

Compliance Assessment Report

Report ID:
CAR_NRW0000016

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

Site	Sims Group U K Ltd (fridge Plant)	Permit Ref	KP3195FW			
Operator/Permit holder	Sims Group U K Ltd					
Regime	Waste Operations					
Date of assessment	26/01/2016	Time in	09:50	Out	10:50	
Assessment type	Check Monitoring/Sampling					
Parts of the permit assessed	Operational and sampling					
Lead officer's name	Moggridge, Lara					
Accompanied by	Jowett, John,Willey, David					
Recipient's name/position	Tony Hiles/ Site Manager	Date issued	11/04/2016			

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	
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates/litter	A	
F4 - Amenity - Pests/birds/scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	Table 1.4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to the Environment Agency	C4	Condition 3.3 and 4.2.2

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	0.2
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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

26th January 2016

Site visit was undertaken to witness the sampling undertaken required by the permit.

Officers Lara Moggridge and John Jowett met Georgina Sidney and Tony Hiles from SIMS, as well as Hayden Pucknell from Minton, Treharne and Davies Ltd.

Officers witnessed Hayden Pucknell take samples from the foam and plastic collection bags, and the metal bay. Oil was sampled from the double bunded oil tank into a glass bottle. Gas samples were collected in inflatable plastic sample bags from the substation room, from detachable pipes which were described as the last possible place to take the samples before the emission stack (emission points 3 in Schedule 7 of the permit). Plant 2 was not operational at the time so gas samples were only collected from Plant 1.

Emissions readings were taken down from the substation monitoring point, at the same location as the samples were gathered. The readings were:

R11 – 142 mg/m³

R12 – 18 mg/m³

Emissions readings were also taken from the continuous monitoring station, at the feeder area to the stage 2 plants. This station is constantly manned by a SIMS employee. The readings here were:

R11 – 32.1 mg/m³

R12 – 180.8 mg/m³

The discrepancy between the two readings was given as an hour's lag between the substation and the manned station. **Action:** *please could you provide written explanation for the reasons why there is an hour's lag between the two points. It is recommended this information is included in the sampling protocol or operating techniques. Please provide this information to David Willey by 4th April.*

In order for NRW to see whether or not your results are compliant with permit requirements the sampling protocol and/or results should include the appropriate information on how you convert mg/m³ to g/hr for reporting. In order to do this we would expect to see information such as calculations explaining the conversion which would account for the volumetric flow rates, temperature and other contributing factors.

G4: Reporting and Notification – C4; Condition 3.3, Tables 1.3, 1.4 and 3.1

Permit condition 3.3 and tables 1.3, 1.4 and 3.1 detail the requirement to submit results of the sampling within one month of the sampling exercise being undertaken. In November 2015 sampling was undertaken on the 30th November 2015, but results weren't submitted to NRW until 20th January 2016. In January the sampling was undertaken on the 26th January but were not submitted to NRW until the 2nd March 2016.

Please ensure you submit the results within one month of the sampling being undertaken.

G1: Monitoring of emissions and the environment – C4; Table 1.4

The results, once submitted were reviewed and were found to be mostly compliant with the permit requirements. The foam on the plastic sample from plant 1 was slightly higher than the pre-destruction requirements in Table 1.4, at 1.3%w/w

3rd March 2016

Officers David Willey and Lara Moggridge attended site for a handover. David Willey will be your new regulating officer. Officers met SIMS Environment Advisor, Georgina Sidney, and site management.

G4: Reporting and Notification – C4; Condition 4.2.2

In the meeting prior to the site visit, Georgina Sidney confirmed that the annual report for permit condition 4.2.2 had been submitted. The permit condition requires this report to be submitted by 31st January, and was submitted on the 26th February.

The C4 breach for criteria G4 is for the late submission of the sampling results and this report.

It was confirmed during the meeting that a new Regulation 60 notice will be served for the requirement of pollution inventory reporting, due to a change in requirements for Welsh sites.

The site was operating at full capacity during the visit. Stage 1 and 2 processes were viewed, and the capture of oils and gases from the process was explained. It was confirmed that the site also have two discharge consents, one for the package treatment plant and one for the interceptor's discharging to the Docks. The storage bay for compressor pots was almost full to capacity, and there was residual oil seen around the edge of the bay. Georgina Sidney confirmed that the bay has its own sealed sump which is emptied separately.

Please forward all future reports, including monthly sampling results reports and Performance 1 quarterly reports, to Elizabeth.Parr@cyfoethnaturiolcymru.gov.uk

EPR Compliance Assessment Report

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Operator/Permit holder	Sims Group U K Ltd	Date	26/01/2016

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			
G4	C4	Ensure reports and sampling results are submitted as required by the permit	11/03/2016
G1	C4	Ensure the plant is operating efficiently to ensure the destruction standards are met as per the permit	11/03/2016

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.