

Compliance Assessment Report

Report ID:
CAR_NRW0023742

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

Site	Rassau Recycling Facility EPR/EP3230BW	Permit Ref	EP3230BW		
Operator/Permit holder	Envirowales Ltd				
Regime	Installations				
Date of assessment	06/06/2016	Time in	09:30	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	As Indicated in Compliance Report				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Mr Brian Kelly/ EHS Director	Date issued	08/07/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
C1 - General Management - Staff competency/training	A	
D1 - Incident Management - Site security	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

NOx – Oxygen Correction 3 %

On the basis of the BREF, table 5.10 on page 521, where it states Nitrogen oxide measurements are not relevant for Refining and Battery Breaking, We would advise that as long as the historic measured NOx values were compliant with the ELV (not taking into account the 3% oxygen correction), and you can demonstrate that NOx emissions are stable, then monitoring NOx could be taken off your permit in the future. You would also need to show on going compliance before a final decision is made.

The other option, is to change the reference oxygen value from 3% to a value more representative of what is present inside A5 duct during normal operating conditions. However, in view what the BREF says for this, it would make more sense just to take NOx off the permit (dependant on the current emissions levels/variations/compliance). So we have a few factors to take into account.

Please see attached link to the non-ferrous BREF

http://eippcb.jrc.ec.europa.eu/reference/BREF/NFM_Final_Draft_10_2014.pdf

Hazardous Waste Producer Checks

Further to your query about what checks we would now reasonably expect you to do after the removal of the requirements for Hazardous Producer Premises Registration in England from April this year.

Firstly I would say that as hazardous waste producers are still required to register in Wales you should continue to checks these premises codes here;

<https://hazwasteregistrations.naturalresources.wales/hazwaste/publicregister/search>

With the removal of the requirement for premises codes in England I appreciate it is no longer possible to check the producer's details through the premise code. Therefore the waste producer details contained in Part 1 of the Consignment Note is the key information on the origin of the waste so I would expect that regular checks are carried out to ensure that this information has been fully completed and that address matches the postcode entered. If the consignment note is fully completed and accurately describes the

waste types, quantities and transfer then I would be assured that you have applied due diligence in your checks and assessment of the waste battery inputs covered by your ABTO.

Discharge of Treated Effluent to Controlled Waters

Our Initial thoughts for changing the current discharge to mains sewer (NRW's preferred option). Is to why do they want to change this, you will need to undertake an assessment to justify this change as you are within a sewered area and are currently discharging to mains sewer you will need to have a robust argument, which we would assess to justify discharging to environment.

Also with this type of trade application, it is the applicants' reasonability to produce a H1 Risk Assessment, screening out all potential substances. Without this we cannot assess impact, or set any limits.

Please note that there are many changes coming with the non-ferrous sector as per the BREF link I have previously sent you. Shortly you will be receiving notification to begin the transition in accordance with the Industrial Emissions Directive (IED) which may change or re-evaluate the issues discussed above.

EPR Compliance Assessment Report

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Operator/Permit holder	Envirowales Ltd	Date	06/06/2016

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			

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.