

Compliance Assessment Report

Report ID:
CAR_NRW0033668

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

Site	Bryn Pica Waste Operations	Permit Ref	AP3199FE		
Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd				
Regime	Waste Operations				
Date of assessment	21/06/2018	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	pest control, dust and cleanliness				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Lee Foulkes/ Technical manager	Date issued	23/07/2018		

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
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.1.1
F4 - Amenity - Pests/birds and scavengers	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Bryn Pica MRF AP3199FE

A site inspection took place on 21st June 2018.

Present – Lee Foulkes (Site), Richard Taylor (NRW).

Item	Discussion	Result
1. Permit variation	Site wish to add 2 new EWC codes to allow acceptance of new materials for processing in the MRF. The new waste streams are produced from the MRF but sent offsite to another company before being returned. There will also be a request to update the dewatering bay to include a new area for gulley sucker waste material.	Site to apply to NRW permitting for a variation to the existing permit. It is likely that the type of application will be a 'normal variation' to the existing bespoke permit. The current processing times for the variation are likely to be 4 months. Site need to be aware of this time delay and schedule any works around this. No acceptance of the new waste codes or use of the new extension can take place without a permit breach.
2. Site tour The site tour was conducted took a route of the sorting hall and viewed the site of the proposed mattress bay extension, plus a tour of the open sided sorting and bailing operation.	The extension is proposed to utilise the raised ground at the back of the current operation to keep the extension cool and sheltered.	
3. Birds Too many birds were seen on the site tour, mainly seagulls and crows. These were seen to be gaining free access to the waste piles under the roof of the bailing sheds.	The operation currently carries the risk of contaminated material being dropped by scavenging birds which introduce pathogens to nearby water bodies, crops, and animals.	NRW impose a Cat 3 breach of permit condition 3.4.1 for the excessive presence of the bird/pests.



Control of birds on site is recommended through the following actions which site need to evaluate.

1. Keep work area small with progressive covering of waste.
2. Use netting, together with the following suggestions for bird scaring.
 - flying birds of prey over the site
 - bird kites mimicking birds of prey
 - shell crackers - containing flare and bangers
 - rope bangers
 - gas cannons
 - scarecrows - fixed or mobile
 - amplified recordings of bird distress calls (species specific)
 - electronic sounds imitating calls of distress
 - bird corpses or dummies.

No site measures were in place to reduce/limit/prevent the bird presence on the site inspection. Therefore Site are required to put into place permit condition 3.4.2(a) to formulate a pest management plan which identifies and minimises risks of pollution from pests.

Due date – 1st Sept 2018.

4. General appearance of sheds.

There was an unacceptable quantity of uncontrolled rubbish over the concrete floor of the open sided sorting sheds as well as the immediate land surrounding this. There was a man present with a broom seen sweeping, plus there was evidence that the site had been picking litter from the neighbouring landfill site, but this was inadequate to prevent loose litter and dust from being blown from the vicinity and causing pollution.

Tighter control of the waste present needs to be carried out to minimise this form of pollution.

Lack of tighter control leads to the increase risk of windblown litter leaving site and creating a nuisance both visual and physical.

Site staff on the ground can also pick up pathogens from the waste for example by treading in it and then manually removing footwear prior to eating and drinking.

Recommendations for control.

1. You should manage accumulations of litter within the site and prevent litter escaping from the site by implementing the following measures;
 - Ensure incoming waste remains bailed/bagged/sheeted for as long as possible prior to sorting.
 - Emergency procedures to ensure the waste is secure in adverse weather. E.g., implement side netting.
 - Minimising the extent of the active area
 - Daily meteorological monitoring to plan operations.
 - Closure of the site to specific windblown wastes during adverse weather conditions, for example high winds.
 - Considering prevailing wind direction and strength and the proximity of receptors when working.
 - Installation of permanent and mobile litter fences around the active area.
 - regular inspections and collection of litter around the site boundary

NRW impose a Cat 3 breach for the excess uncontrolled litter and dust allowed to gather in the workplace.

This is a breach of permit condition 3.1.1 where the operator has not taken appropriate measures to control or minimise potential pollution.

Site are required to improve operations by the next site inspection.

An update on this issue is also due by 1st Sept 2018.

Uncontrolled waste is also a lure to pests and vermin.	and beyond; specifically, ditches, haul roads, water courses • deploying additional personnel to collect litter, as deemed necessary from inspections and monitoring.	
5. Unauthorised waste stream. 	A clear bag containing a reference to blood collection was seen in the facility. The label and bag by themselves was not a breach of permit condition, but the clinical origin of the waste was of concern. Clinical waste is not allowed on site, so the presence of this waste indicates that the route that this waste took to get to site needs to be examined so that any loopholes in the system can be tightened up. It was explained that there are several routes which this waste bag could come onto site which were all plausible, but the system in place requires an audit to examine its robustness.	Action – NRW to carry out a Waste acceptance audit within the next 3 months to examine the adherence to waste codes and the system in place for waste acceptance and checking.
Next Audit	The next audit will examine the site responses to the issues raised by this CAR form as well as analysing the waste acceptance system.	Next audit 20th Sept 2018. (Please confirm)
End.		

EPR Compliance Assessment Report

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Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd	Date	21/06/2018

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
F3	C3	Review current operations	01/09/2018
F4	C3	Review recommendations made within CAR form	01/09/2018

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.