

Compliance Assessment Report

Report ID:
CAR_NRW0032946

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

Site	Treherbert Community Recycling Centre	Permit Ref	AB3091HR			
Operator/Permit holder	Cynon Valley Waste Disposal Co Ltd					
Regime	Waste Operations					
Date of assessment	20/02/2018	Time in	09:30	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Management					
Lead officer's name	Ward, Adam					
Accompanied by						
Recipient's name/position	Ian McAllister/ TCM	Date issued	26/02/2018			

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	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1(a)
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
------------------------------------	----------	---	----------

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

Treherbert Recycling Centre Visit – 20th February 2018

This inspection was conducted in response to ongoing complaints about the permitted CA site regarding littering, poor security and noise issues.

Senior Environment Officer Adam Ward (NRW) met with Engineering Manager Ceri Evans (Amgen Cymru) to inspect the facility and discuss solutions to the potential problems. Thank you for taking the time to show NRW around site and answer our queries.

Litter

Having assessed the external perimeter of the site, there is clearly a minor litter issue in the area. The site is adjacent to the River Rhymney and it is accepted that litter sometimes collects on the banking of watercourse. However, it is reasonably foreseeable that some, if not all, of the litter and other waste deposits surrounding the site may be coming from the recycling centre.

It is important that you follow section 6.5 of your EMS (below) to ensure the risk of litter emanating from site is reduced as far as practicable. NRW accepts that adverse weather conditions may occasionally cause windswept litter, but it is important that you react to this in line with your procedures to ensure the amenity of the area is not affected by your operation.

6.5 Control of Litter

6.5.1 The site attendant shall maintain the facility in a tidy manner, ensuring that the site users transfer waste into the correct receptacles in a control manner. He / she will undertake handpicking or sweeping up of any litter that arises during daily operation, with the aim of keeping the site clean and tidy.

6.5.2 Site staff will identify any litter present within the site or litter which has blown beyond the site boundary.

6.5.3 In the event of a complaint relating to litter or the general cleanliness of the site, the CRC Manager shall be informed immediately.

Action: Please ensure your procedures are followed and updated to include boundary clean ups so that they are fit for purpose. All operational staff should be fully aware of these procedures and ensure they are followed systematically. This could include recording demonstrable evidence of clean ups, including before and after photographs and ensuring activities are recorded in the site diary.

Security

We have received complaints about several break-ins that have occurred at the premises and these have been confirmed by Amgen Cymru staff. It was also noted that there appears to be paint spillages and fly-tipped mattresses outside the site boundary as a result of break-ins.

NRW understands that this can be a difficult issue to resolve, but it is important that appropriate procedures are in place reduce its impact on the community and to help reduce the risk of it occurring in the first place. There should also be reporting and notification procedures for informing NRW and other relevant stakeholders, such as the Police and Local Authority.

Action: Please update section 3.4 of your EMS to include reporting and notification procedures for NRW and other relevant stakeholders. This will ensure you are compliant with Sections 4.2 and 4.3 of your environmental permit. You also ensure that section 3.4.5 (below) is complied with. The site diary will be check for compliance at future inspections.

Security Maintenance

3.4.5 The site's security infrastructure shall be inspected daily. An additional inspection will be carried out after any incident that may compromise the security of the facility, e.g. break-in.

Damage to the fences or gate will be repaired as soon as reasonably practicable. A record of all inspections, damage and repairs will be maintained in the Site Diary.

Noise

NRW intends to implement a joint approach to addressing potential noise issues with David Hart, Environmental Health Officer for the Local Authority (Rhondda Cynon Taff County Borough Council).

While we establish whether the noise caused by the site is causing a noise pollution or a statutory nuisance, we recommend that your operational procedures are addressed to ensure the risk of noise related issues are reduced.

Whilst on site, we discussed noise issues with a member of the public. There appears to be concerns over activities on site prior to 8am (although this may now have been dealt with) and the dropping and moving of skips.

NRW recommends exploring options for reducing impact of skips on the ground by using noise attenuation pads or adding additional layers of other material to the impermeable surface, such recycled tyre crumb or tarmac. You may also wish to explore the options of using matting in skips used to store heavy materials such as metals and stones etc, to reduce the impact when being deposited by customers. Site staff should also be conscious of the impact certain waste materials may have when they are entering site and consider advising customers to negate the impact where this may be causing an issue.

The above comments are a general guide for consideration and therefore it is important that Amgen Cymru hold internal discussions about possible options for making improvements long term. NRW will be able to support with these decisions as necessary and will continue to provide regular feedback to ensure you are achieving continual improvement.

Action: Please update your EMS to include proposed noise reduction and /or attenuation measures to reduce the risk of an adverse impact on the local community and submit to NRW.

Compliance

C2) Management – Management Systems and Operating Procedures

Permit Condition 1.1.1(a). – states that ‘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...'

On this occasion, the evidence of windswept litter and other waste deposits outside of the site boundary (possibly due to security issues) means that conditions 3.4.5 and 6.5 of your EMS have not been followed.

NRW has therefore scored a Category 3 (minor) breach against permit condition 1.1.1.

It is envisaged that by following updated procedures, the site will be able to achieve compliance in a timely manner.

Other Comments

As previously mentioned in **CAR_NRW0032668** issued on 4th January 2018, the site appears generally clean and well managed. Additional efforts are therefore required to ensure the site boundary is also managed to an equally high standard.

At the next inspection, we will be able to discuss noise issues in more detail with additional input from the Local Authority. The compliance and integrity of the sealed drainage system will also be checked.

If you have any questions regarding this CAR form, please contact Adam Ward on 03000 65 3149 or via email on adam.ward@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032946**

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

Site	Treherbert Community Recycling Centre	Permit Ref	AB3091HR
Operator/Permit holder	Cynon Valley Waste Disposal Co Ltd	Date	20/02/2018

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.

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			
C2	C3	Please ensure your procedures are followed and updated to include boundary clean ups so that they are fit for purpose. All operational staff should be fully aware of these procedures and ensure they are followed systematically. This could include recording demonstrable evidence of clean ups, including before and after photographs and ensuring activities are recorded in the site diary.	29/03/2018

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.