

Ein cyf/Our ref: EPR-KP3698VB
Dyddiad/Date: 27 June 2016

Gwendraeth Valley Recycling Limited
Carway Fawr Site Office
Former Cynheidre Colliery
Five Roads
Llanelli
Carmarthenshire
SA15 5YN

Company Number: 06932182

Dear Mr Tillman

Environmental Protection Act 1990 Section 59(1)(a) notice -
Removal of illegally deposited controlled waste at Gwendraeth Valley Recycling
Limited, former Cynheidre Colliery, Five Roads.

Further to my letter dated 24th September 2015, I am writing to remind you that the Environmental Protection Act 59(1) Notice is due to be complied with by Friday 26th August 2016. Soon after this date we will inspect your site to assess compliance. Please contact NRW if you consider that you will be unable to meet the compliance date.

On inspection, our records show that waste returns have not been submitted since Q3 of 2014. It is a requirement of your permit to submit waste returns within one month of the end of each quarter. I have enclosed a Compliance Assessment Report for which you have been scored a CAT 4 breach of permit. Please can you submit your waste returns for Q4 2014, all of 2015 and Q1 2016 by 29th July 2016.

Yours faithfully



Liane Bacon

Swyddog Amgylchedd/Environment Officer
South West Waste Regulation Team

Ffôn/Tel 0300 065 3571

Epost/Email jeremy.goddard@cyfoethnaturiolcymru.gov.uk

Cyfoeth Naturiol Cymru
Llys Afon (Hawthorne Rise) Hwlfordd, Pentro SA61 2BQ
Llinell gwasanaethau cwsmeriaid: 0300 065 3000
Epost: ymholiadau@cyfoethnaturiolcymru.gov.uk
www.cyfoethnaturiolcymru.gov.uk
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Natural Resources Wales
Llys Afon (Hawthorn Rise) Haverfordwest, Pembrokeshire,
SA61 2BQ
Customer services line: 0300 065 3000
Email: enquiries@naturalresourceswales.gov.uk
www.naturalresourceswales.gov.uk
Correspondance welcomed in Welsh and English

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources 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.

Cyfoeth Naturiol Cymru
Plas Gwendraeth, Heol Parc Mawr, Parc Busnes Cross
Hands, Cross Hands, Sir Gaerfyrddin, SA14 6RE
Epost: ymholiadau@cyfoethnaturiolcymru.gov.uk
Llinell gwasanaethau cwsmeriaid: 0300 065 3000
www.cyfoethnaturiolcymru.gov.uk

Natural Resources Wales
Plas Gwendraeth, Heol Parc Mawr, Cross Hands Business
Park, Cross Hands, Llanelli, Carmarthenshire, SA14 6RE
Customer services line: 0300 065 3000
Email: enquiries@naturalresourceswales.gov.uk
www.naturalresourceswales.gov.uk

Compliance Assessment Report

Report ID:

CAR_NRW0023711

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

Site	Carway Fawr Site Office
Operator/Permit holder	Gwendraeth Valley Recycling Ltd
Regime	Waste Operations
Date of assessment	27/06/2016
Assessment type	Audit
Parts of the permit assessed	Waste returns
Lead officer's name	Bacon, Liane
Accompanied by	
Recipient's name/position	Mr Lyndon Tillman/ Site owner
	Date issued
	27/06/2016

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
C4	4.2.2

G4 - Monitoring and Records, Maintenance and Reporting - Reporting

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), N = Not Assessed, X= Action only

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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:

- > 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
- > 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

Monitoring and records, maintenance and reporting: g4

Score recorded on CCS: 4

You have been scored for failing to submit your waste returns within the specified period for Q4 2014, all of 2015 and Q1 2016.

The required timescales for submissions are:

Q1 01 Jan- 31 March	30 April
Q2 01 April – 30 June	31 July
Q3 01 July – 30 Sept	31 October
Q4 01 Oct – 31 Dec	31 January

Action:

Ensure procedures are put in place so that reports are submitted on time.

Additional advice and guidance:

If you have not dealt with any waste at all during the period that your returns form relates to, you should indicate NIL in the relevant box. You must sign and return your form even if it is a nil return.
There has been a deterioration in the quality of waste returns submitted. Please ensure that you do not abbreviate the origin and destinations. Complete all required fields and check that you are using and recording the correct EWC's.

You can complete your returns in one of two ways:

- complete the waste returns spreadsheet and email it to waste.returns@cyfoethnaturiolioleymru.gov.uk
- request a paper version of the waste return form, complete and return it to:

Natural Resources Wales
Customer Care Centre
29 Newport Rd
Cardiff, CF24 0TP

	EPR Compliance Assessment Report			Report ID: CAR_NRW0023711
	This form will report compliance with your permit as determined by an NRW officer			
Site	Operator/Permit holder	Carway Fawr Site Office Gwendraeth Valley Recycling Ltd	Permit Ref KP3698VB	Date 27/06/2016

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.

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	CCS	Ref.
	Category	Action required/advised	
	See Section 1 above	C4	Submit missing waste returns
	Due Date	29/07/2016	

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 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 officers line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Recommendations procedure, please 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

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.