Competence qualification for Leighton Jones, or the details of the person who is acting as your Technically Competent Manager	30/04/2020
C2	C3	Provide a copy of the full Environment Management System	30/04/2020
A1	C3	Remove waste from the area outside of the permit boundary, or, apply to increase permitted area to include this area	30/04/2020

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.