

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

Site	D B C Recycling Facility	Permit Ref	FP3695LM		
Operator/Permit holder	D B C Site Services 2005 Ltd				
Regime	Waste Operations				
Date of assessment	08/02/2017	Time in	11:30	Out	12:20
Assessment type	Audit				
Parts of the permit assessed	See below				
Lead officer's name	Ellar, David				
Accompanied by	Davies, Gareth				
Recipient's name/position	Dennis Connor/ Director	Date issued	17/02/2017		

### 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 - Infrastructure - Specified by permit	C3	2.3.2
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.3.1

**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.

<b>Number of breaches recorded</b>	<b>2</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>8</b>
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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

Officers were accompanied by a site operative during the inspection.

Unfortunately Mr Connor was unavailable during the visit but David Ellar did speak to him on the telephone during the visit and explained some of the issues highlighted on site and now detailed in this report.

### **General:**

The site was very busy but generally well managed and with good segregation of waste types. Some permit breaches were identified and they are detailed below:

### **Permit Breaches**

#### **Impermeable surface:**

The impermeable surface was worn and cracked in several places. This is a breach of the permit and has been recorded as a Category **3 non-compliance**. This issue was highlighted during our last inspection on the 16 September 2015 when Mr Connor explained that they had a problem in the past but there was now a management programme in place and the damaged area would soon be repaired. This was over a year ago improvements have not been made and the surface is now considerably worse. Mr Connor did explain on the telephone during the visit that repairs had not been undertaken as a variation to the permit and a change of operations at the site are being considered. If the damaged areas of the impermeable surface are to be used they must be repaired and maintained.

Photograph showing damaged impermeable surface:



### **Advice and guidance**

#### **Unpermitted waste types**

During the visit a skip full of gas cylinders and 2 skips of mixed 'general' waste were seen. Both of these waste types are not permitted to be on site. This is a breach of the permit and has been recorded as a Category **3 non-compliance**. Please ensure that all unpermitted waste types are quarantined and removed from site as detailed in your EMS.

Photograph showing unpermitted waste types on site:



#### **Storage of drained liquids in ELV area**

Several IBC's and metal drums are located on a metal bund tray at the rear of the ELV area. Whilst broadly compliant with your permit and the EMS this can be significantly improved to reduce the risk of pollution. You could consider using smaller containers, this would eliminate the need to stack one on top of another.



#### T4 waste exemption

The site benefits from a T4 waste exemption which allows it to bulk up recyclates such as glass and cans. The terms of the exemption say that 'the waste arrives unmixed with any other waste'. There was evidence that the glass and cans arrive to site mixed together. This is not permitted under the exemption. Please ensure that all wastes received by the site under the waste exemption are single waste types.

Ends.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0031155**

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### 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			
B1	C3	Repair and maintain the impermeable surface to ensure its integrity.	31/07/2017
A1	C3	Unpermitted waste types such as gas cylinders must be quarantined and removed off site as detailed in 2.2.3 of your EMS	03/04/2017

## 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](mailto: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.