

Compliance Assessment Report

Report ID:
CAR_NRW0022701

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

Site	Abergele Civic Amenity Site	Permit Ref	MB3097TG			
Operator/Permit holder	Bryson Recycling Ltd					
Regime	Waste Operations					
Date of assessment	17/06/2016	Time in	11:05	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	As below.					
Lead officer's name	Williams, Leon					
Accompanied by						
Recipient's name/position	Kieran McCabe, Vincent Thomas / TCM	Date issued	23/06/2016			

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	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	C3	Table 4.6
C2 - General Management - Management system and operating procedures	C4	6.1.2
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C4	1.1.1
D1 - Incident Management - Site security	A	
F3 - Amenity - Dust/fibres/particulates and litter	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	3	Total compliance score (see section 5 for scoring scheme)	4.2
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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

Routine site inspection conducted by Leon Williams accompanied by site supervisor Daniel McCabe.

On site, a number of paint pots were seen to be stored outside of liquid retaining containers. Table 4.6 of the site permit requires all "wastes which are in a form which is either sludge or liquid to be stored in liquid retaining containers". By storing such wastes outside of liquid retaining containers there is a risk for the wastes to escape and cause pollution. A CCS Category 3 score has been recorded against this non-compliance. Please ensure that all wastes in the form of sludge or liquid are stored as required by the site permit in the future.

A number of refrigerators and other white goods were seen to be stored outside of the designated metal cage on site. All of the refrigerators and other goods seen stored outside of the cage would not have all fitted within the cage. Section 4.6.1 of the site's working plan requires all refrigeration units to be stored in a steel mesh cage that is locked outside of operational hours. Daniel McCabe highlighted during the inspection that the site had experienced between 30 and 40 break-ins over the last 6 months. Wastes with monetary value such as refrigerators and other metal and electronic equipment are a target for potential thieves. Wastes that are not adequately secured have the potential to attract similar incidents at the site in the future. By failing to secure such wastes as required by section 4.6.1 of the site's working plan, a Category CCS 4 score has been recorded. Please assess whether new arrangements need to be put in place in order to remove problematic wastes from the site more frequently.

NRW would advise the site to continue to record security breach incidents and also notify North Wales Police and retain evidence of each incident reported to the force. A number of North Wales Police incident logs were provided for inspection during the inspection. Please also consider whether further infrastructure improvements such as increasing the height of security fencing could be put in place at the site.

Section 6.1.2 of the site permit states that "all records which are required to be made under the conditions of the license shall be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency". No daily site checklists post the 26 May 2016 were available during the inspection. Please ensure the daily site checklists are completed and are available on site for inspection. A CCS Category 4 score has been recorded against this non-compliance.

Summary of breaches noted upon this inspection:

CAR sub criteria – B4 – Containment of stored materials, Permit condition 4.6, Compliance Classification Scheme Score Category 3

CAR sub criteria – C2 – Management system and operating procedures, Permit condition 6.1.2,

Compliance Classification Scheme Score Category 4

CAR sub criteria – C4 – Storage, handling, labelling and segregation, Permit condition 1.1.1,
Compliance Classification Scheme Score 4

Thank you for your co-operation during the inspection.

'In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012'.

EPR Compliance Assessment Report

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Operator/Permit holder	Bryson Recycling Ltd	Date	17/06/2016

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			
C2	C4	Ensure site daily check sheets are completed and are available for inspection.	31/07/2016
B4	C3	Ensure all liquid wastes are stored in liquid retaining containers.	31/07/2016
C4	C4	Ensure refrigerators are stored in lockable container as required by section 4.6.1 of working plan.	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 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.