

Compliance Assessment Report

Report ID:
CAR_NRW0031987

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

Site	Rhyl Recycling Park	Permit Ref	HP3394VK			
Operator/Permit holder	C A D Recycling Ltd					
Regime	Waste Operations					
Date of assessment	14/06/2017	Time in	15:30	Out	15:50	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by						
Recipient's name/position	David Driver/ Site Manager	Date issued	08/08/2017			

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
A1 - Specified by permit	C3	2.2.1
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
E2 - Emissions - Land and groundwater	A	
E3 - Emissions - Surface water	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	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	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 an unannounced routine site inspection. As the sites new regulating officer I, Andrew Sowerby, wanted to familiarise myself with the site. Should you need to contact me you can do so via email - Andrew.r.sowerby@cyfoethnaturiolcymru.gov.uk or via phone 0300 065 3806.

I arrived on site at a very busy time. As a result the site was a little untidy but I was told that it would be tidied up at the end of the day. As a working site I accept that it can get untidy.

The sites environmental permit refers to the need for an environment management system. The most recent version of the sites environment management system(EMS) I have on file is dated the 1st April 2010 and titled as a "Working Plan". If there is a more up to date version please send a copy to me as soon as possible. The site's EMS is very important and as the sites regulating officer I need to see the most up to date version. Your EMS should be regularly reviewed (every 2 years) to ensure it addresses the latest legislation and any changes that may have occurred on site.

Breach

A1 - Permitted Activities - Specified by Permit - Permit Condition 2.2.1 - CCS Cat 3

The sites environmental permit states that "The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit".

I observed that a significant amount of hard plastics was being stored on the grass area at the front of the site. It was explained that a skip was due but had not yet arrived. Following the site inspection I reviewed the permit and believe that the hard plastic being stored on the grassy area to the front of the site was actually outside the permitted area.

In addition to this you should also bear in mind that as a permitted site you need to be operating according to the "How To Comply" document which refers to waste being stored on appropriate surfaces to limit any emissions to the environment (i.e. from contaminated runoff etc). Your EMS also states that all plastics will be stored in 40 cubic yard RORO skips.

How To Comply With Your Environmental Permit can be found at <https://naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf>

A CCS Cat 3 breach has been applied on this occasion for this non compliance. You need to ensure all waste is stored and treated within the permitted area at all times. Any waste outside the permitted area should be moved to either within the permitted area or to another appropriately permitted site as soon as possible.

Other Issues

I also observed some paint tins piled up next to the cabin and fridges not being stored in one location but in a few around the site. You need to ensure all waste, especially waste regarded as hazardous, is stored in the appropriate locations on site. In particular, paint tins should be stored in an appropriate container and according to your environment management system fridges should be stacked in a dedicated refrigerator container. As the site was very busy at the time of the inspection no breach will be applied this time. However, in future, should waste be observed not being stored in accordance with the permit or the sites most recent EMS then you are likely to be scored.

The site now accepts UPVC windows and doors. As well as storing these windows and doors the site is also treating them by stripping them down into their component parts before sending them off site with Mike Hogan. Please can you confirm to me who these upvc windows are being accepted from, what EWC code is assigned to them so that I can ensure they are listed within your permit and what EWC codes the dismantled parts are leaving the site as. The storage and treatment of these UPVC windows and doors needs to be detailed within the sites EMS.

Summary

- Please email me to let me know whether the EMS listed above is the latest version. If it isn't then please forward a copy of the latest EMS at the same time. If it is the latest version then you should review it to ensure it is up to date and to add in any changes that have occurred on site.
- Ensure all waste is stored within the permitted area as shown in your permit
- Ensure all waste accepted onto site is stored in accordance with the sites permit and EMS
- Please email me with details of who the UPVC windows onsite are accepted from, what EWC code they are accepted under and what EWC codes the dismantled parts are leaving as.

If you have any questions regarding any of the above please contact me.

EPR Compliance Assessment Report

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Operator/Permit holder	C A D Recycling Ltd	Date	14/06/2017

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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	C3	Ensure all waste is stored within the permitted area	31/08/2017

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.