

Compliance Assessment Report

Report ID:
CAR_NRW0033097

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

Site	Linton Yard	Permit Ref	AB3294ZQ		
Operator/Permit holder	Recycling Equipment (UK) Limited				
Regime	Waste Operations				
Date of assessment	22/02/2018	Time in	09:30	Out	11:15
Assessment type	Audit				
Parts of the permit assessed	Permitted Operations				
Lead officer's name	Davies, Gareth				
Accompanied by					
Recipient's name/position	Gary Samuel/ Director	Date issued	28/03/2018		

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
A1 - Specified by permit	C3	2.1.1 / Table S1.1
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1(a)
C3 - General Management - Materials acceptance	C3	2.3.2(a) and Table S2.1
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	4	Total compliance score (see section 5 for scoring scheme)	12.1
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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

Present

Gary Samuel (GS) - Recycling Equipment (UK) Ltd (REL)
Gareth Davies (GD) - Natural Resources Wales (NRW)

This was an un-announced visit, the purpose of which was to assess compliance of the environmental permit, reference EPR/AB3294ZQ held by REL. A number of points highlighted below have been included following further review of the environmental permit and observations and activities noted on site during the site visit.

A site tour was undertaken followed by a discussion within the site office.

Waste Storage and Treatment

The treatment of waste was being undertaken in 2 main areas on site. Mixed waste is deposited and then treated within the main building on site. At this point the machine is used and recyclates are removed such as cardboard, wood, metal, hard plastic and plastic film. GS confirmed that a bund has been installed around the edge of the building as highlighted during the last inspection. Although minimal there was some waste being stored outside of the building boundary. Please ensure that all waste is stored within the boundary of the building. GS confirmed that this would be brought inside the building. The storage within the building can be seen in the photographs below:





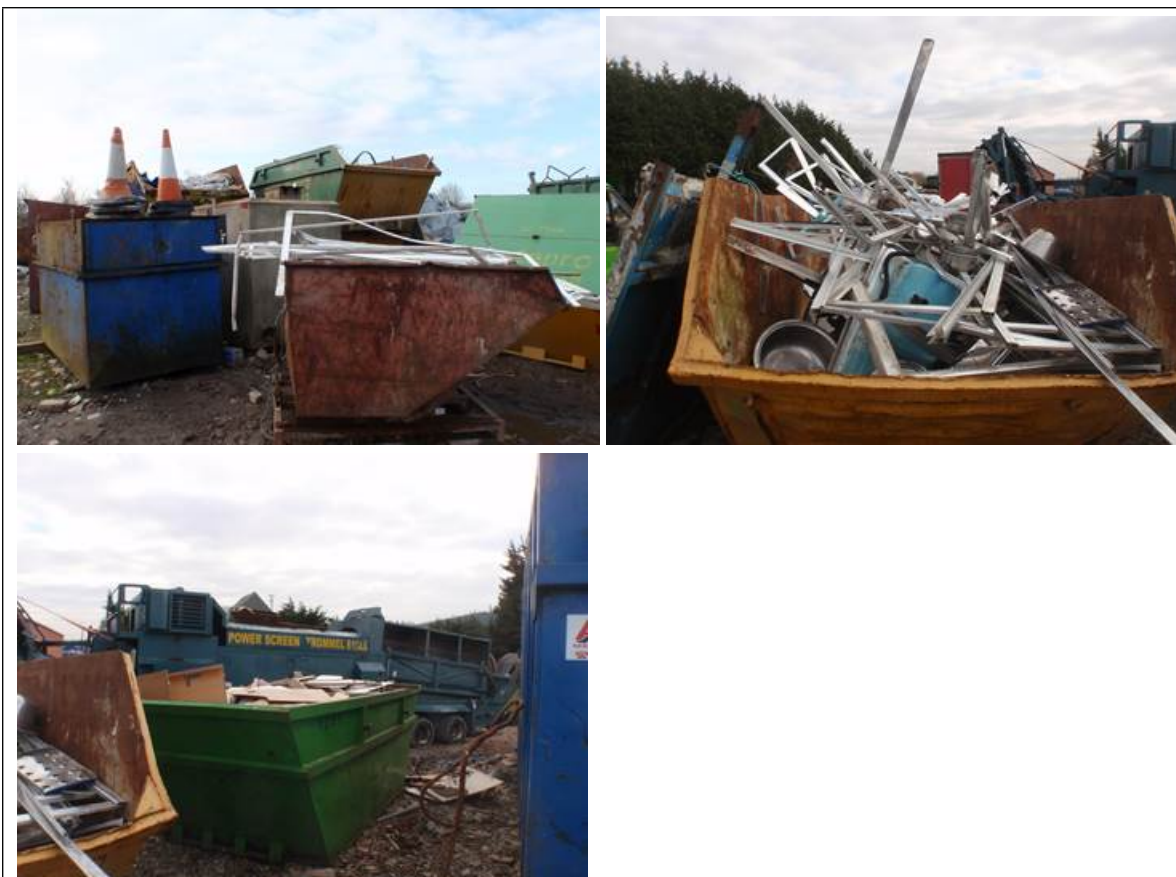
In a separate area , a concrete pad had been installed along with a sealed sump. The sump was not inspected during the visit. On this concrete pad REL were storing and chipping/shredding waste wood prior to removal off site. This area can be seen in the photographs below:



The photographs show that this activity was being carried out in the open and not inside a building. Upon review of the permit following the site visit, Table S1.1 of Schedule 1, limits of activities states that: "All waste must treated, and stored prior to treatment within a building on an impermeable surface with sealed drainage to sump." The storage and treatment of the waste wood in the current area and not in a building is a breach of condition 2.1.1 that states 'The operator is only authorised to carry out the activity specified in schedule 1 table S1.1 (the "activities")'.

Further to this the chipping/shredding treatment activity is not one that is listed within the Limits of activity in Table S1.1. The only treatment operations permitted are manual and/or mechanical, sorting and/or separation and the bulking up for onwards transfer.

During the inspection a number of waste skips were being stored off the impermeable pavement and on the hard standing area. These included metal skips, wood skips and skips containing plasterboard. These were not being stored in accordance with the storage requirements outlined in Table S1.1. GS confirmed that these would be placed in the appropriate area. Photographs of the waste skips can be seen below.



These breaches of condition 2.1.1, namely Table S1.1 have been scored a CCS3 under A1 Permitted activities - Specified by permit.

Action: Please provide a date to be agreed with NRW, by which REL confirm their intended action for the storage and treatment of waste wood in the area highlighted above by 13 April 2018. There are a number of potential options, such as cease storage and treatment of waste wood in this area or varying the permit to include the activities currently being undertaken.

Waste Types

- Following a review of the environmental permit, it was noted that plasterboard was being accepted on site which is not included within the permit. There were a number of loads of plasterboard that had been accepted on site. These can be seen in the photographs below. Plasterboard has the EWC Code of 17 08 02 - gypsum-based construction materials other than those mentioned in 17 08 01 MN.



The acceptance of waste not permitted in Schedule 2 of permit reference EPR/AB3294ZQ is a breach of condition 2.3.2(a), Table S2.1 and has been scored a CCS3 under C3 General Management - Materials acceptance.

Action: Please provide a date to be agreed with NRW, by which REL confirm their intended action with regards to gypsum based construction material by 13 April 2018. There are a number of potential options, such as ceasing acceptance of the waste or varying the permit to include the waste type.

Waste Returns

A number of observations were made of the waste returns submitted by REL. These are summarised below:

- When waste is removed from site it is generally expected that it will have a 19 Code attributed to it as it has been through the waste management treatment facility. Waste codes removed since operation include 200301 and 170407.
- Plasterboard accepted that is a non-permitted waste type.
- Mixed waste received in Q2 of 2017 from Carmarthen and Swansea has an incorrect code 020301 instead of 200301.

GD confirmed that we have not received waste returns for Quarter 4 of 2017 (Oct-Dec). GS confirmed that he would chase this up with Ifon Jones their consultant. Following a further check this was confirmed. Failure to submit waste returns with that required timescale is a breach of condition 4.2.2. This has been scored a CCS4 under G4 - Monitoring and records, maintenance and reporting - Reporting & notification.

Action: Please provide a date to be agreed with NRW, by which, the outstanding waste returns shall be submitted to NRW by 13 April 2018.

Written Management System

The environment management system dated January 2017 (GS/ems/1) has waste acceptance and segregation of non-permitted waste sections contained within it. Following the non-compliances observed during the site visit and following further review of the written management system, it was evident that the procedures in the written management system, most notably waste acceptance were not being adhered to. This a breach of condition 1.1.1(a) in that the written management system has not been followed. This has been scored a CCS3 under C2 General Management - management system & operating procedures.

Hazardous Waste Consignee Returns

It was noted that hazardous waste had been accepted on site, notably asbestos as permitted. Following a review of our records, we have not received consignee returns. Please ensure that consignee returns are submitted as well as waste returns when accepting hazardous waste. Further information can be found via the link below.

<http://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/hazardous-waste-returns-1/?lang=en>

Any criteria not assessed in the summary shall be considered as not assessed.

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 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment

Agency in Wales.

END

EPR Compliance Assessment Report

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Site	Linton Yard	Permit Ref	AB3294ZQ
Operator/Permit holder	Recycling Equipment (UK) Limited	Date	22/02/2018

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			
C3	C3	Please provide a date to be agreed with NRW, by which REL confirm their intended action with regards to gypsum based construction material by 13 April 2018. There are a number of potential options, such as ceasing acceptance of the waste or varying the permit to include the waste type.	13/04/2018
C2	C3	Please provide a date to be agreed with NRW, by which REL confirm their intended action with regards to compliance and updating the written management system by 13 April 2018.	13/04/2018
A1	C3	Please provide a date to be agreed with NRW, by which REL confirm their intended action for the storage and treatment of waste wood in the area highlighted above by 13 April 2018. There are a number of potential options, such as cease storage and treatment of waste wood in this area or varying the permit to include the activities currently being undertaken.	13/04/2018
G4	C4	Please provide a date to be agreed with NRW, by which, the outstanding waste returns shall be submitted to NRW by 13 April 2018.	13/04/2018

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.