

Compliance Assessment Report

Report ID:
CAR_NRW0032159

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

Site	Denbigh Civic Amenity Site	Permit Ref	BP3694VK
Operator/Permit holder	C A D Recycling Ltd		
Regime	Waste Operations		
Date of assessment	08/08/2017	Time in	11:50
Assessment type	Site Inspection	Out	12:50
Parts of the permit assessed	All		
Lead officer's name	Challender, Paul		
Accompanied by			
Recipient's name/position	Tony Sykes/ Operator	Date issued	20/09/2017

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
C2 - General Management - Management system and operating procedures	C3	Permit Condition 1.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3	EMS Section 2.2

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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 was a routine unannounced site inspection visit by NRW Environment Officer (EO) Paul Challender who was escorted on site by Mr Peter Clarke. This Civic Amenity (CA) site is currently open to and accepting waste from the residents of Denbighshire. The site is operated by CAD Recycling Ltd on behalf of Denbighshire County Council. During the inspection the weather was overcast, dry and settled.

I was invited into the Site Office by Mr Clarke to sign into the Visitor's Book. Whilst in the Site Office the Permit, Working Plan, Site Diary and a selection of Waste Transfer Notes (WTNs) and other documentation recording waste movements was available to inspect and all appeared to be in good order.

Currently the site is operating under an older Environmental Management System (EMS); you should update this EMS and submit the updated version to Natural Resources Wales (NRW) via your regulating officer EO Paul Challender. Going forward your EMS should be regularly reviewed every 2 years to enable your management systems to be maintained in a manner to comply with legislative and regulatory changes that may arise in waste operations. You should also note that the EMS should be site specific. It is appreciated that CAD Recycling Ltd operate multiple sites and any generic documents utilised as a basis for the EMS should be tailored to the specific needs of the site to which they apply.

On inspecting the waste deposit and storage areas the site was tidy and well organised and litter free with wastes being segregated appropriately. Operatives were actively managing operations and assisting the public such as providing guidance on the most appropriate area to deposit waste. Mr Clarke explained that the site is not currently accepting gas cylinders at Denbigh CA site as per instruction from Denbigh County Council and directed EO Challender to the appropriate council webpage to view this information.

It was noted during the inspection that the site is accepting uPVC windows and doors. The windows observed were broken down to their constituent parts. Please can you confirm that these items are being received from the public and not businesses, the EWC code assigned to these items when they are accepted, the EWC code/s when they or their component parts are removed from site and the waste operator whom removes these wastes. As discussed with Andrew Sowerby the regulating officer for the CAD Recycling Ltd operated Rhyl Recycling Park we require this information to ensure that your existing permit conditions and permitted list of wastes allow your actions concerning this waste type. The storage and treatment of these uPVC windows and doors needs to be detailed within the sites EMS.

There were issues with the storage of waste batteries. Waste batteries were being stored in a sealed and covered pallet box supplied by a third party contractor who removes the pallet box when full and replaces it with a new empty pallet box. This procedure is acceptable however, the pallet box in use on the day of the inspection had cracks in the lid and a large crack on one corner which had previously received a repair. This repair had failed. These cracks would allow the ingress of water negating the value of storing batteries in the pallet box. It is your responsibility to store wastes in the correct manner therefore when your third party contractor delivers new pallet boxes for the storage of batteries the pallet box should be inspected for integrity by your site operative prior to acceptance. This inspection and acceptance procedure should feature in the EMS.

It was found during the inspection that the Site Identification Board required updating. References to the "Environment Agency/Y Cyfrwng Amgylchedd" should be replaced with "Natural Resources Wales/Cyfoeth Naturiol Cymru" and the contact numbers "0800 807060" should be replaced with "0300 065 3000".

There were fly tipped items of waste to the rear of the site outwith the well maintained palisade security fencing. This area is difficult to get to from the site and indeed from outside the site accessing this area would require some dedication from the depositor. It is accepted that site operatives would be unable to recover this waste to site however, I would encourage you to log any new deposits of waste in this area during your close down procedures and report incidents of fly tipping in this area to the council.

The following breaches to the permit have been recorded:

(C2) Management Systems. CCS Score 3.

As outlined above the EMS is several years old and is not tailored to the needs of the site. Certain operations carried out on site are not detailed within it and a procedure regarding the inspection and acceptance of pallet boxes for storing batteries should be inserted. Please update this document to an EMS tailored to the needs of the site and make this updated version available to all staff in the Site Office and submit a version to your NRW regulating officer.

(C4) Storage, Handling, Labelling and Segregation. CCS Score 3.

As outlined above the battery storage container is a pallet box supplied by a third party contractor. This pallet box was obviously labelled and was in situ with its lid fitted. Although this type of storage container is suitable for the storage of batteries this particular pallet box was not in a good state of repair with cracks to the lid and side wall which would allow the ingress of water and therefore corrosion and decomposition of the batteries stored within. Pallet boxes that are not in a state of repair that are fit for the storage of batteries should not be used at the site and procedures should be implemented via the EMS for staff to follow.

Thank you for your time during this inspection.

Paul Challender - Environment Officer

EPR Compliance Assessment Report

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Operator/Permit holder	C A D Recycling Ltd	Date	08/08/2017

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			
C4	C3	Develop and implement a procedure that will feature in the EMS to stop the use of damaged storage containers.	16/10/2017
C2	C3	Update current EMS to reflect all operations on site.	16/10/2017

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.