

Compliance Assessment Report

Report ID:
CAR_NRW0032937

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

Site	Tondu Waste Transfer Station	Permit Ref	GP3690LR			
Operator/Permit holder	Kier Services Limited					
Regime	Waste Operations					
Date of assessment	08/02/2018	Time in	11:00	Out	13:00	
Assessment type	Report/Data Review					
Parts of the permit assessed	waste transfer					
Lead officer's name	Thomas, Ffion					
Accompanied by						
Recipient's name/position	Jemma Thripp/ Environmental Advisor	Date issued	23/02/2018			

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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This Compliance Assessment Report (CAR) form has been completed following the gathering of relevant information regarding the impact of the China Import restrictions, which takes effect on the 1st March 2018, on the Kier Tondur transfer Station.

Issue/background.

In July 2017, China notified the World Trade Organisation (WTO) that it intends to restrict imports of 24 categories of recyclables and solid waste by the end of the year. This is part of a campaign against "foreign garbage" and environmental pollution.

Wales and the UK export large volumes of waste to China and so there is the potential for this to impact several regulatory regimes, local authority statutory recycling targets and potentially pose an environmental threat from stockpiling of waste and illegal activities.

NRW have set up a small group of internal stakeholders and will be meeting on a regular basis to understand the impacts, determine NRW's approach including considerations for contingency planning. The following questions were asked of operators (including Kier-Tondur) to help gather relevant information and intelligence to assist the above group.

Thank you for your time and co-operation in gathering this information, it is much appreciated.

Questions for Operator	Comments
Do you export waste to China?	NO Not now. Did sell card and mixed paper 10 months ago but took the decision to move away in April 17.
<i>If yes, what waste streams do you export to China?</i>	N/A (see above - did sell card and mixed paper previously)

Do you export waste to other countries? If so, what and where?	Yes. Export to Europe and other countries in Asia. Mixed plastic bottles & packaging – Turkey, Malaysia & Indonesia Fibre- Holland, Germany, Indonesia & India.
<i>Are plastics/paper sold to UK buyers? If so, who?</i>	Yes. Mixture of end users and merchants details received.
<i>Are you aware of the restrictions China intend to impose on imports of certain wastes?</i>	Yes
<i>Have you experienced any issues due to the Chinese import restrictions?</i>	Yes Much evidence of a reduction in orders from all markets for fibre as a result of significant distressed tonnage
If yes, what are these issues?	Aware of challenges to move material, both mixed papers and OCC. Prices have fallen (some significantly as a result)
What measures are you taking to deal with these?	Ensure our sales strategies are reviewed in light of current market situation. Continue our focus on the quality of products we produce. Review price forecasts.
Do you arrange exports yourself or is this done via a broker? If via a broker who?	Via Broker. Broker details received.
Is there an agreed specification including a contamination limit for the wastes you export? If so, what is the contamination limit?	Yes. Typically, 1.5% non-target/non-recyclable material Fibre is to EN643.
What impacts do you foresee arising from the Chinese import restrictions?	Materials struggling to find homes. Prolonged weak prices which will eventually impact on the budgets of local authorities (higher gate fees at MRF's)

	More waste produced by facilities as they take action to clean materials. Higher risk of lower grade material having to be diverted to use in energy recovery.
Questions for Inspecting Officer	Comments
Does the permit have the fire condition?	Yes. Standard rules permit no 3. New rule set includes condition
Does the Operator have a fire prevention and mitigation plan (FPMP) in place for the site?	Yes. DRAFT version – being updated following site changes and to be submitted with bespoke permit application for Hazardous waste transfer (clinical – offensive/hygiene waste to be bulked)
If green list waste is exported, are Annex 7 forms available on site? If so, what waste streams do these cover and what is the destination? Check Annex VII forms.	Yes. But forms not held on site, stored on central system of company. Emailed copy received and checked. Card Worth am Rhiein – Germany.
Does the operation have plastic outputs? If yes what grades? (mixed bottles, films, pots/trays etc, shredded, pellets etc)*	Yes. Kerbside collected mixed plastic bottles and packaging.
Are these bales or loose?*	Baled
Does the operation have paper outputs? If yes what grades? (mixed papers, cardboard etc)*	Yes. Kerb side collected mixed paper, cardboard, tetra packs Sorted graphic paper, but include paper (sorted graphic for de-inking 1.11) mixed papers (1.04.01, 1.04.02, 1.05)
Are these bales or loose?*	Baled
If applicable, how much waste paper would you estimate is currently stored on site?*	60 tons
If applicable, how much waste plastic would you estimate is currently stored on site?*	25-30 tons
If the site is not a notified MRF, do they meet the requirements and should they be notified? <u>NRW MRF Guidance</u>	N/A They are a notified MRF.

Does this comply with storage limits in the management system/permit/FPMP?	Yes.
Is additional storage capacity available on site?	No.



Mixed paper/card bales. Stored outside awaiting removal off site. This is typical storage amounts previously seen during inspections



Mixed plastic bales. Stored outside awaiting removal off site. This is typical storage amounts previously seen during inspections.



Plastics awaiting bailing – plant failure caused backlog but will be processed and baled over weekend to provide clear bay by Monday.

END

EPR Compliance Assessment Report

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Operator/Permit holder	Kier Services Limited	Date	08/02/2018

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			

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.