

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP		
Operator/Permit holder	Siteserv Recycling (sw) Limited				
Regime	Waste Operations				
Date of assessment	28/05/2020	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Permitted Areas				
Lead officer's name	Baskerville, Jodie				
Accompanied by					
Recipient's name/position	Chris Smith/ General Manager	Date issued	01/06/2020		

### 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	Condition 2.3.1

**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.

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (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

On 24 April 2020 Natural Resources Wales received a report of fire damaged waste being trolled on site. A discussion was had with Chris Smith of Site Serv who confirmed that this activity had been taking place over the course of the week in order to remove the fire damaged waste from site.

As you are aware this is an un-permitted activity and therefore a breach of your permit.

Condition 2.3.1 of your permit states;

"The 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<sup>3</sup>:
  - 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.
  - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

Natural Resources Wales were not notified, nor did you seek approval for this activity prior to commencing. Therefore, we were not able to ensure that the appropriate Management Systems or risk assessments were in place, in order to minimise any potential negative impacts occurring as a result of the activity being undertaken. As a result, we must score this as a non-compliance with your permit.

**This activity has been recorded as a breach under Permit Condition A1 – Specified by permit and has been scored a Category 3 breach (A non-compliance which could have a minor environmental effect)**

Natural Resources Wales has since been considering its position in regard to allowing this activity to continue. We are satisfied with the information and documents we have received from you, dated 15<sup>th</sup> and 26<sup>th</sup> May 2020. Therefore, we agree that you may continue with the trolling in order to ensure that the remainder of the fire damaged waste is removed from Hangar B in line with your documents entitled "Hangar B Working plan" and "Fire Prevention Plan" and subject to the following conditions;

- Natural Resources Wales are informed when you intend to start the work and you notify us on final completion of them.
- Treatment and processing of the waste is completed within 14 days from the receipt of this CAR form.

- Removal of the waste, including all waste fines associated with Hangar B fire damaged waste is removed 14 days following completion of the processing.
- The only waste to be trommelled outside is the fire damaged waste identified in the pictures provided, and within the supporting documentation as part of this proposal. Once this is complete, no further trommelling will take place outside of the building as agreed.
- Photographs of the progress being made on a weekly basis are sent to Natural Resources Wales, along with photographs when all the fire damaged waste and associated fines have been removed from site.
- Duty of Care notes for all waste removed from site will be provided to Natural Resources Wales within 7 days of the removal of the waste.
- Please could you also keep us informed on any days that the trommelling is taking place, in order for us to be aware should we receive any reports from members of the public.

Please be aware that the agreement to allow this activity is in place provided that there are no adverse impacts on the environment or human health. Should NRW be made aware of anything deemed cause for concern then an investigation will be carried out and we would need to consider any response in line with our enforcement and prosecution policy. Therefore, please ensure all agreed mitigation measures are properly followed and documented.

Should the work be undertaken in line with all of the above, no further breaches will be recorded. Please note however that Natural Resources Wales may withdraw its approval for these works should we receive and substantiate any reports which impact negatively on the environment.

The below photographs, provided by you on the 26<sup>th</sup> May 2020, show the current stockpiles of fire damaged waste on site.





If you have any questions, please do not hesitate to get in touch.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036635**

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### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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			
A1	C3	See comments in CAR form.	25/06/2020

## 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.