

Compliance Assessment Report

Report ID:
CAR_NRW0032328

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

Site	Ruthin Civic Amenity Site	Permit Ref	BP3691ET			
Operator/Permit holder	C A D Recycling Ltd					
Regime	Waste Operations					
Date of assessment	29/09/2017	Time in	14:05	Out	14:20	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area and Waste Returns					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by						
Recipient's name/position	David Driver / Tony Sykes/ Site Manager / Director	Date issued	26/10/2017			

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	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.4

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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 site inspection was unannounced. However, despite this when I arrived on site I found that Dave Driver was also onsite. Dave Driver therefore accompanied me around site.

It was observed that next to the entrance there is a table. Black bags are split on this table and quickly sorted to remove any recyclables.

I was informed on site that any reusable items are sent to Gary Jones who has a warehouse on Sandringham Avenue in Rhyl. We have some questions regarding this activity as the re-usable items may legally still be regarded as waste until they are actually re-used for their originally intended purpose. Whilst we do not want to discourage this recycling activity we need to ensure that all waste duty of care is being complied with. As a result we need to know the following details:

- Full name and address for the site the reusable items are being sent to
- Are waste transfer notes completed to record this movement? If not, how is the transfer recorded?
- Are the reusable items assessed before they leave site?
- Are these reusable items used in their current form or do they need repairing or renovating?
- Are members of the public made aware before they dispose of these items that they may be re-used?

Please provide answers to the above questions by the 10th November 2017.

Copies of the permit and sites EMS are kept on site and it was observed that Dave Drover, as the sites TCM, signs into the site diary to confirm that he has attended site.

Overall the site was tidy and no litter was observed outside the site boundary.

Waste Returns

A review of the 2016 and quarter 1 and 2 2017 waste return submissions has been completed.

G4 - Monitoring and records, maintenance and reporting - Reporting and notification - Permit Condition 4.2.4 - CCS Cat 4

Unfortunately we have not received the waste returns for quarter 1 (Jan to Mar) or quarter 2 (Apr to June) 2017 in accordance with permit condition 4.2.4. As a direct result of this breach of permit condition 4.2.4 a CCS score 4 has been applied. You are required to submit the missing waste returns for quarter 1 and quarter 2 2017 to waste.returns@cyfoethnaturiolcymru.gov.uk no later than the 10th November 2017.

Quarter 3 waste returns are also due by the end of October 2017.

It has also been noted that in quarters 2, 3, and 4 2016 mattresses have been recorded against EWC 20 01 11. This waste type should usually be recorded under EWC 20 03 07. Please ensure that mattresses are recorded against the correct codes in all of your future waste returns. No other issues were apparent with the submitted 2016 waste returns.

If you have any questions regarding any of the above comments please contact me.

EPR Compliance Assessment Report

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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			
G4	C4	Overdue waste returns need to be submitted	10/11/2017

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 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.