

Compliance Assessment Report

Report ID:
CAR_NRW0032397

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

Site	Brymbo Household Waste Recycling Centre	Permit Ref	NP3395EQ			
Operator/Permit holder	F C C Recycling (U K) Limited					
Regime	Waste Operations					
Date of assessment	01/11/2017	Time in	10:05	Out	10:28	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Challender, Paul					
Accompanied by						
Recipient's name/position	Gary Smith/ Operations Manager	Date issued	15/11/2017			

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
F3 - Amenity - Dust/fibres/particulates and litter	C3	Permit Condition 3.3.3

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)	4
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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 the new regulating officer Paul Challender. At the time of the visit the weather was mild, still and overcast. Steve Jones a site attendant from FCC Environment was present on site and assisted with the inspection when required.

At the time of the inspection site was open and accepting waste from the public. Site attendants were actively assisting the public with advice and guidance on the disposal of wastes. The site was well labelled and signed to assist disposal and to advise the public of unauthorised wastes and activities.

Prior to inspecting the site a selection of paperwork was reviewed in the site office. The site licence, working plan, visitors book and check sheets were all readily available to review and where necessary; completed in a suitable manner. The site diary was also inspected and signed. The site diary was particularly well utilised with pertinent information recorded in a usable manner. It was identified from the site diary that there had been recent issues with unauthorised access and removal of waste. Actions taken in respect to the unauthorised access were discussed and the immediate and on-going actions to limit this activity appear appropriate.

On the whole the site was in good order and was tidy however, there were issues that needed to be addressed.

There were several items of litter on site, along the perimeter fence which had been there prior to the start of the working day; including a minimal amount of litter which had escaped along this fence line. These should have been collected in your clean down procedures the preceding day. It is noted however, that Mr Keele Mawby an FCC Environment assistant manager had attended prior to my inspection and had instructed the on duty site attendants to conduct a fence line litter pick during a quiet period.



Due to the recent unauthorised entry to site to access and remove waste the pallisade fence is damaged and ineffective in two places. Repairs are scheduled to take place soon however, there is waste material outwith the permitted area due to the actions of trespassers. This material should be recovered to site.



A separate discussion with Mr Keele Mawby took place later during the inspection at another site controlled by the operator; Bryn Lane Civic Amenity Site in relation to the condition of the concrete and rubble containers at both sites. Mr Mawby outlined the recent procurement activities and the instruction to commence works to rectify the issues with these containers. The proposed works and replacements appear to be appropriate to address my concerns with these containers however, I will monitor the effectiveness of these alterations in my future inspections of Brymbo, Bryn Lane and Plas Madoc permitted waste sites.

The following breaches to the permit have been recorded:

(B4) Containment of stored materials. Permit Condition 3.3.3. CCS Score 3.

Waste was observed along the fence line of the permitted area and had started to emanate from the site. The inspection took place early in the working day and that morning had been free from wind. It appeared that this waste had not been collected during clean down the previous working day. The site had received a visit from an assistant manager for the company who had instructed the operators to conduct a litter pick which had not occurred by the time the regulating officer conducted the inspection visit. The operator should ensure that its staff conduct an appropriate clean down procedure at the end of the working day to prevent wastes escaping from site or to recover wastes to suitable receptacles when the emission from the designated container occurs.

Also the site suffers from access by trespassers who enter site to perform unauthorised removal of waste. The operator has documented the entries well and has taken remedial action to alleviate the situation. Two areas of palisade fencing are damaged and works have been commissioned to resolve these breaches to security. There is however, a quantity of waste of varying types which has been discarded outwith the permitted area due to its unauthorised removal by trespassers. Although the breaches to the physical security are being dealt with there has been no attempt to recover this discarded material. Permit Condition 3.3.3 states that *Litter and mud arising from the activities shall be cleared from affected areas outside the site as soon as practical*. You should recover this discarded material to the site and ensure that any further emanations due to unauthorised removal are dealt with as per the above permit condition.

Thank you for your time during this inspection.

Paul Challender - Environment Officer

EPR Compliance Assessment Report

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Operator/Permit holder	F C C Recycling (U K) Limited	Date	01/11/2017

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			
F3	C3	Conduct litter picks on site as required. Recover waste to the site and repair fencing.	12/12/2017

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.