

Compliance Assessment Report

Report ID:
CAR_NRW0032610

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

Site	Rhydymwyn CRT Recycling	Permit Ref	ZP3634CG		
Operator/Permit holder	DISPLAY RECYCLING LIMITED				
Regime	Installations				
Date of assessment	21/11/2017	Time in	10:30	Out	12:20
Assessment type	Site Inspection				
Parts of the permit assessed	All Below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	Jon Parson, Kevin Lyttel/ Chief Financial Officer. Site Manager.	Date issued	21/12/2017		

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
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1

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)	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

The purpose of today's visit was to assess progress in relation to the regulation 36 enforcement notice served on the operator requiring the removal and treatment of all stockpiled oversized glass and funnel glass currently stored outside of unit 8 contrary to the permit conditions. The deadline of this notice was 18th November 2017

Present on site was Rhys Ellis, Regulatory Officer Natural Resources Wales (NRW), Jon Parson, Milena Adey and Kevin Lyttel (Display Recycling Ltd).

B4- Containment of stored material

There was a significant improvement on site today, all oversized glass and funnel glass stored outside had now all been removed, thus complying with the regulation 36 notice. Some of the photographs in Photograph Album 1 (attached) illustrate the 'before' and 'after' situation on site.

It was noted during the visit that as a result of clearing this waste, there is now significant more space on site. The majority of loading/unloading of waste is now occurring at the back of the site.

C4- Storage, Handling, Labelling and segregation.

It was however explained by the operator that in order to comply with the notice, some of the material had to be relocated into unit 6, adding to the material already stored there. It is now estimated that around 2500 tonnes of material is stored within the building.

The fines, glass and funnel glass stored in unit 6 are deemed hazardous due to the fact that it contains a mixture of non-hazardous (panel glass) and hazardous material (funnel glass).

As explained this is breaching permit condition 2.1.1 of the permit which stipulates that the maximum quantity of hazardous waste received under activity reference A1 stored in unit 6 for recovery shall not exceed 900 tonnes at any one time. On this occasion a **CCS score of 3** will be applied.

The priority now is to treat and remove this material. It was explained that the timescale for removal of this material from site is dependant on factors such as final product offtake and the treatment of material through line 3 and 4.

The site are currently considering the implementation of 3 shifts, to help throughput with line 3 and 4. It was agreed that the operator would response formally to Natural Resources Wales with their proposal for clearing unit 6.

A response was received from the operator by email dated 29th November 2017. In summary it contained a timetable which showed clearance achievable by 08/09/2018

While you carry out these steps/improvements we will continue to record your site as non-compliant on our CCS database. However, we are prepared to 'suspend' these ongoing breaches so that they do not count towards your annual compliance rating providing an action plan is agreed..

Please see attached letter discussing the action plan together with action plan from. Please complete and return the attached Action Pan specifying your proposed actions with appropriate completion dates. Your proposals should be clearly set out and achievable

Once we agree with your proposals and timescales for action then we will suspend non-compliances from that point forward for a period no longer than six months. However, we reserve the right to cancel the suspension count all permit non-compliance towards your compliance rating should you fail to follow the actions specified or should you cause pollution to the environment.

Please complete and sign this form no later than 10th January 2018.

EPR Compliance Assessment Report

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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.

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			
C4	C3	Site to complete and return Action Plan for clearing unit 6 and bringing back the site into compliance	10/01/2018

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.