

Compliance Assessment Report

Report ID:
CAR_NRW0034131

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

Site	Unit 2	Permit Ref	RB3993HH		
Operator/Permit holder	Siteserv Recycling (SW) Limited				
Regime	Waste Operations				
Date of assessment	06/09/2018	Time in	14:05	Out	14:10
Assessment type	Site Inspection				
Parts of the permit assessed	Storage area				
Lead officer's name	Tye, Laoni				
Accompanied by	Dearle, Nessa				
Recipient's name/position	Nigel England and Carl Jones/ Director and TCM	Date issued	14/12/2018		

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
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	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

Environment officers Laoni Tye and Nessa Dearle visited site on the 6th September 2018. We did not enter the site as it was closed and secured but we observed from the site boundary. The purpose of the visit was to assess compliance with the Regulation 36 notice, issued on the 13th September 2017. The notice was issued due to the breach of permit condition 2.1.1 which states that all waste unless otherwise specified shall be stored and treated inside a building upon an impermeable surface with sealed drainage. According to the site operator there was approximately 400 tonnes of waste left on site stored outside of a building, most of which was missed waste from a previous fire and mixed waste fines.

The site was required to take the steps set out in Schedule 1 of the notice which stated that: All waste stored outside of the building to be removed from site and taken to an authorised treatment facility by the 31st August 2018

On inspection of the waste facility on the 6th September, we could see that waste had been cleared and the site was empty and secured. We are therefore no longer scoring a breach against condition 2.1.1. However, the waste fines were not taken to an authorised facility in line with the compliance notice, as they were taken to Siteserv Recycling (SW) Limited, Hangars A and B, permit number EPR/JB3893HP. This site is not authorised to take this waste and is therefore not considered an authorised facility. This notice is therefore not considered to be complied with and as discussed with site TCM Carl Jones on the 6th September, we will now be considering our enforcement response to the matter.

Waste transfer notes

We requested the waste transfer notes showing all waste removed from Unit 2 and the authorised facility it was taken to, which we received delivered by hand on the 3rd September 2018. On going through the notes, only 8 of the 17 different loads were associated with Unit 2 which amounted to 159 tonnes of mixed waste (191212) removed to FCC, Pwlltywatkin. All other waste transfer notes showed the outlet site as EPR/JB3893HP. We have been advised by the sites TCM that this was an error made by the weighbridge operatives due to there being two different sites working from the same weighbridge. We are not breaching you, but you must ensure that waste inputs and outputs are correctly documented and that all staff are properly trained. Failures in this area means that the evidence could not be supplied to NRW and in which case we cannot confirm where all the waste has been removed to.

We are now considering this site closed and non-operational as all waste has been removed. Should there be any changes to this then please notify your regulatory officer.

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

Photographs



EPR Compliance Assessment Report

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Operator/Permit holder	Siteserv Recycling (SW) Limited	Date	06/09/2018

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.

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 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.