

Compliance Assessment Report

Report ID:
CAR_NRW0026448

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	23/09/2016	Time in	11:30	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	Permitted Operations					
Lead officer's name	Davies, Gareth					
Accompanied by	Edward Davies					
Recipient's name/position	Emma Cull/ Director	Date issued	10/10/2016			

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
C2 - General Management - Management system and operating procedures	C3	1.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1 and Table S1.1

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.

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

Emma Cull (EC) – Nolan Recycling Limited (NRL)

James Nolan (JN) – Nolan Recycling Limited

Stuart Watcham (SW) – Consultant to Nolan Recycling Limited

Gareth Davies (GD) – Natural Resources Wales

Edward Davies (ED) – Natural Resources Wales

The purpose of the compliance visit was to assess compliance with the environmental permit (EPR/BP3599SZ) following the variation issued on 27 April 2016. Further to this the aim was to discuss the site wide drainage strategy for the site taking into consideration the sensitivities of the surface water and groundwater in the locality.

JN, EC and SW gave an overview of the works that had been carried out to date following the permit variation being issued. The three main areas of progress on site to date are as follows, further detail is provided in the site tour section below:

1. Relocation of fuel storage on site and installation of concrete and drainage adjacent to welfare portakabins.
2. Pre-commencement works for the construction of a building and concrete base.
3. Concrete and sealed sump installed in the area for storage of fines material.

Site Tour

An area of concrete, kerbing and drainage has been installed in the area adjacent to the portakabins. The fuel storage has also been moved to this location. This can be seen in the photographs below.



This area used for fuel storage currently does not drain via an interceptor. Following discussions between ED and SW it was proposed that in order to prevent any accidental spillages from entering the groundwater via the soakaway, an appropriately sized and specified interceptor should be installed. Further to this a small additional area of concrete will need to be added to ensure that the area where re-fuelling takes place all drains towards the currently installed drainage. The interceptor can be installed and connected into the existing drainage. Following this if any accidental spillages occur in this area, they will be caught by the interceptor prior to entering the groundwater. Upon completion of this it is recommended that any vehicle washing and use of detergents is not done in the area as they will reduce the effectiveness of the interceptor. A copy of Pollution prevention advice and guidance 3 – Use and design of oil interceptors in surface water drainage systems has been provided along with this report. ED agreed to confirm the specification of the appropriate interceptor. This will be provided under separate cover.

NRL have obtained the relevant planning permission to construct a further building with concrete floor for the storage and processing of waste. The initial groundworks have started on site with the removal of soil and stone in order to create the footprint of the building at the required level. The building and concrete surface will connect to the existing concrete and building. This is proposed to be installed in the area highlighted blue in the plan below and can be seen in the photographs below.





It is estimated that the concrete surface and associated sump will be constructed at the beginning of 2017. Once this has been constructed, it is proposed that the waste wood will be stored in this area prior to the construction of the building. Prior to construction of the building, consideration should be given to the installation of fire monitoring equipment that is currently within the building.

A further area of concrete has been installed in the area used for the storage of fines that are generated from the trommel. This was installed following testing of the fines established that they were not inert. Subsequently under condition 2.1.1 and Table S1.1 they are required to be stored on impermeable pavement with sealed drainage system. This pro-active improvement on site shows that NRL have reviewed their permit following the outcome of the fines test results and acted appropriately. The installed concrete can be seen in the photographs below.



Due to the proposed changes on site, changes have been made to the treatment areas within the building. The main processing remains based around initial manual treatment of skips to remove recyclates for recovery. All treatment activities were being carried out in a building and on impermeable pavement in accordance with condition 2.1.1 and Table S1.1 of the permit. Recyclates are placed in designated areas prior to baling and/or onward transfer. The remaining recyclates are then sent off site to an appropriate permitted facility.

Within the hard standing area of the site a number of waste types are currently being stored. These include soil, stone and rubble, green waste and waste wood. This can be seen in the photographs below.



Under condition 2.1.1 and Table S1.1, treated wood is required to be stored on an impermeable surface with sealed drainage.

On site JN confirmed that they have the 3 grades of waste wood stored on site, grades A, B and C. The current storage of grades B and C (treated wood) on hard standing is not permitted under condition 2.1.1 and Table S1.1. This has been scored a CCS3 for a breach of condition 2.1.1 and Table S1.1 under C4 General Management – Storage, handling, labelling and segregation.

This has also been scored a CCS3 for a breach of condition 1.1.1 under C2 General Management – Management system and operating procedures, as the written management system has not prevented or identified a breach of permit.

JN confirmed that once the concrete slab has been installed and is capable of waste being stored and handled on it, the waste wood will be stored in this area prior to the construction of the building. If it is not the intention to store the Grade B and C wood within the building once it is constructed then measures should be put in place to ensure where it is stored, it is done so in line with NRL's environmental permit.

A timescale for compliance with condition 2.1.1 and Table S1.1, namely the storage of treated wood on impermeable surface with sealed drainage has been given as 27 March 2017. If this timescale is not achievable, please contact GD to agree a suitable timescale.

Discussions were held around the installation of the interceptor proposed within drawing number 10918-001-D adjacent to the entrance of the site. This has currently not been installed. Following discussions on site NRL will need to establish where they intend to store their vehicles overnight. Vehicles are currently being stored in an area of a proposed new environmental permit. ED confirmed that vehicles would need to be served on an impermeable surface served by an appropriate interceptor. The failure to install the interceptor would be considered a breach of permit under condition 2.3.1 (a) and Table S1.2, however it has not been scored as a breach during this visit. This is due to the long term decision that is needed for the drainage requirements in this area. The decision will need to consider the permanent location of any vehicle storage areas taking into consideration the proposals for the new environmental permit. Please confirm by 24 October 2016, a date, for agreement with NRW for when NRL expect to reach a decision on the long term drainage for this area of the site.

EC is due to complete the appropriate continued competence test in October 2016. JN will also be obtained the appropriate continued competence to provide technical competence cover during 2017.

Following a query from SW regarding Separate Collections. GD confirmed that the South West Waste Regulation Team were not carrying out pro-active work on the Separate Collections Regulations. NRL should make themselves aware of the requirements under the regulations, but GD and NRW will not be

requiring NRL to demonstrate compliance with the regulations.

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

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Site	The Waste Transfer Station	Permit Ref	BP3599SZ
Operator/Permit holder	Nolan Recycling Ltd	Date	23/09/2016

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.

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	Treated wood shall be stored on impermeable pavement with sealed drainage by 27 March 2017.	27/03/2017
C4	C3	Treated wood shall be stored on impermeable pavement with sealed drainage by 27 March 2017.	27/03/2017

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 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.