

Compliance Assessment Report

Report ID:
CAR_NRW0026442

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

Site	Cymmer Household Waste Recycling Centre	Permit Ref	FB3539DV			
Operator/Permit holder	F C C Waste Services (U K) Limited					
Regime	Waste Operations					
Date of assessment	06/09/2016	Time in	11:00	Out	11:45	
Assessment type	Audit					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Medcraft, Jodie					
Accompanied by	Morgan, David					
Recipient's name/position	James Reseigh/ Acting TCM	Date issued	14/10/2016			

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
B4 - Infrastructure - Containment of stored materials	C3	D1. 4 Waste Handling
C2 - General Management - Management system and operating procedures	C3	B6.1 Working Plan
C4 - General Management - Storage, handling labelling and Segregation	C3	C3.1 Bunding
D1 - Incident Management - Site security	C3	C2 Site Security

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)	16
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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

Jodie Medcraft – Natural Resources Wales

David Morgan – Natural Resources Wales

Mark Price – FCC Wales Services (UK) Limited

The purpose of this inspection was to assess compliance of FCC Wales Services (UK) Limited with their environmental permit EPR/FB3539DV.

A tour of the site was carried out with Mark Price (FCC Employee) during which it was noted that the site was not very well organised. General housekeeping on site was of a low standard and it seemed evident that there is inadequate storage/waste containment available given the high amount of waste regularly disposed of at the site.



There have recently been a number of break-ins at the site which has resulted in areas of the steel palisade fencing which borders the site being damaged. This has afforded members of the public the opportunity to gain access to the site outside of normal operational hours. This poses a huge risk of arson.

Under section C – Site infrastructure, of your environmental permit, Conditions C2.1 and C2.2 (Site Security) state;

"Site security measures as detailed in the working plan shall be maintained in good working order at all

times” and;

“Defects which may permit unauthorised access to the site shall be repaired by the end of the working day in which they are discovered. Where such a repair is not possible then personnel shall be employed to ensure 24 hour security cover until such repair is effective. All other defects in the site security measures shall be repaired within 3 working days. A written record of all repairs shall be made in the site diary”.

This is a breach of Condition C2 – Site Security and has been scored a Category 3 breach (A non-compliance which could have a minor environmental effect) under D1 Incident Management – Site Security.

Action – In order to become compliant with this condition, please ensure that all damaged areas of fencing are repaired or additional security measures are put in place to ensure no unauthorised access to the site.

N.B. Section 3.3.1 (b) of your working plan states;

“A CCTV and ANPR system enabling 24 hr recorded monitoring of the site will also be installed when broadband is available within the area”

I would strongly advise that this be looked into as a matter of urgency.

The area for the storage and deposit of waste oils had containers being stored outside of the bunded tank and oil containers were being stored in excess of the capacity of the storage drum. This can be seen in the photograph below.



Condition C3.1 of your environmental permit states;

“Any containers used for the storage of liquids shall be stored in a bunded area....”

The above breach of Condition C3.1 has been scored a Category 3 breach under C4 Storage, Handling, Labelling and Segregation.

Action – Please ensure that all Waste Oils are stored in accordance with this condition.

There was a large volume of mattresses, sofas and chairs being stored on site, along with an excess of general household waste. Section 4.7.1 of your working plan makes reference to portable compactors

being provided for the temporary storage of general, green and cardboard wastes. Condition D1.4 of your environmental permit states;

“Wastes which are incapable of being compacted shall be placed by the site operative into a suitable container to await removal from the site”

As can be evidenced by the photographs below, these wastes were not being stored in a suitable container.



The above breach of Condition D1.4 has been scored a Category 3 breach under B4 Infrastructure – Containment of stored materials.

Action – Please ensure that adequate storage facilities are provided for these wastes pending their removal from site.

There are various waste management activities being undertaken on site that are not as described in the current Environment Management System (EMS) or Working Plan for the site.

Condition B6.1 (Working Plan) of your environmental permit states;

“Subject to the conditions of this licence, the site shall be operated in accordance with the agreed working plan. All references to the working plan in this licence shall mean the working plan agreed in writing by the Agency”

On reviewing the copy of the working plan held on file by Natural Resources Wales, it has been noted that there appears to be a number of discrepancies between the current working plan for the site and the current operations on site.

Section 1.3 (Hours of Operation) of your working plan states the facility is operational from 08:00am every day with the exception of Christmas Day. As the opening times of the site have now changed, please ensure the working plan is reflected to update this.

Whilst on site there was a lot of standing leachate water observed. This was following the changeover of a green waste container. Comments were being made by members of the public who had to manoeuvre this water in order to be able to deposit waste into the household waste container. On closer inspection it was evident that this was as a result of blocked drainage channels.



Section 2.3.4 of your working plan states;

"The site will be maintained daily so that surface water does not accumulate. Details of inspections will be recorded in the site diary. Drains and gullies will remain free from blockages at all times on site. The drains are inspected daily for blockages/damages and remedial action will be recorded in the site diary"

Please ensure that the drains and gullies are cleared and daily checks are carried out in accordance with this condition.

During the visit it was noted that one of the metal compounds used to store gas canisters and LPG tanks was damaged. The door was unlockable and hanging off its hinges.



Section 4.6.1(f) of your working plan (Management of particular wastes – Gas canisters/LPG) states;

“Redundant gas canisters will be stored in a secure mesh compound...”

Please ensure that this is repaired immediately and the gas canisters are stored in a secure manner.

There were a number of open top containers in use on site, one of which was labelled “Inert” yet contained other materials such as plasterboard and ceramics.



Section 4.8.3 of your working plan (Open top containers for storage of wood, scrap metal and inert material) states;

“Inert materials such as rubble, soil and concrete shall be stored in an open 16 cubic yard container and filled by members of the public. Site staff will supervise the filling of the containers as far as is practicable to ensure that the container is not contaminated...”

Plasterboard is not classed as inert waste and as such should be stored separately. It was noted that there were separate plasterboard wheelie bins provided, however these appeared full and some were uncovered. It is recommended that as soon as a wheelie bin has been filled with plasterboard a lid is placed on top to ensure that rainwater is prevented from entering.

Following inspection of the site I requested to see copies of the Environmental Permit and Working Plan. The Environmental permit was readily available however, the working plan was not.

Section 7 of your working plan (Security and availability of site records) says that there will be a copy of the working plan kept in the site office.

Please ensure that staff on site have an up to date copy of the working plan that reflects the current activities and operations carried out on site.

The above breach of Condition B6.1 has been scored a Category 3 breach under C2 General Management - Management System and Operating Procedure.

Action - Please ensure that activities on site are being undertaken as described in the working plan.

Many thanks to the operatives on site during the inspection.

EPR Compliance Assessment Report

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Site	Cymmer Household Waste Recycling Centre	Permit Ref	FB3539DV
Operator/Permit holder	F C C Waste Services (U K) Limited	Date	06/09/2016

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.

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			
C2	C3	Ensure that activities on site are being undertaken as described in the working plan.	16/12/2016
B4	C3	Ensure that adequate storage facilities are provided for these wastes pending their removal from site.	16/12/2016
C4	C3	Ensure that all waste oils are stored in accordance with this condition.	16/12/2016
D1	C3	Ensure all damaged areas of fencing are repaired or additional security measures are put in place to ensure no unauthorised access to the site.	16/12/2016

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.