

Compliance Assessment Report

Report ID:
CAR_NRW0026951

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

Site	Cwm Environmental Ltd	Permit Ref	YB3293HL		
Operator/Permit holder	CWM Environmental Ltd				
Regime	Waste Operations				
Date of assessment	25/01/2017	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	MRF Returns & Sampling				
Lead officer's name	Wakeford, Sally				
Accompanied by					
Recipient's name/position	Bruce Creamer/ Site Manager	Date issued	14/03/2018		

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
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	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	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

Following on from previous CAR form NRW0025266 issued on 15/08/2016, I have since inspected your waste returns for Q3 2016 (July to September 2016.). To date, the Q4 returns have not been submitted, and are not due until the 31st January 2017.

On the previous CAR form you were scored under G4 – Monitoring and Records, maintenance and reporting – Reporting and notification to Natural Resources Wales, for incorrectly reporting sampling data on your waste returns, this stemmed from an issue with the incorrect weights required being put at the top of your sampling sheets.

The requirement was to amend your sample sheets to ensure all samples are undertaken in accordance with the requirements of the legislation. From an inspection of your waste returns it appears that although improvements have been made, and you have also started completing samples in line with the new regulations coming into force in October 2016 (next set of waste returns to be submitted), there are still some issues remaining.

Q3 2016 Returns

Inputs:

- Some issues with average weights being low (approx. 45kg instead of 60kg)
- Your % of paper, metal and plastics don't add up to the total % you have provided.
- One of your lines (213.52 tonnes input from Cwm the % target, % non-target and % non-recyclables) don't add up to 100%

Outputs

- Metal samples – seem to be low on reporting number (may be from the changes you had to make halfway through the quarter due to my inspection in July) – may work out in the wash in Q4
- Average weights were good for the old weights, and can see you have started to use the new weights. The action on the previous CAR form has been completed.
- Too few samples on the HDPE bottles line – should have been 35 – 24 were taken.
- Household plastic film didn't add to 100% in the final 3 columns.

Q4 2016 Returns: - Preview prior to submission along with sample analysis sheets

Thank you for providing me with the sampling data, calculations and draft returns.

After analysing the sample data, I can see that you are now sampling correctly (following previous CAR form NRW0025266) and are currently in compliance with the changes in sample sizes following the change in legislation in October for both inputs and outputs

Inputs:

Input data on occasion did not match with that in the calculations spreadsheets, on occasion some were the incorrect value, such as the standard deviation had been used instead of the percentage – this will be rectified before submission of the returns.

No apportionment happened this quarter for the Pembrokeshire waste from Ceredigion Council – this is minor this month, as only one sample was required. We discussed this going forward and Claire Mainwaring has decided to separate out the sampling for Ceredigion and Pembrokeshire (from Ceredigion Council) onto different calculations spreadsheets, thus solving this issue going forward. Therefore being able to easily apportion the wastes from the two different LAs in future.

You explained that there is now a contract between Pembrokeshire and Ceredigion, in that the orange bags from Pembrokeshire now come to yourselves.

Outputs:

A couple of the outgoing waste streams (HDPE Bottles and Steel cans) appeared a little low in frequency, I discussed this with Claire Mainwaring on 25/01/2017 and you will be meeting in the middle of the quarter to check you are on target with the number of samples which should be taken depending on the outputs dispatched so far that quarter.

A few issues came to light regarding the reporting. The standard deviations were being entered rather than the percentages for the non-target and non-recyclable waste for the outputs. Meaning the total was not adding up to 100% - this will be rectified before submission of the returns.

EPR Compliance Assessment Report

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Operator/Permit holder	CWM Environmental Ltd	Date	25/01/2017

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.

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.