Compliance Assessment Report

Report ID:
CAR_NRW0033511

This form will report compliance with your permit as determined by an NRW officer					
Site	G L J Recycling Limited	Permit Ref	DB3097TJ		
Operator/Permit holder	G L J Recycling Limited				
Regime	Waste Operations				
Date of assessment	15/06/2018	Time in	10:30	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	Fire Prevention and Mitigation Plan				
Lead officer's name	Coleman, Craig				
Accompanied by	Ward, Adam				
Recipient's name/position	Colleen Andrews/ Technically Competent Manager	Date issued	20/06/2018		

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**
C2 - General Management - Management system and operating procedures	C3	3.4.1

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

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

G L J Site FPMP Audit (EPR/LB3093HH) – 15/06/2018

Environment officers Craig Coleman and Ward attended GLJ's facility in Cwmcarn on 15/06/2018 and met with Coleen Andrews; and Gareth Jones to perform an Audit on GLJ's Fire Prevention and Mitigation Plan The audit was focused around infrastructure, waste throughput and the stack sizes of the waste stored on site. Thank you for taking the time to meet us and to outline your current fire prevention methods and your plans to work towards meeting Natural Resources Wales guidance.

FPMP Review

There are several sections of your FPMP that need completing or updating to demonstrate exactly how your activities are or intend be compliant with NRW guidance. Below are several areas of the guidance which do not currently satisfy NRW's FPMP framework.

1. The amount and type of wastes that are received daily, including how they are managed.

   a. NRW understands that this is difficult to calculate in a dynamic waste operation and therefore, it is suggested that rough estimates are used using existing weighbridge data.
   b. Demonstrating how stockpiles are managed is important to ensure that waste is processed on a first in first out basis and ensuring the risk of waste self-heating is avoided.

2. Provide the maximum size of waste piles, stipulating maximum length, width and depth

a. Submit an updated site plan with the size, shape and location of waste stockpiles as part of your FPMP to demonstrate compliance with the guidance.
b. This could be provided in the site plans or a separate table that references each stockpile labelled in the site plan.

3. Submit an updated site plan with main access routes for fire engines, location of hydrants and water supplies, any watercourse, borehole or well located within or near the site, areas of natural and unmade ground.

a. The location of plant, protective clothing and pollution control equipment and materials drainage systems, foul and surface water drains, and their direction of flow and outfall points will also need to be outlined.
b. Areas where hazardous materials are stored (location of gas cylinders, process areas, chemicals, piles of combustible materials, oil & fuel tanks).
c. Demonstrate minimum separation/fire break distance required between all waste/baled waste stacks, and between buildings and waste/baled waste stacks.

4. Fire prevention techniques, incl. management of hotspots (signs of potential self-combustion), monitoring, reporting, recording and actions.

a. We accept that the nature of the majority of the material that you store on site is not prone to combustion. However, the shed at the North end of the site will require monitoring to check for hotspots and other signs of self-combustion.

5. Combustion products & emissions (to air, land & water) from the fire and emergency response (incl. impact on community, critical infrastructure and the environment) & how minimised.

a. The drainage of the site is of great concern, NRW are not satisfied that the site drainage will prevent pollution entering the Ebbw River in the event of a fire. The previous CAR form from 23/05/2018 requests that a construction quality assessment is undertaken to ensure that all fluid released on site flows through the sealed drainage system and any discharges to the water course are permitted

6. Maintaining contact details of sensitive receptors within 1km of your site.

a. This is a requirement of the updated FPMP guidance. However, for sites in high density areas with a large number of receptors (as with the case of GLJ Recycling), it may be unreasonable to expect provision of all contact details. In these circumstances we may agree a plan of action to be taken in the event of an incident that may affect those receptors.

a. If the plan involves other agencies such as Police/Local Authority/FRS/Public Health Wales evidence of agreement must be provided. We recommend that you discuss an appropriate method of engaging with the community with the relevant partners to ensure the impact from emissions to air is reduced as far as practicable.
b. Your agreement should be detailed in your FPMP.

Compliance

C2) General Management – Management Systems

Permit Condition – 3.4.1

(Category 3 Breach) A non-compliance which could have a minor environmental effect

During a previous visit it was noted that the size of the scrap piles on site were outside those outlined within the FPMP condition in your permit. The stacks are currently in excess of 4m in height and the distances between the stacks appeared to bet insufficient (separation distance depend on stack length). It was hoped that the stack heights would be remedied by the time of the next visit but due to constraints within the site this is an issue that may take some time to achieve compliance.

While NRW has scored a Category 3 breach against condition 3.4.1 on this occasion, we are offering to implement an agreed action plan that will allow us to suspend future scoring against the same condition while you achieve compliance. Scores will remain suspended if you complete the actions within agreed time scales. If you fail, to achieve compliance within the agreed timescales, all breaches will be unsuspended which may affect your compliance banding and subsistence fees. NRW will then have to consider a response in line with the Enforcement and Prosecution Policy.

Your Fire Prevention and Mitigation Plan does not meet Natural Resources Wales guidance which is the root cause of the breach. Outlined above are areas of Section 5 of the FPMP to focus on to come in to compliance. Please submit an updated FPMP document by 27/07/2018.

Fire Prevention and Mitigation Plan Audit

Several key issued were raised during the FPMP audit. The site has limited access to water in the event of a fire which would hinder South Wales Fire & Rescue in any attempt to tackle any incident. GLJ stated that they had also identified this as an issue and had begun looking at ways to mitigate the issue. The potential for a large water tank on site was highlighted as one solution or linking the site to the Dwr Cymru/Welsh Water network was another.

A future visit with South Wales Fire & Rescue was proposed to allow for an expert assessment to be made of the sites needs for access to vehicles and water in the event of fire and also to perform a more thorough audit surrounding site processes and fire plans.

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

Craig Coleman

03000 65 4363

Craig.Coleman@cyfoethnaturiolcymru.gov.uk

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			
C2	C3	Site is to submit an updated FPMP and site plan within specified deadline.	27/07/2018

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.