Compliance Assessment Report

Report ID:
CAR_NRW0035653

This form will report compliance with your permit as determined by an NRW officer					
Site	South Wales Exports Limited	Permit Ref	BB3293NH		
Operator/Permit holder	South Wales Exports Limited				
Regime	Waste Operations				
Date of assessment	03/09/2019	Time in	12:30	Out	12:50
Assessment type	Site Inspection				
Parts of the permit assessed	Part of permit assessed				
Lead officer's name	Coleman, Craig				
Accompanied by	Thomas, Ffion				
Recipient's name/position	Gareth Jones/ Managing Director	Date issued	05/09/2019		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	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	**0**	**Total compliance score** (see section 5 for scoring scheme)	0

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

Barry Docks Site Visit – South Wales Exports (EPR/BB3293NH) – 03/09/2019

Environment officers Craig Coleman and Ffion Thomas visited the South Wales Exports facility at ABP, Barry Docks, Vale of Glamorgan on 03/09/2019 to undertake an inspection. During our visit we met with the Nathan Curtis, the site manager.

(B3) Site Drainage Engineering:

The impermeable surface on site is in good condition, the drainage on site funnels in to a gully which is pumped in to an above ground storage tank. The sites drainage is fully sealed and is maintained on an annual basis.

(C1) Staff Competency and Training:

Site manager Nathan Curtis continues to complete his WAMITAB certification, Gareth Jones (a company director) is the sites technically competent person in the interim period.

(C3) Materials Acceptance:

There was a large quantity of End of Life vehicles on site that were completely depolluted. These were being prepared for transportation to another waste facility.

(C4) Storage, Handling, Ladling & Segregation:

There is a quarantine area designated for Waste Electrical and Electronic Waste (WEEE) currently has a sizable amount of waste stored in it. This waste is due to be transported to another waste facility.

(D1) Security:

The site is secured by a 7ft perimeter fence which is locked when the site is non-operational.

Additional Comments:

During the site visit we met with Nathan to discuss the site accepting back a load of waste fines which had

been taken to another waste operator in the local area. The waste in question is coded under the European Waste Codes as 19 12 12*. The site that the waste was taken too is cleared to accept 19 12 12*, but only bottom ash and other IBA waste. South Wales Exports permit does not allow it to accept EWC 19 12 12, and Nathan was concerned that if the material was accepted back to SWE that the site would be in breach of permit condition 2.2.1. As the waste producer I reminded him that it was South Wales Exports duty to dispose of the waste correctly and reassured Nathan that they could accept the waste back on to site to facilitate its removal to an authorised treatment facility, but that the waste could not remain on site for extended period of time and that it would need to be disposed of in a timely manner.

Craig Coleman

03000 65 4363

Craig.Coleman@cyfoethnaturiolcymru.gov.uk

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.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0035653**

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

Site	South Wales Exports Limited	Permit Ref	BB3293NH
Operator/Permit holder	South Wales Exports Limited	Date	03/09/2019

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.

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			

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.