

Compliance Assessment Report

Report ID:
CAR_NRW0034831

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

Site	Tydu Farm	Permit Ref	UP3695FZ			
Operator/Permit holder	Valley Recycling Ltd					
Regime	Waste Operations					
Date of assessment	07/03/2019	Time in	10:30	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	Permit, working plan & site history in accordance with current site activities					
Lead officer's name	Warwick-Brown, David					
Accompanied by	Bowder, Alex					
Recipient's name/position	Lyn Bowen/ Operator	Date issued	19/03/2019			

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
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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
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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

Compliance Assessment Report – Berthgron Quarry Transfer Station (EPR-UP3695FZ)

Officers David WARWICK-BROWN and Alex BOWDER visited Berthgron Quarry Transfer Station on 07/03/19 at 10:30 for a routine site inspection and to introduce myself as the new regulatory officer. The weather was cold and windy at the time of visit. We met with Site Manager Lyn Bowen at the site's office upon arrival, who then drove us along a dirt track to the waste transfer station a short distance away.

Inspection:

The site appeared to be well organised, with separate waste streams sorted into clear separate piles or bays, with several skips located within the sites boundaries for temporarily storing wastes before being exported off site. Mr Bowen explained that business had been relatively quiet recently, and the volume of waste material being processed on site was being managed effectively by one worker, who was on site during the inspection.

Where material was being actively processed on site, the waste was stored/treated on an impermeable surface with a sealed drainage system, which had just been cleaned out and emptied last weekend. The drainage then leads 3 settlement lagoons to trap silt, and then into a storage tank for dust suppression in the summer months.

There was some waste material that had accumulated in a corner of the site (as shown in image 1 below), adjacent to the dirt track near the entrance, which was just outside of the impermeable surface area of the site. The wastes appeared to be mostly plastic, which had apparently been windswept to this corner of the site over time.



Image 1 – accumulations of windswept material just outside of the impermeable surfaced area of the site

The permit states (in table S1.1) that all inert wastes shall be 'stored and treated on hard-standing or impermeable surface with sealed drainage system' and 'all other wastes shall be stored and treated on an impermeable surface with sealed drainage system'.

Action:

Since the wastes observed on this part of the site were not inert, it is important that that such areas are kept clean and free of such waste material to minimise the potential impact of environmental contamination. Please ensure that such areas of the transfer station are kept free of any non-inert waste materials.

Further observations:

Hard copies of all relevant site documentation were available in the sites office during our visit. The most up to date copies of the relevant WAMITAB continuing competency certificates were not on NRW's records prior to our inspection – however, the up to date copies were emailed straight to us during the site visit.

Our previous CAR form (dated 16/08/17) mentioned the requirement for a Fire Prevention & Mitigation Plan (FPMP) for all our permitted sites that deal with any flammable products. Although this is still not a requirement within your permit as it currently stands, it will eventually be a requirement of all such permits. A hard copy of your current fire response plan was available on site during our visit, but please note this will need to be updated in accordance with the most up to date FPMP Guidance. We will ensure that you are made aware as and when this update will need to take effect.

Waste returns have been reviewed and we can confirm that they are up to date.

Thank you for taking the time to show us around the site during our inspection.

If you have any issues with this report please contact David Warwick-Brown on 0300 065 3683 or david.warwick-brown@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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034831**

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Site	Tydu Farm	Permit Ref	UP3695FZ
Operator/Permit holder	Valley Recycling Ltd	Date	07/03/2019

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.