

Compliance Assessment Report

Report ID:
CAR_NRW0034215

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

Site	G L J Recycling Ltd		Permit Ref	EB3232AV		
Operator/Permit holder	G L J Recycling Limited					
Regime	Waste Operations					
Date of assessment	05/11/2018 - 14/11/2018		Time in	16:10	Out	11:45
Assessment type	Site Inspection					
Parts of the permit assessed	Assessed part of permit					
Lead officer's name	Coleman, Craig					
Accompanied by						
Recipient's name/position	Gareth Jones / Director		Date issued	23/11/2018		

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
C3 - General Management - Materials acceptance	C3	Permit Condition 2.2.1
D1 - Incident Management - Site security	C3	Permit Condition 1.1.1
E1 - Emissions - Air	C3	Permit Condition 3.1.1

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	3	Total compliance score (see section 5 for scoring scheme)	12
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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

GLJ Recycling – Crosskeys (EB3232AV) – 05/11/2018 – 14/11/2018

Environment officer Craig Coleman attended the GLJ Recycling facility in Crosskeys, Caerphilly County Borough, on 05/11/2018 in response to a report of a fire at the site, and again on 14/11/2018 to assess the extent of pollution at the site. The site is currently closed and is in the process of applying for surrender.

(C3) Materials Acceptance: Permit Condition 2.2.1

A Category 3 breach has been scored against this condition.

Permit condition: 2.2.1 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.

The GLJ site at Crosskeys is not permitted to store the waste from the mechanical treatment of waste, referred to as fines (EWC 19 12 12). Under table 2.2 of the permit, this site is restricted to material under European Waste Codes 16 01, and 16 06. At present there is a large pile of waste fines currently stored on site, this waste was highlighted by Environment Officer Alex Bowder on 25/01/2018 (CAR_NRW0032777), who was informed that the material was to be relocated to the GLJ Facility at Cwmcarn, 10 months has now passed.

There are also large piles of aggregate which has vegetation growing through it and other metallic waste not from the depollution of vehicles currently being stored on site, this material will need to be removed from site along with any other material before surrender of the site can take place.

Action: All waste not specified in permit table 2.2 is to be removed to an authorised treatment facility by **21/12/2018**; and evidence of transfer provided to Craig Coleman.

(D1) Security: Permit Condition 1.1.1

A Category 3 breach has been scored against this condition.

Permit condition: 1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

The site is currently unsecured to the public. There are bollards on the entrance road that prohibit entrance to the site by vehicles, but the site is free to access by members of the public by foot. The site gates upon both visits were open and the boundary fencing parallel to the road was collapsed. Free entrance and egress to the site is a comprehensive factor in the fire incident on 05/11/2018 as members of the public were able to gain easy access to the waste material being stored in the skip at the entrance of the site. We were advised by Colleen that after the fire on the site on 05/11/2018 was controlled by South Wales Fire & Rescue, members of the public were discovered to have broken in to the site on the morning of 06/11/2018 re-igniting the fire.

Action: Please provide Natural Resources Wales with your plans to comply with this condition to ensure the site is secure by **07/12/2018**.

(E1) Emissions Air: Permit Condition 3.1.1

A Category 3 breach has been scored against this condition.

3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

An unauthorised fire, burning waste material from the site was lit on 05/11/2018. This fire caused a considerable smoke plume which left site and caused poor visibility along the A467 during a period of peak traffic volume. The fire on site was an eminently avoidable issue as Environment Officer Alex Bowder had highlighted that wood waste was being stored on site in the skip on his visit on 25/01/2018 (CAR_NRW0032777).

Burning of waste is an offence under section 33(1)(c) of the Environmental Protection Act 1990, treating, keeping or disposing of controlled waste or extractive waste in a manner likely to cause pollution or harm human health. It is your duty of care as a waste producer to ensure all waste is stored, transferred and disposed of appropriately. Please see the link below which provides information on your duty of care:

<https://www.gov.uk/managing-your-waste-an-overview>

A warning letter 181122-EB3232AV has been served along side this CAR form.

Action: All waste relating to the fire is to be removed from the site by **21/12/2018**; and evidence of transfer provided to Craig Coleman.

Other comments

Surrender

Natural Resources Wales take a life time approach to surrendering permits where the compliance of the site throughout its operational history is taken in to account. We require land and groundwater to be protected at all times through the life of a permit. Pollution must have been prevented from entering the environment, any spills or releases must have been cleaned at the time of the event and accurate records kept; If it is not sustainable or practical to remove contamination that occurs during the life of the permit, then you should remove it as far as is practicable and be prepared to take further steps, if necessary, as part of the surrender process.

As such the condition of the site will need to be evaluated to determine if the site falls in to the category of a low risk or full surrender. The history of the site will be taken in to consideration and an on site inspection to determine if any pollution has entered the local environment. If the site has a good working history and no apparent pollution has entered the local environment then it could be considered for a low risk surrender. If the site is deemed to have allowed pollution to enter the local environment, with no evidence to prove that it was acted upon or remedied at the time, it will likely require a full surrender. Intrusive monitoring may need to be undertaken to assess the impact on receptors in the area at the cost of the operator. Please refer to Natural Resources Wales [Regulatory Guidance Note 9](#) for more detail on this process. A site condition [report](#) will need to be completed to begin this process.

Craig Coleman

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In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034215**

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

Site	G L J Recycling Ltd	Permit Ref	EB3232AV
Operator/Permit holder	G L J Recycling Limited	Date	05/11/2018

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			
E1	C3	Action: All waste relating to the fire is to be removed from the site by 21/12/2018; and evidence of transfer provided to Craig Coleman.	21/12/2018
D1	C3	Action: Please provide Natural Resources Wales with your plans to comply with this condition to ensure the site is secure by 07/12/2018.	07/12/2018
C3	C3	Action: All waste not specified in permit table 2.2 is to be removed to an authorised treatment facility by 21/12/2018; and evidence of transfer provided to Craig Coleman.	21/12/2018

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.