Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0017493

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 Integrated Services Limited				
Regime	Waste Operations				
Date of assessment	17/03/2016	Time in	14:00	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	MRF				
Lead officer's name	Wakeford, Sally				
Accompanied by	Thomas, Ffion				
Recipient's name/position	Darren Hemming/ Transport Manager/HWRC Supervisor, Bridgend	Date issued	27/05/2016		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3 - Suspended	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3 - Suspended	2.3.1
D1 - Incident Management - Site security	A	
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	

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

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

An unannounced site inspection as carried out on 17 March 2016. We were shown around the site by Maxine Hopkin (Kier) and Sian Hooper (Bridgend CBC).

C2 - Management system & operating procedures - CAT 3 breach - Permit condition 1.1.1 (SUSPENDED)

You have been given a CAT 3 breach under the above condition because during our inspection it was observed that waste was being stored and bulked outside the building. The management system in place for waste control does not reflect the related conditions in the permit, where all waste should be stored on impermeable pavement with sealed drainage system, and waste should only be bulked inside a building.

The Operator shall manage and operate the activities: in accordance with a written management system that identified and minimises risks of pollution…

You are required to take the following action by the date listed on page 5 of this report:

ACTION: Ensure management procedures are adequate to ensure full compliance with permit

C4 – Management – Storage, Handling, Labelling & Segregation – CAT 3 breach – Permit Condition 2.3.1 (SUSPENDED)

You have been given a CAT 3 breach under the above condition because during our inspection it was noted that wastes (cans, plastics and paper/cardboard) were being stored outside the building without any containment. The baled cans were stored outside, with leachate from the bales visibly heading towards a surface water drain. Cardboard was also stored outside the building on impermeable pavement served by surface water drains.

Condition 2.3.1 Table 2.3 states:

b) all waste shall be stored in a building or within a secure container.

c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.

You are required to take the following action by the date listed on page 5 of this report:

ACTION: Cease to store waste on surfaces with drainage systems which are unsuitable, or provide us with a plan as to how you will be working towards compliance with deadlines for completion.

During the site inspection you identified a small area of sealed drainage which could store some of the waste, and made mention of potentially altering the drainage increase the sealed drainage area.

On this occasion the scores mentioned above have been suspended, as they were previously scored on the 18 September 2015. If however no action has been taken, or plan has been put in place with deadlines for completion has been provided to us by the next site inspection these issues will be scored again. If the deadlines of these scores are not met, we will unsuspend the scores, and they will count towards your compliance rating.

A meeting has already been arranged to discuss these issues.

MRF Requirements:

On inspection of the baled recyclates, the ales of cans and plastics appear consistent with the returns, there was a small amount of contamination which is consistent, as shown in the photograph below.



As previously noted, you're set up of the sorting line is fully mechanised, and as such a sample chute needed to be installed to be able to sample the plastics prior to baling. This however has not been done due to the potential contractual changes. You have, however, managed to arrange the sampling of the outputs using other methods.

Thank you to Kye Wiggins for running us through the sampling process. He informed me training had been provided by Andy Patterson of Kier, who is the Material Quality Control Manager, a regional officer of Kier.

Samples are stored in open "dumpy" bags in the vehicle tunnel. They are well away from any waste sorting area so there is minimal risk of contamination. The bags are tagged with a number, which is tracked through your reporting system.

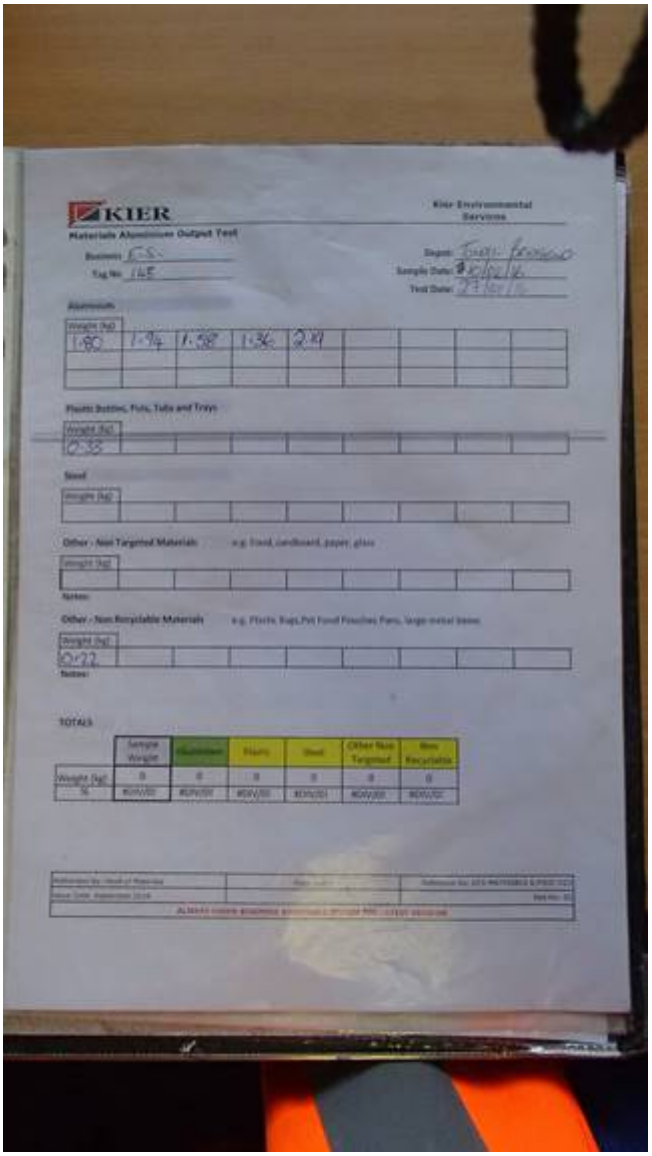




The samples are taking knowing the number of bags which should make up the appropriate sample size, more is added if required. They are taken at various intervals across the week, to be sorted at the weekend when there are no inputs of waste onto the site. The sampling staff understood the requirements for unbiased/representative sampling.

Tables are set out on a Saturday to sort through the samples. There is no chance of cross-contamination during the sample analysis. The kit is therefore cleaned dried to be stored away after every analysis, as they are set out in roadway in the middle of the building. The sampling sheets inspected appear to work well, and contain all the information required. The samples are taken in accordance to a schedule, which is populated monthly as per the photograph below.





I noted in the returns from Q4 2015 that there may have been some error in the reporting of the plastics. From noting the way the samples have been taken, I would suggest that this may just be a small clerical issue for this one set of returns. Please feel free to re-submit the returns if an error is found.

Based on what I have seen and noted above it suggests that the permit requirements are being met and the quality of the information being reported can generally be relied upon. I recommend only routine (announced and unannounced) inspections.

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

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0017493**

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Site	Tondu Waste Transfer Station	Permit Ref	GP3690LR
Operator/Permit holder	Kier Integrated Services Limited	Date	17/03/2016

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.

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.

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			
C4	C3	Cease to store waste on surfaces with drainage systems which are unsuitable, or provide us with a plan as to how you will be working towards compliance with deadlines for completion.	31/07/2016
C2	C3	Ensure management procedures are adequate to ensure full compliance with permit	31/07/2016

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.