

	EPR Compliance Assessment Report	Report ID: 100343/0226580			
This form will report compliance with your permit as determined by an NRW officer					
Site	Hafod Yard		Permit Ref	100343	
Operator/ Permit holder	Enviroclear Site Services Limited				
Date	14/11/2014		Time in	11:50	Out 12:51
What parts of the permit were assessed	Part - see below				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Arthur Imrie				
Officer's name	Mefty Haider, Catherine Kiely		Date issued	22/01/2015	

Section 1 - Compliance Assessment Summary				
This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached	
a) Permitted activities	1. Specified by permit	C3	2.1.1	
b) Infrastructure	1. Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	A		
	5. Plant and equipment	N		
c) General management	1. Staff competency/ training	C3	2.2.1	
	2. Management system & operating procedures	C3	1.1.1	
	3. Materials acceptance	C3	2.2.1	
	4. Storage handling, labelling, segregation	N		
d) Incident management	1. Site security	A		
	2. Accident, emergency & incident planning	N		
e) Emissions	1. Air	N		
	2. Land & Groundwater	N		
	3. Surface water	N		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	1. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	1. Efficient use of raw materials	N		
	2. Energy	N		
KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, 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 Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

General comments

Routine site inspection carried out accompanied by Arthur Imrie. Site in general is clean and tidy with all waste stored appropriately. Following the inspection during review of the waste returns data some non-compliances with permit conditions came to light, which are detailed below.

Non-compliance with permit conditions

A1/ Specified activities - Permit condition 2.1.1 (Table 2.1)

Site is non-compliant with this permit condition as some hazardous waste, mainly oily rags was subjected to treatment. Treatment of hazardous waste consisted of shredding and baling. At present site is only authorised to treat hazardous ELVs and certain hazardous WEEE (as per Table 2.4 and 2.5).

Site has received a CCS score 3 for non-compliance with permit condition.

C1/ Management - Staff Competency/Training - Permit condition 2.2.1

Site personnel unaware of permit conditions, leading to breaches of permit conditions. This is because site is accepting non-permitted waste types and carrying out non-permitted waste management activities (treatment of certain hazardous waste).

Site has received a CCS score 3 for non-compliance with permit condition.

C2/ Management - Management Systems & Operating Procedures (EMS)- Permit condition 1.1.1

Site EMS condition 2.12.1 briefly states that in order to prevent acceptance of unsuitable waste, pre-acceptance checks will be carried out to ensure permitted waste types accepted on site only. EMS condition 3.1 briefly states that site staff will check the waste with the written description in order to check conformity etc. Despite these procedures being in place a number of non-permitted waste types were accepted on site during Q2 and Q3 of 2014. Therefore, site management system either inadequate or not being followed as site operatives are accepting non-permitted waste types on site.

Site has received a CCS score 3 for this non-compliance with permit condition.

C3/ Management - Materials Acceptance - Permit condition 2.2.1

After the site inspection waste returns data submitted for quarter 1 - quarter 3 of 2014 (Q1 - Q3 of 2014) was reviewed. It came to light that site has accepted a number of non-permitted waste types during Q2 and Q3. Site has also been accepting liquid waste, which is also not permitted.

Site has received a CCS score 3 for non-compliance with this permit condition.

Waste acceptance and use of Lis of Waste (LoW) codes

Site staff should be aware of both permit and site EMS conditions and work under the direct supervision of a person who has the technical understanding of the site permit conditions, ensuring site staff only accepts permitted waste types. This includes the ability to identify that the waste types conform to the written description in the relevant waste transfer notes or

hazardous waste consignment notes accompanying the waste. According to the waste returns data there are number of instances where site has accepted non-permitted waste types. When queried technically competent person for the site stated majority of these wastes were miscoded on the Duty of Care notes.

If the waste does not conform to the written description then the waste should be rejected and returned to the customer. In the instance this is not possible the non-conforming waste must be quarantined and removed from the site as non-conforming waste. Operatives must not change the LoW codes on the Duty of Care paperwork. The waste producer should amend or re-issue relevant Duty of Care notes if the notes contain errors.

Waste should be coded using the most appropriate LoW code in relation to its source. For example the site accepted waste adhesive/sealant under the code 08 04 09* (hazardous waste), which is currently not a permitted waste type. It was suggested that this waste could have been coded 20 01 27* and accepted under an S2 exemption. If the waste was industrial adhesive/sealant then the most appropriate LoW code would still be 08 04 09. The 20 01 27* code would only be appropriate if the waste was a domestically available adhesive/sealant.

Packaging waste

Packaging waste can only be accepted if they are clean, dry or only contain a residue of the original contents. The residue generally should be dry but if in liquid form, the residue must be in such small quantities that it will not be practical or possible to decant the waste for bulking up prior to disposal. If site inadvertently accepts packaging waste that contains more than just a residue, then the waste should be rejected and returned where possible.

Please contact the regulating officer Mefty Haider on 03000 653696 if you wish to discuss this report or any other issues.

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

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Operator/ Permit	Enviroclear Site Services Limited	Date 14/11/2014

Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	☐
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.	☒
We will now consider what enforcement action is appropriate and notify you, referencing this form.	☐

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
A1	C3	Ensure only permitted waste types accepted on site	Immediately
C1	C3	Ensure site staff are suitably trained regarding waste acceptance procedures	31/01/2015
C2	C3	Ensure site EMS is adequate and adhered to by site staff	28/02/2015
C3	C3	Same as A1	Immediately

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 the officer's line managers. 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.