



Name of site	Fenestration Recycling Company Limited	Operator/ permit holder	Fenestration Recycling Company Limited	Permit ref no:	EPR/HB3938RN
Officer	Alun Thomas	Date	February 20 th 2013	Area/office	South West / Llandarcy
Activity	Waste Transfer Station	Time in/out	10:20 – 11:30	Event type:	☒ Routine ☐ Incident response ☐ Other
Assessment type:	☒ Site inspection ☐ Audit ☐ Check monitoring/sampling ☐ Report/data review ☐ Procedure review				
Site life status:	☒ Operational ☐ Pre-operational ☐ Post-operational				
What part(s) of the permit were assessed?	All inclusive conditions				

Compliance assessment summary

Key to completion: A = Assessed/Assessed in part (no evidence of non-compliance)
NA = Not Applicable 1, 2, 3, 4 = CCS cat 1–4 breach

ATL = Approach to limit
N = Not assessed

Conditions breached

a) Permitted activities	1	A									
b) Infrastructure	1	A	2	NA	3	C3	4	A	5	A	2.1.2,
c) General management	1	A	2	A	3	A	4	A			
Incident management	1	A	2	A							
e) Emissions	1	NA	2	A	3	NA	4	NA	5	NA	
f) Amenity	1	A	2	NA	3	A	4	A	5	A	
g) Monitoring and records, maintenance and reporting	1	NA	2	A	3	A	4	A			
h) Resources efficiency	1	N	2	N							

The breaches indicated above may constitute one or more offences. You should take immediate action to rectify each breach and return to compliance. You should prevent any repetition of the breaches. Breaches of conditions as indicated above can result in criminal prosecutions and/or suspension or revocation of a permit.

NB if there is a breach, only one of the following will have an 'x' placed in the box as the initial enforcement response.

We will now consider what enforcement action is appropriate. ☐	At present we do not intend to prosecute you for the above offences. However, you are warned that this may change if further relevant information comes to light.	This is a site warning. ☐
		We have given you advice. ☒

Review of Directly Applicable Legislation: key: A = Assessed, N = Not assessed, NA = Not Applicable, C1,C2,C3,C4 = CCS cat 1–4 breach.

CCS3

Report delivery method: ☐ copy left on site ☐ posted ☒ Emailed ☐ faxed Date March 5th 2012

Comments

Arrived on site and met Dave Evans(DE) & Barrie Cotterell(BC) in the site cabin where we discussed the following points:

Waste removal: DE & BC informed us that the waste removal from the site since January 1st 2013 were as follows:

82.66 Tonnes	Waste removed via ejection trailer
29.76 Tonnes	Waste removed via roll on/off skip (some of this was the stockpiled waste)
33.16 Tonnes	Of the waste rubber bags
7.76 Tonnes	Waste pipes removed from the top of the yard

- DE informed us that there was a further 4x bulkers (15T each or 60 Tonnes total) of stockpiled waste to be removed on Tuesday 26th February 2013
- The 35 yard steel containers are removed to Sita
- The stockpiled waste is taken to Pwllfawtkin landfill

Since beginning to remove the stockpiled waste DE is now awaiting a contractor quote to replace the damaged fencing at the rear of the permitted site (Photo 1)

There has been a significant improvement on the reduction of the stockpiled waste on site (Photo 2). This is a significant step towards future compliance with the site permit.

B1 Drainage: Currently the site does not have an adequate site drainage system in place which is in breach of the permit which states:

b)1 Condition 2.1.1 of the environmental permit requires that waste shall only be deposited, stored, treated or otherwise handled in any area or the site, where the engineered site containment and drainage system for that area is provided in accordance with condition 2.1.2.

Condition 2.1.2 requires that the engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in table 2.1.

Officer's Signature

Alun Thomas

Recipient's name or position within company

Mr David Evans (Director)

Continuation sheet used

Yes No of pages 4

CCS record number 192829

Notes to the recipient

This compliance report form may highlight non-compliance with your permit or directly applicable legislation as observed by the Environment Agency officer.

This does not relieve the site operator of their responsibility to ensure that they comply with the permit and to prevent pollution of the environment. You are also reminded that:

- you should comply with the conditions of the permit at all times
- compliance with the permit does not remove your obligation to comply with other legislative provisions which may apply.

Understanding the Compliance Assessment Summary

a) Permitted activities	1	Specified by permit
b) Infrastructure	1	Engineering for prevention and control of emissions
	2	Closure and decommissioning
	3	Site drainage engineering (clean and foul)
	4	Containment of stored materials
	5	Plant and equipment
c) General management	1	Staff competency/training
	2	Management system and operating procedures
	3	Materials acceptance
	4	Storage, handling, labelling and segregation
d) Incident management	1	Site security
	2	Accident, emergency and incident planning
e) Emissions	1	Air
	2	Land and groundwater
	3	Surface water
	4	Sewer
	5	Waste
f) Amenity	1	Odour
	2	Noise
	3	Dust/fibres/particulates and litter
	4	Pests, birds and scavengers
	5	Deposits on road
g) Monitoring and records, maintenance and reporting	1	Monitoring of emissions and environment
	2	Records of activity, site diary/journal/ events
	3	Maintenance records
	4	Reporting and notification to the Environment Agency
h) Resource efficiency	1	Efficient use of raw materials
	2	Energy efficiency

The term 'permit' for the purposes of this form includes: licences, authorisations and consents.

Understanding your non-compliance scores

Non-compliance findings are classified using our published Compliance Classification Scheme, (CCS).

This scheme categorises breaches of permit conditions based on their potential for environmental impact as shown below. If you wish to discuss further any comments made by the officer on this form, contact your local area office or for more details of the CCS scheme, see the Environment Agency's website or contact your local office.

CCS category	Description	Score
1	A non-compliance which has a potentially major environmental effect	60
2	A non-compliance which has a potentially significant environmental effect	31
3	A non-compliance which has a potentially minor environmental effect	4
4	A non-compliance which has no potential environmental effect	1

Corrective action

We have various options to ensure that you correct actual or potential non-compliance. We may

- advise on corrective actions, verbally or in writing and require you to take specific actions, by letter or by issuing a notice.
- require you to review your procedures or management systems
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit is an offence, and we may take legal action:

- We will normally provide advice/guidance to assist operators back into compliance. However, other than for a very minor offence this will normally be in conjunction with another enforcement response.
- Where we have issued a written warning this does not preclude us from taking additional enforcement action if further relevant information comes to light. Such action includes the issue of a formal caution, taking a prosecution and/or the service of a notice.

We have published our Enforcement and Prosecution Policy which seeks to achieve a consistent approach to enforcement across all our regulated activities.

Operational Risk Appraisal (Opra)

Compliance assessment findings may affect your Opra score. This score determines your charge and affects the allocation of our resources to check your compliance with the permit.

Data protection notice

The Environment Agency is responsible for regulating environmental protection, flood defence, water resources and fisheries. It has a duty to discharge its functions to protect and enhance the environment and to promote conservation and recreation. The information provided will be processed by the Environment Agency to fulfill its regulatory and monitoring functions, and to maintain the relevant public register(s). The Environment Agency 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 (e.g. Health and Safety Executive, local authorities, emergency services) 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency 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 Environment Agency 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 twenty working days of receipt of the assessment 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 the compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line manager, Area Environment Manager or Area Manager. If you wish to raise your dispute further, this can be done through our official Complaints and Commendations procedure phone our general enquiry number 08708 506506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team, alternatively you can send an email to enquiries@environment-agency.gov.uk. If, after following our Complaints and Commendations procedure, you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary Ombudsman phone their helpline on 0345 015 4033.



Table 2.1 describes the minimum specified standards of design, construction and maintenance of site containment and drainage.

The operational area is not served by an integral containment and drainage system and therefore the operator cannot comply with the requirements set out in this table. Fluids may freely escape the operational area, contaminating land, groundwater and surface water.
CCS Category 3 breach

DE informed us that he had liaised with the DCWW trade effluent officer (Richard Harman (RH)) regarding drainage options. RH explained to DE that the site would be allowed to discharge to foul in the event of an emergency only via an emergency valve.

It was explained to DE & BC that any discharge from the site into either the canal or the river Neath would need to be consented and included into the site permit.

It was agreed that DE & BC would investigate further the options of discharging into either the Canal or the River Neath.

During the inspection it was noted that there were 2x jumbo tonne bags of waste rubber located outside the compound (**Photo 3**). These were subsequently moved during the inspection and placed back inside the compounded area. DE informed us that these were due for removal on February 26th 2013.

DE explained that there was 7.76 tonnes of plastic pipe that had been removed from the upper part of the site since January 2013 (**Photo 4**). The waste pipe is being taken to ETM in Bristol. DE explained that there is no more plastic piping being accepted at the site.

During the inspection DE explained that there is a particular problem of fly tipping near the entrance gates to the site. Although this is no reflection of the site itself DE enquired as to whether there were any signs that we may have that could be fixed to the gateway & perimeter fence. I explained that I would make some enquiries and feedback accordingly.



Photo 1

Damaged fence awaiting replacement at the rear of the impermeable pad.



Photo 2

Area of stockpiled waste reduction



Photo 3

2x Jumbo bags of waste rubber located outside the compound. These were taken back inside the compound during the visit



Photo 4

Waste plastic piping located at the top part of the site.