

Compliance Assessment Report

Report ID:
CAR_NRW0031577

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

Site	Carway Fawr Site Office	Permit Ref	KP3698VB			
Operator/Permit holder	Gwendraeth Valley Recycling Ltd					
Regime	Waste Operations					
Date of assessment	26/04/2017	Time in	11:00	Out	11:30	
Assessment type	Audit					
Parts of the permit assessed	All					
Lead officer's name	Bacon-Weekes, Liane					
Accompanied by	Edwards, Michael					
Recipient's name/position	Lyndon Tillman/ Operator	Date issued	04/05/2017			

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
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1 and 3.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	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	3	Total compliance score (see section 5 for scoring scheme)	12
-----------------------------	---	--	----

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

Site visit undertaken by Liane Bacon-Weekes and Michael Edwards on 26th April 2017. Operator was not on site for visit.

During the inspection it was noted that a large amount of waste had been cleared from the external yards since the previous visit. And that materials found on site were inline with the permitted waste types allowed by the permit.

Storage of waste

As noted in the previous CAR form, there is a large quantity of inert, soil and stone wastes being stored outside the permit boundary contrary to **condition 2.3.1** of the permit. To address this issue you are required to move this waste into the permitted boundary or alternatively the waste can be removed from site. As a result of this non-compliance you have been scored a **Category 3** breach.

Action: As discussed previously, this waste must be stored within the boundaries highlighted in the permit.

It was noted as part of the inspection that waste was also stored on a permeable base with no drainage. This is in breach to **condition 3.1.1** of the environmental permit, a **Category 3** breach has been recorded for this.

Action: Ensure that all waste is stored in accordance with the conditions of the permit i.e. on a suitable hard standing or impermeable surface with sealed drainage.

Environmental Management Systems

During the visit it was noted that the site was not operating to the procedures and standards set out in the submitted Environmental Management System (EMS) contrary to **condition 1.1.1** of the permit. Because of this non compliance you have been scored a **Category 3** breach.

Under this condition you are required to operate to the practices that you set out in the EMS, which identifies and minimises risk of pollution arising from, but not limited to, operations, maintenance and incidents.

The current EMS makes reference to Site Security (WP/3.320) with access to site secured by the use of steel security barriers at the front entrance, during the visit these were locked, however access to site was achieved through the rear of the site which had no gate. Please ensure that the security of the site is maintained.

The issues raised above have occurred due to the insufficient EMS that is currently in place.

Action: Please submit an updated EMS which includes an updated detail plan of the site including, security systems and the drainage system currently referred to.

Advice and Guidance

During the visit a small quantity of what is suspected asbestos was identified on the external yard as well as suspected engine oil stored in drums within the transfer station building. You are reminded that oil is not a permitted waste type under your current permit. Should waste be mistakenly accepted, it should be contained in a quarantined area awaiting removal.

And under **condition 3.1.1** of the permit asbestos wastes should be double bagged and stored within clearly identified, segregated and secure containers.

Records and Reporting

You are reminded that under **condition 4.2.2** of the environmental permit, you are required to submit quarterly waste returns to: **waste.returns@naturalresourceswales.gov.uk**.

This breach has been scored as a **Category 3**, this score has been escalated due to continued non-compliance. Please ensure that all missing waste returns are submitted.

The required timescales for submissions are below:

Quarterly Returns Period	Return Submission Deadline
Q1 - 1st January to 31st March	30th April
Q2 - 1st April to 30th June	31st July
Q3 - 1st July to 30th September	31st October
Q4 - 1st October to 31st December	31st January

Competence and WAMITAB

Our records show that you have maintained your WAMITAB certification in accordance with **condition 1.1.4** of the environmental permit.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031577**

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

Site	Carway Fawr Site Office	Permit Ref	KP3698VB
Operator/Permit holder	Gwendraeth Valley Recycling Ltd	Date	26/04/2017

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			
C4	C3	Ensure that all waste is stored within the site boundary and stored on a hard standing or impermeable surface.	29/11/2017
C2	C3	Please ensure that all operations and activities are carried out in accordance with the Environmental Management System submitted.	29/11/2017
G4	C3	Please submit all missing waste returns.	29/11/2017

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. 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.