

Compliance Assessment Report

Report ID:
CAR_NRW0035086

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP			
Operator/Permit holder	Siteserv Recycling (sw) Limited					
Regime	Waste Operations					
Date of assessment	27/02/2019	Time in	10:20	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Storage of waste					
Lead officer's name	Tye, Laoni					
Accompanied by	Peppicelli, Claudia,Mark Rhodes					
Recipient's name/position	Nigel England and Carl Jones/ Director and TCM	Date issued	08/05/2019			

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	C2	2.2.1

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)	31
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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

Environment officers Laoni Tye, Claudia Peppicelli and Mark Rhodes visited site on the 27th February 2019. The purpose of the visit was to conduct an audit as part of the Transfrontier For Shipment (TFS) Regulations. Details of this have been sent separately by Officer Rhodes on the 6th March 2019. The other purpose of the visit was to check compliance with the regulation 36 notice that had been served with a deadline for compliance on the 29th January 2019.

The notice was not deemed to be complied with. Details of breach below.

A1 – Specified by permit. Category 2 breach.

Permit condition 2.2.1 states that waste shall only be accepted if it is of the type and quantity listed in table 2.2 below and it conforms to the description in the documentation supplied by the producer and holder.

This condition has been breached due to the fact that there were numerous waste drums stored on site that were not permitted. Some of these drums contained hazardous waste which was determined during some analysis carried out on behalf of NRW to determine the contents of the drums, some of which were unknown. There were also drums of 'Titanium filings' which although were not hazardous, were also not permitted waste types to be stored on site. An enforcement notice was served with a deadline for removal of the drums which was not met. These drums have been stored outside on unmade ground since last July and should have been removed and consigned as hazardous following the sampling we were advised was carried out on behalf of Siteserv by Robert Hopkins. There were additional drums on site which we were advised by the sites TCM Carl Jones were titanium filings, although the drums contained hazardous labels. We were told these were not hazardous but we have not been provided with any paperwork to tell us what they are. This has therefore been scored as a category 2 breach for the potential for significant impact to the environment and to human health.

Action: We were advised in email chains following the visit that the hazardous drums were to be removed (confirmed now removed from site during visit 18th April 2019) however, we are yet to receive the relevant paperwork and consignment notes for these drums. **Please provide NRW with the paperwork within 1 week of the date of this CAR form.**

We received paperwork on the 5th March 2019 confirming that the titanium filings had been removed

from site.

Non-compliance with a regulation 36 notice is an offence and further enforcement action is now being considered.

EPR Compliance Assessment Report

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Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP
Operator/Permit holder	Siteserv Recycling (sw) Limited	Date	27/02/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
A1	C2	See comments in CAR form	17/05/2019

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.