

Compliance Assessment Report

Report ID:
CAR_NRW0035519

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

Site	Unit 2	Permit Ref	EP3190LG		
Operator/Permit holder	KRS Recycling Ltd				
Regime	Waste Operations				
Date of assessment	10/04/2019	Time in	11:40	Out	12:31
Assessment type	Site Inspection				
Parts of the permit assessed	Closure				
Lead officer's name	Park, Liz				
Accompanied by					
Recipient's name/position	John Sant/ Operator	Date issued	05/08/2019		

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
B2 - Infrastructure - Closure and decommissioning	C3 - Suspended	6.1.1

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)	0
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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

Liz Park arrived on site to check compliance with a Regulation 36 Enforcement Notice to comply with permit conditions.

Liz Park met Tom Foxall on site. He said his dad had been employed by KRS Recycling to clear the site and that he was assisting his dad.

The following non-compliance was identified:

B2 - Closure and decommissioning - Permit Condition 6.1.1 - CCS Cat 3

Natural Resources Wales has reasonable grounds to believe that the specified waste management operations will not resume within 2 months. Therefore all waste remaining on site must be removed including clearing plant, equipment used in the specified waste management operations, and emptying any sealed sumps and interceptors.

On arriving at the site it was clear that a significant amount of waste but not all had been removed. Plant and equipment remained on site. It has been assessed that the Regulation 36 Notice has not been fully complied with. As it is NRW's intention to serve a further Regulation Notice, this score has been suspended.

The following was observed whilst on site:



Area where IBCs and other waste had previously been stored



Areas where various wastes had been stored, a small pile of which remains

Tom showed Liz Park where a fibre glass oil interceptor was and a metal interceptor and informed her that they were due to be emptied the following day, and that they will then be decommissioned.



Inside the metal oil interceptor

The fridge dismantling plant had been dismantled for transport. Some pieces were loaded onto a trailer. Tom informed Liz that it was going for scrap. A small oil spill had occurred which had been mopped up with sawdust. Tom said he would be collecting this up into bags and that he is aware that it must be consigned as hazardous waste.

The porta cabins/ office shipping containers have been sold and are awaiting collection except for two which will be dismantled for recycling.

The mixed waste pile will be sorted for recycling.



Mixed waste pile

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 2012.

EPR Compliance Assessment Report

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Site	Unit 2	Permit Ref	EP3190LG
Operator/Permit holder	KRS Recycling Ltd	Date	10/04/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
B2	C3	All wastes on site to be removed including clearing plant, equipment used in the waste management operations, and emptying any sealed sumps and interceptors	24/04/2019

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. 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.