

Compliance Assessment Report

Report ID:
CAR_NRW0032014

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

Site	The Waste Transfer Station		Permit Ref	BP3599SZ		
Operator/Permit holder	Nolan Recycling Ltd					
Regime	Waste Operations					
Date of assessment	03/08/2017	Time in	13:35	Out	15:00	
Assessment type	Audit					
Parts of the permit assessed	Permitted Operations					
Lead officer's name	Davies, Gareth					
Accompanied by						
Recipient's name/position	James Nolan/ Director	Date issued	11/08/2017			

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 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3	2.3.2 and Table S2.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

James Nolan (JN) – Nolan Recycling Limited (NRL)

Gareth Davies (GD) – Natural Resources Wales (NRL)

The purpose of the inspection was to assess compliance with the environmental permit held by NRL, reference EPR/BP3599SZ. This was an un-announced inspection.

Infrastructure Improvements

Following the visit carried out on 23 September 2016, the impermeable concrete surface and building has been constructed. This can be seen in the photographs below.



This has resulted in some changes on site to the waste acceptance and treatment process. Household skips and commercial skips are now tipped in to the new building and segregated. The wastes are then spread out on the floor and any large recyclates are hand-picked. The recyclates are then pushed up in to the adjacent building to be baled. The impermeable pavement falls to the centre where a sump collects any run-off.

Consideration needs to be given to the proposed drainage options for the area around the site entrance and the area outside the maintenance buildings. The permit currently states that the drainage discharges via an interceptor located by the site entrance.

Waste Storage

During the inspection carried out on 23 September 2016, treated wood (Grades B and C) were being stored on hard standing. This was in breach of condition 2.1.1 and Table S1.1. During the inspection the Grade B and C (treated) wood was being stored within the building and only Grade

A (untreated) wood was being stored on hard standing, as per photographs below. This current storage of wood is compliant with the permit, condition 2.1.1 and Table S1.1 meeting the wood storage requirements.



There is now an area of hardstanding between 4 concreted areas. It is proposed that this area will be concreted in the future so that the whole area is covered by impermeable surface. No waste storage or treatment is being carried out in this area.

While on site the trommel and picking line was operational. The material that has been through the initial hand treatment process described above is then fed into the trommel. The fines are discharged in to a stockpile and collected on an impermeable surface with sealed drainage. The light material is then discharged in to the building with the remainder of the material going up a conveyor belt in to a picking line. The speed of the conveyor belt meant that NRL achieved a high quality output in terms of the hardcore that was at the end of the picking line. There was no identifiable contaminants in the stockpile.

Storage of waste

During the visit baled plastics were being stored outside on hardstanding. The baled plastic can be seen in the photograph below.



During the inspection it was highlighted that these wastes could not be stored on the hard standing area. Upon review of the permit, in particular Table S1.1, I can confirm that NRL are permitted to store the plastic waste on hardstanding.

Waste fridges and freezers were being stored in the external area on the impermeable surface, as can be seen in the photograph below.



Condition 2.1.1 and Table S1.1 states that waste types 16 02 14, 16 02 16 and 20 01 34 and 20 01 36 must be stored in secure lockable containers that prevent the ingress and egress of water. Further to this the site plan states that WEEE storage will take place adjacent to the welfare facilities opposite the visitor parking area.

It should be noted that NRL are only permitted to accept 20 01 36 which is discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35, which is an absolute non-hazardous waste code. It is likely that the fridges and freezers stored on site will still contain the hazardous components. As a result of this NRL are not permitted to accept fridges / hazardous WEEE under the permit EPR/BP3599SZ.

The acceptance of hazardous WEEE is a breach of condition 2.3.2 due to waste having been accepted that is not included in Table S2.1. This has been scored a CCS3 under C3 General Management – materials acceptance. This has also been scored a CCS3 under C2 General Management – management system and operating procedures as the written management system has failed to prevent a breach of the permit. If evidence can be provided that the fridges seen on site have been treated to remove the hazardous component then this score will be removed.

If NRL wish to accept to accept WEEE under their permit then a variation will be required. In the interim NRL can register an S2 exemption that will permit the storage of 400 cubic metres of waste code 20 01 35 as long as the waste is stored in accordance with the requirements in paragraph 1 of Annex VIII to the WEEE Directive. There is the option to use the S2 exemption in the long term.

Following the construction of the new building, the site plan and relevant section of the Environment Management System should be updated to reflect the current operations on site.

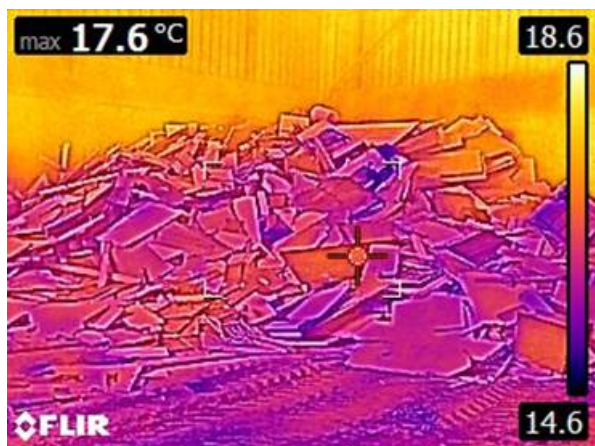
Thermal Imaging Camera

A number of photographs were taken with a thermal imaging camera. The purpose of this was to identify whether any waste piles appear to have been on site for a while and as a result had started to self-heat. It can be seen from the photographs below the temperatures of the wastes on site, did not show any signs of self-heating as the highest temperatures were low, with a maximum of 18.6°C. This is helped by the stockpiles on site being relatively small in quantity and the waste being stored in the largest form while on site with a short turnaround.

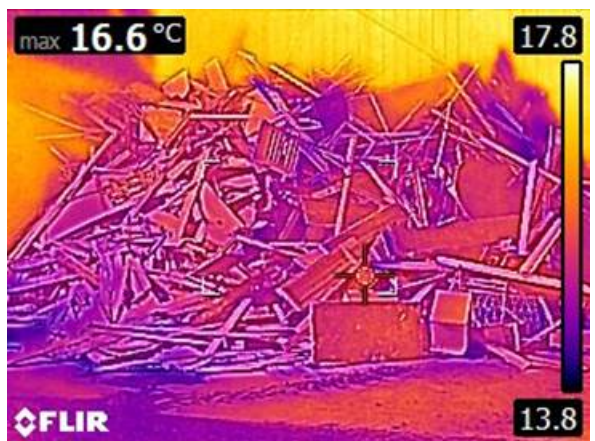
Mixed Waste Stockpile.



Waste Wood Stockpile stored indoors.



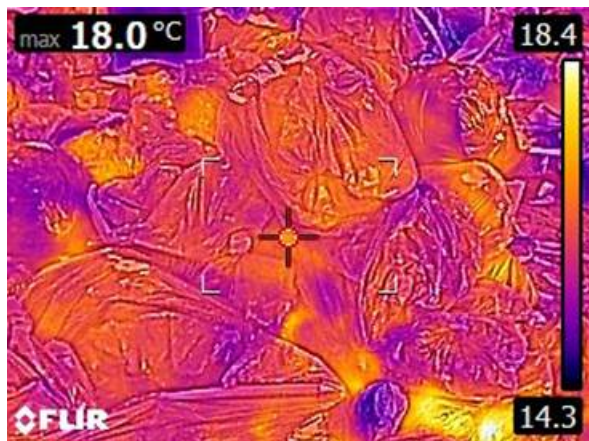
Waste Wood Stockpile stored indoors.



Grade A Waste Wood stored outdoors.



Litter waste from Local Authority deposited while on site



Please be aware that NRW are currently consulting on a new version of the Fire Prevention and Mitigation Plan Guidance. It is likely that this guidance will be published by the end of August 2017.

Technical Competence

JN confirmed that Emma Cull had completed the WAMITAB continued competence assessment. Please can a copy be provided for our records.

Waste Returns and Waste Export

The waste returns were discussed and clarification sought on the destination for a number of waste types.

JN provided 3 Annex VII documents for the export of paper/cardboard, hard plastic and plastic film. This information was provided to NRW's Transfrontier Shipments Team. Following a review of the documents provided, it has been requested that NRL complete blocks 3 and 4 to highlight the actual quantity for all shipments and an actual date of shipment for the paper and cardboard export.

Pre-Application Information

Some initial pre-application information was provided to JN on the possibility of using material to create noise bunds on an adjacent site. There are a number of options available and these are dependent on whether a waste is used or not. This is not meant to be a definitive list of the only

options available.

1. If virgin material or WRAP Compliant material is used in the construction then no environmental permit would be required.
2. It is possible that the CL:AIRE Definition of Waste Code of Practice Declaration (DoWCoP) could be used should it meet the requirements. No assessment of this declaration is carried out by NRW and it is for a qualified person to make the assessment of the relevant information. Again, no environmental permit would be required from NRW for this work.
3. If waste material is to be used then it is possible that a deposit for recovery permit. There is a standard rules set 2017 No.1 that permits the use of waste in deposit for recovery activity, where no more than 60,000m³ of material is used. You would need to ensure that you can meet all aspects of the standard rules set. If, as was indicated more than 60,000m³ of material is required then you apply for a bespoke permit. <https://www.gov.uk/guidance/waste-recovery-plans-and-permits>

If you decide to use either option 1 or 2 then NRW would not be in a position to provide any advice as no permit is required. If you decide to go with option 3 then we can look to arrange a pre-application meeting once you have collated and assessed all the information as required to submit an application.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

END

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032014**

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Site	The Waste Transfer Station	Permit Ref	BP3599SZ
Operator/Permit holder	Nolan Recycling Ltd	Date	03/08/2017

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.

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 Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C2	C3	Please confirm by 25 August 2017 the steps that will be taken to ensure that Waste Electrical and Electronic Equipment can be accepted on site.	25/08/2017
C3	C3	Please confirm by 25 August 2017 the steps that will be taken to ensure that Waste Electrical and Electronic Equipment can be accepted on site.	25/08/2017

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.