

Compliance Assessment Report

Report ID:
CAR_NRW0000099

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

Site	Glass Tech Recycling Ltd	Permit Ref	YP3795VF			
Operator/Permit holder	Glass Tech Recycling Ltd					
Regime	Waste Operations					
Date of assessment	30/03/2016	Time in	13:15	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	permitted area					
Lead officer's name	Davies, Gareth					
Accompanied by						
Recipient's name/position	Karen John/ Managing Director	Date issued	18/05/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
C2 - General Management - Management system and operating procedures	C3	1.1.1
F1 - Amenity - Odour	C3	3.2.1

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Present

Gareth Davies (GD) – Natural Resources Wales

The purpose of the visit was to assess compliance with environmental permit EPR/YP3795VF following a report of odour received from a property at the new Coed Darcy housing development. The report was received at 1030 on 30 March 2016. Further information gained from the reporter confirmed that the odour was not present at 0800 on 30 March 2016, but odour was noticed at 1015 and continuing.

Prior to attending site GD attended the location where the report was received from at 1300. The weather was overcast with some light rain and the wind direction appeared to be coming from a south westerly direction. There was an odour present at this location that can be described as a rubbish type smell. This was similar to an odour noticed on the GTRL site previously. The odour was not strong, but was noticeable. GD then drove to Llandarcy Village. There was no odour detected at this location. Subsequently, in my opinion, the source of the odour was coming from the GTRL site.

GD attended site and spoke to Steph, asking to speak to either Karen John (KJ) or Ceri Litchfield (CL). I explained that I was attending following a report of odour. Steph explained that neither KJ nor CL was available. Steph tried contacting CL at the Kings Dock site, but he was in a meeting and I asked if Steph could leave a message with CL call me back once his meeting had concluded.

CL rang back in the afternoon of 30 March 2016. I explain that I had attended site as we had received an odour complaint in the morning. I explained that the incident had been attend and the odour substantiated as coming from GTRL. CL confirmed that over the bank holiday weekend there had been a slip within the waste pile around the weighbridge. Subsequently on 30 March 2016 there was a need to move some of the waste stockpile on site in order to maintain access to the weighbridge. It is believed that this would have resulted in odour being detected off site. GD confirmed with CL that as the report of odour was substantiated then there would be a resulting score.

As the odour was substantiated as coming from GTRL and was perceived to have caused a pollution this is considered a breach of condition 3.2.1. This has been scored a C3 under F1 – Amenity, Odour.

The substantiation of the odour coming from GTRL is also considered a breach of condition 1.1.1 in that the written management system has failed to prevent pollution, namely odour being detected off site.

END

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.

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EPR Compliance Assessment Report

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Operator/Permit holder	Glass Tech Recycling Ltd	Date	30/03/2016

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.

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			
F1	C3	Ensure that relevant measures are taken to minimise odour being detected off site.	03/05/2016
C2	C3	The written management system should be reviewed to ensure that all steps are being taken to minimise odour being detected off site.	03/05/2016

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 reports 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 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.