# Compliance Assessment Report

**Report ID:**
**CAR_NRW0033693**

| 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 | 11/06/2018 | Time in | 14:30 | Out | 16:00 |
| Assessment type | Site Inspection | | | | |
| Parts of the permit assessed | Operational area | | | | |
| Lead officer's name | Tye, Laoni | | | | |
| Accompanied by | Goddard, Hannah | | | | |
| Recipient's name/position | Nigel England and Carl Jones/ Director and TCM | Date issued | 27/07/2018 | | |

## 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** |
|---|---|---|
| C2 - General Management - Management system and operating procedures | C2 | 1.1.1 |
| C3 - General Management - Materials acceptance | C2 | 2.2.1 |
| C4 - General Management - Storage, handling labelling and Segregation | O | 2.3.1 |
| F2 - Amenity - Noise | 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** | **2** | **Total compliance score** (see section 5 for scoring scheme) | 62 |

**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

Environment officers Laoni Tye and Hannah Goddard visited site on the 11th June 2018 to conduct an inspection. The visit was unannounced and we met with site TCM Carl Jones. Nigel England was on site and spoke to us briefly but did not accompany us on the visit. The weather was warm and dry. There were numerous breaches recorded. These breaches were discussed on site and the actions advised at the time. There have been additional visits to the site since the issuing of this CAR form. These however were part of an investigation which is being dealt with separately and will not be recorded on a CAR form.

**C2 – Management systems. Category 2 breach.**
Condition 1.1.1 states that the operator shall manage and operate the activities a) in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operators, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

And

condition 3.4.1 states that the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

**Hangar A – Stack sizes and lack of fire breaks**

Hangar A had larger volumes of waste than has been seen on previous visits. There was a large stockpile to the right hand side of the hangar (looking down from main entrance) made up of a mix of baled plastics, cardboard and loose wastes which measured a length of 78 steps (approximately 58.5 metres). There were no fire breaks. There were some concrete partitions set up to form bays but waste was piled high above the walls and they are therefore deemed to be ineffective. The stockpile went back under the alcoves and in width measured approximately 36 steps (approximately 27 metres). This is not in line with the FPMP as set out by the site or is it in compliance with relevant guidance on fire prevention and mitigation. Maximum lengths and widths for bales and loose wastes within that hanger are 10x10 and this is therefore well in exceedance.   When we went under some of the alcoves there were bales of plastic which we were told by Carl would have likely been there for more than 3 months. They were pushed to the back, there was no evidence waste was being managed on a first in first out basis.

**Action:** Stack sizes should be reduced and fire breaks put in inline with your FPMP.
**Visits conducted since have not seen a consistent improvement in regards to this. Visits on the 20th of July saw large stockpiles of cardboard stacked too high and not properly separated**

**Hangar A – mixed waste**

There was mixed municipal type waste within the hangar, some in piles on the floor and some within wheelie bins at the entrance to the hanger. Flies could be seen all around the bins and there was an odour present. The packaging showed this was commercial mixed waste. This waste should not be coming onto site. This is combustible waste that we have been advised by yourselves will not be coming onto site and it is not included within your FPMP.

Carl Jones agreed that the hangar was not being managed as it should and that the mixed waste should not be on site or stored within the hanger. Carl did not appear to know that it was on site or why it was there.

**Due to the date of issuing this CAR form, a visit made on the 20th July has confirmed that the mixed waste has been removed from site**

**Hangar B**

The concrete pad of hangar B had additional wastes stored on it. This area is under notice for waste from the fire in February 2017 to be removed and taken off site. However, there were piles of construction and demolition type waste, scrap metal, waste IBC's which had been deposited on the pad. Further details of this is included in the breach below under materials acceptance.

This has been escalated to a category 2 breach due to the poor management of waste witnessed across the site.

**C3 – Materials acceptance. Category 2 breach.**

Condition 2.2.1 states that waste shall only be accepted if:
a) it is of a type and quantity listed in table 2.2 below; and
b) it conforms to the description in the documentation supplied by the producer and holder.

On the concrete pad of hangar B there was a half-sealed skip which was difficult to see into but we now know to be containing asbestos. Asbestos is a hazardous waste and is not a permitted waste code. The asbestos was not bagged and the skip not sealed which poses a greater risk to the environment and human health. This should not have been accepted onto site.

**Action:** All asbestos to be removed from site and taken to an authorised facility.

There was a white granular type of waste in a pile adjacent to the IBC's which we were advised by Carl was shotblast. It was white with a slight purple which we were told was the 'siteserv colour'. We now know this waste has the potential to be a hazardous code in which case it would need to be analysed. We were advised following the visit that it came onto site as EWC 200301, mixed municipal waste which is not appropriate coding. This should have been identified and rectified as it arrived onto site. This should have been segregated as unpermitted waste and not stored in an area where waste is being moved around and processed.

***28th July visit - Shotblast waste had been moved somewhere and Carl unknown as to the location. The IBC's that were stored adjacent to this waste were seen mixed into the hangar B fire waste**

This has been scored as a category 2 breach due to the risk of the wastes that have been brought onto site and the fact that they were not managed properly, leading to a potentially significant impact on people and the environment.

**Action:**

- Please provide any documentation you have of the shotblast waste leaving site.
- Please provide information on the process in which it was produced
- An investigation into how these wastes were able to come onto site should be conducted. Any issues should be rectified and appropriate improvements put in place to ensure this does not occur again. A copy of the investigation to be provided to Laoni Tye.

**C4 – Storage handling labelling and segregation. Category 3 breach. **Ongoing non-compliance, not scored****

Condition 2.3.1, table 2.3 states that unless stored or treated outside as specified waste:
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

Specified waste shall be stored and treated on hard standing or on an impermeable surface with a sealed drainage system.

There are large volumes of waste stored outside of a building which is not in line with this condition. There is the fire damaged waste of hangar B which is currently under notice to be removed by August 31st 2018.

There are stockpiles of fines currently stored on hard standing outside of the building which is also not in line with the permit conditions. These fines have been in situ for a number of years and require removal. A notice to require their removal will be served in due course.

**Photographs**

If you have any questions about the content of this CAR form please get in touch with Laoni Tye.

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|---|---|---|---|
| Site | Site Serv Recycling Ltd | Permit Ref | JB3893HP |
| Operator/Permit holder | Siteserv Recycling (sw) Limited | Date | 11/06/2018 |

## 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.

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 | O | Remove from site | 31/08/2018 |
| C3 | C2 | See comments section | 31/08/2018 |
| C2 | C2 | See comments section | 03/08/2018 |

## 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.