Compliance Assessment Report

Report ID: CAR_NRW0035282

This form will report compliance with your permit as determined by an NRW officer					
Site	G L J Recycling Limited	Permit Ref	DB3097TJ		
Operator/Permit holder	G L J Recycling Limited				
Regime	Waste Operations				
Date of assessment	08/05/2019	Time in	10:30	Out	12:45
Assessment type	Site Inspection				
Parts of the permit assessed	Site Audit - EMS, FPMP, Site Engineering and Duty of Care				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Gareth Jones, Collen Andrews/ Director, Accounts Manager	Date issued	26/06/2019		

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**
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D2 - Incident Management - Accidents, emergency and incident planning	C3	3.7.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	**3**	**Total compliance score** (see section 5 for scoring scheme)	8.1

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

PLEASE SEE AUDIT REPORT FOR FURTHER DETAILS

Officer Alex BOWDER attended GLJ Recycling Ltd on Wednesday 8th May 2019 at 10:30 to carry out an Audit of the business' environmental permits. The Audit was conducted between 08/05/19 - 26/06/19. This involved the analysis of the additional information requested from the businesses to complete the Audit and the write-up of the assessment report.

08/05/19

The weather conditions were warm and dry at the time of inspection with some patches of water present on the yard, due to rainfall overnight. Met with business Director Mr. Gareth Jones and Accounts Manager Colleen Andrews. A meeting was first held in the Office whereby documents were examined, and operational procedures were discussed. This was followed by a walkaround of the permitted area checking the implementation of procedures on site and compliance with permit conditions.

T9 EXEMPTION

The business has a T9 Waste Exemption registered at the Crosskeys yard, Ref ***NRW-WME035980*** – issued on 18/12/19. There are approximately 400 tonnes of material currently stored at this yard.

NRW have been informed, that this material was deposited under the T9 Waste Exemption from Wards Recycling and is not classified as fines. The business has analysed the waste and classified it as Ferrous Oxide, under the EWC code ***20 01 40***. NRW must question whether this material should be coded as ***19 __,*** if the waste in question has come from a Waste Management Facility such as the Cwmcarn site.

This material has been on site for **over 24 months**, which greatly exceeds the 12-month storage limit set out in the exemption. This is direct non-compliance with your exemption and so this waste must be removed as a priority. During the Audit, it was stated that 75 tonnes of the pile were removed in April 2019 and that the site intends to take this remaining material in parts to the Cwmcarn yard.

Space is currently limited at this location due to the installation works of the new machinery. The site has requested six months to fully remove the material, however this waste needs to be removed as a priority due to length of time it has been deposited. The business will need to come up with a plan and timeline for the immediate removal of the material.

The business mentioned that the site intends on surrendering the permit in future. Associated site condition reports.

The business submitted a Nil Annual Waste Return document for 2018 on 06/03/2019. This states that no waste has been accepted or removed from site in this period under the permit.

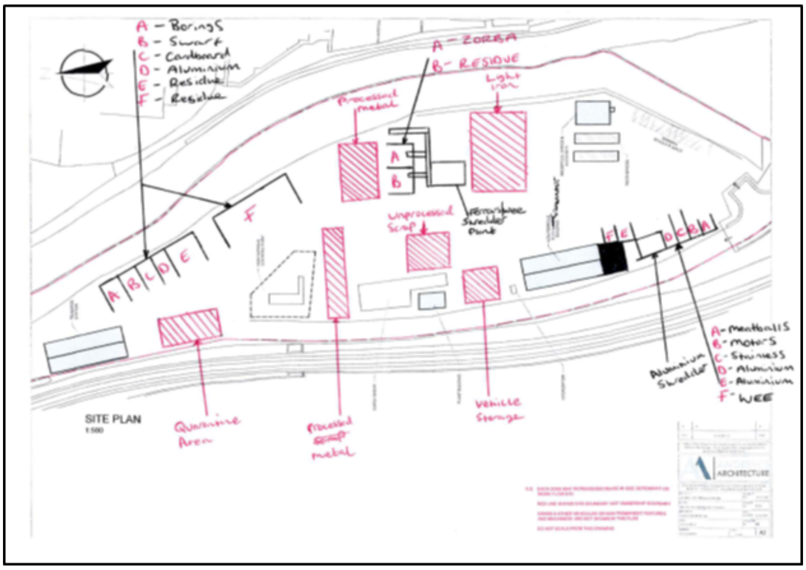
ACTION

- Provide a timeline to NRW for the removal of the remaining material from the site.

- Submit all future Waste Return Documents for this permit within the grace period given.

SITE PLAN

The business was asked to submit an updated site plan that outlines work areas, drainage lines and storage principles for the Cwmcarn yard. This is plan must be updated accordingly with any amendments made; please see that the most up-to date version is kept in the EMS.



PREVIOUS PERMIT NON-COMPLIANCES

- Material stockpiles being stored in excess of 4m contrary to the FPMP.
- Water supply access in the event of a fire
- Inadequate separation distances between neighbouring stacks/buildings.

Insufficient Drainage System to cope with an emergency incident

1 - ENVIRONMENTAL MANAGEMENT SYSTEM (EMS)

The business should have an EMS document that covers each permit that the site holds. For instance, the EMS document for the Transfer Station operation will differ to that of the End of Life Vehicle unit. The EMS is meant to be a live document that tells us how you are going to operate your site in-line with the permit. It should be updated accordingly and referenced regularly.

The site has previously had a very broad document that covers all aspects of the business, including operations manuals, risk assessments. NRW have previously pointed out to the site that the EMS should be focussed on environmental factors and compliance with permit conditions. The business has condensed the document and is working to see that it is updated and consulted regularly.

For further information on compliance with EMS documents, please see our *'how to comply'* section on our

website:
https://naturalresources.wales/permits-and-permissions/environmental-permits/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en

WAMITAB and Staff Training

Director Gareth Jones is the acting Technically Competent Manager (TCM) for the business. Modules passed include Transfer Non-hazardous Waste, Metal Recycling Sites and End of Life Vehicles.

Expiry: **19/02/2021**

Gareth is present on site most days and an active site diary is kept by the business. We recommend putting the continuing competency date in your EMS document *(section 6.6)*, to make parties aware for renewal and to get in the habit of updating the document accordingly.

NRW asked how training record logs are kept, checked and how issues communicated to staff. The business has an electronic toolbox system, which is linked across various staff members and grants access to update, check and notify when data is up for renewal or missing. The site is entering all incidents and site activities in site diary which is good to see.

Section 4.4 of EMS Fires on site states: *"All fire will be recorded in the site diary and NRW will be informed within **48 hours** of any incident".* As this implies that this would not be done immediately, we would ask that this is re-worded to reflect the urgency.

CONTINGENCY PLANS

It is important to have Contingency Plans in place for all areas of the business to safeguard operations and to ensure permit conditions are complied with. You should be able to state how the business will operate if unforeseen circumstances arise, such as:

- Extreme weather
- Machinery break downs
- Drainage system failures
- Key personnel off
- Usual outlets for waste are unusable

Any situation that potentially could disrupt everyday operations should be listed. You must consider what controls you will implement if an event does occur:

How will this affect storage of materials on site?

- How will you mitigate risks?
- How will you manage waste volumes with material coming into site?
- Lists of contacts in an emergency

It was stated that if a shredder machine were to break down, the site would shear the mixed waste types and transfer the mixed scrap to sheared material. This would mean that business would lose money on the weigh-ins for the material, however it is important to uphold the permit conditions in times of breakdowns.

GLJ ENVIRONMENTAL LIMITED

This business is separate to GLJ Recycling Ltd and operates under Waste Exemptions registered ***NRW-WME025347*** at Unit 5-9 Fern Close, Pen-Y-Fan Industrial Estate, Caerphilly, NP11 3EH:

- S2 – storage of waste in a secure place
- T9 – Recovery of scrap metal

The site is a Hazardous Waste producer, Waste Carrier licence holder and own a Scrap Metal Dealers licence with the Council. The unit largely treats and sorts light iron/scrap material and then transfers to the Cwmcarn yard for further processing. It has been stated that all metal material at this site is cut by hand, sorted on the premises with no processing taking place. No WEEE is taken to or transferred from this site and all material is managed on appropriate infrastructure.

2 - FIRE PREVENTION AND MITIGATION PLAN (FPMP)

These are the areas that were highlighted on the NRW Audit report ***CAR_NRW0033511*** on 20/06/19 and required actions:

- Update Plan with the amount and types of waste that are received daily, including how they are managed. ***The site agreed to include another column detailing maximum fortnightly and monthly storage figures – to assist with waste volume management.***

- Provide a summary of the maximum size of waste piles, stipulating maximum length, width and depth table with measurements, separation distances and distance to nearest pile. ***This has been actioned and a table included in the EMS.***

- Submit an updated site plan with main access routes for fire engines, location of hydrants and water supplies and nearby watercourses. ***The business has provided additional maps for emergency vehicle access (round the left of the site) and water sources - the site is awaiting confirmation from FRS regarding water pressure.***

- Updated Site Map, annotating work areas and waste bays for Transfer Station activities ***– completed.***

- Fire prevention techniques, including management of hotspots (signs of potential self-combustion), monitoring, reporting, recording and actions. ***NRW questioned how the site manager will inspect the piles at the end of every shift. It was said that this is done routinely and logged via the electronic Toolbox system.***

- Combustion products and emissions (to air, land & water) from the fire and emergency response (including impact on community, critical infrastructure and the environment) and how minimised.

The site has updated the document to address these issues.

- Maintaining contact details of sensitive receptors within 1km of your site – ***Complete.***

As stated during the Audit inspection, the key word is **prevention**. Contingency plans are imperative to ensure all risks are mitigated and material can be managed in compliance with permit conditions. If the site has reached its capacity in volume, the site should not accept any more waste onto site until the current material has been processed and removed. This can translate to turning customers away but is important to ensure compliant waste management and risk mitigation.

As stated previously to the business, the FPMP must be site specific and accessible. The site must continue to demonstrate how risk is mitigated on a day-to-day basis.

MATERIAL STORAGE DIMENSIONS

CATEGORY 3 BREACH - PERMIT CONDITION 3.7.1

(D2) INCIDENT MANAGEMENT - ACCIDENTS, EMERGENCY AND INCIDENT PLANNING

"The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance."

There has been concern raised by NRW on the heights of the scrap metal stockpiles stored across the yard. At the time of inspection, the stack nearest to the office was estimated to be exceeding the **four-metre height restriction**; which staff agreed with.

The stack nearest the office unit was also stored adjacent to the site fencing and boundary, as per Image 1. All waste piles are required to have a 360-degree access in the case of an emergency incident, to enable sections to be successfully reached and segregated. This means that waste cannot be stored up against site boundary and that a clear separation is established in future.

This contravenes what is stated in your FPMP and so has scored a **Category 3** breach of condition 3.7.1 as a result. Going forward, the site needs to implement tighter procedures for stockpile management to ensure you meet the FPMP requirements.

ACTION

- Bring down the heights of all Stockpiles exceeding 4 metres.
- Do not store material up against site boundary and establish 360-degree access to all piles.

Deadline: 26th July 2019.

It has been detailed to the site, how the FPMP guidance sets the maximum storage **height** of stockpiled waste to **four metres**. This height specification was determined by the Fire and Rescue Service for general good management practise and to enable firefighting equipment to extinguish the top of piles, if an incident were to occur. Due to the size of the site, the business has stated previously that it struggles to comply with this height restriction.

Picture 1 – showing scrap metal stack estimated to be exceeding four metres in height, taken on 08/05/18

We ask that strict measures are put in place to see that these storage limitations are adhered to. The Officer asked how the site intends on managing height restriction going forward. It was stated that the bays walls used for material storage are three metres high, and that material is stacked using that as an indicator.

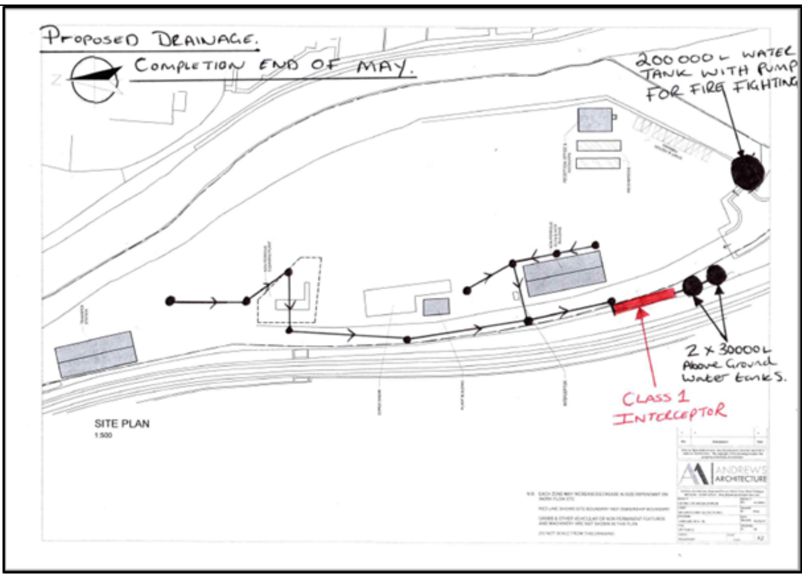
The site must set in place measures of how you will react, if you feel the height limit of 4 metres will be exceeded. If expected to exceed the height, the site agreed that it should notify NRW which is supported by our guidance.

Please bear in mind that separation distances between neighbouring stacks, buildings and work areas need to comply with Graph 1 of the FPMP guidance. It was again stated, space will be more readily available once the new machine has been installed.

WATER SUPPLY AND FIRE WATER MANAGEMENT

As detailed in the FPMP, you must have sufficient water supply available to your site for firefighting to take place and to manage a worst-case scenario. It has been stated that the site is looking into installing a 200,000 litres standalone tank for water supply and with two 30,000 litre water tanks to collect the clean water from the interceptor. These will be fitted with an alarm system, so that when the capacity is reached it offers the opportunity to pump into a single tank, which can be used for firefighting in the event of an incident.

The standalone tank close would be located to the front gates to allow for access in the event of an emergency. The business is awaiting confirmation from the FRS regarding this asset.



QUARANTINE AREA

This is defined as an area that must but be dedicated to hold 50% of the volume of the largest stack at all times. The site stated that their Quarantine Area is dynamic. It is allocated to the area in the centre of the yard and patch of concrete opposite the Transfer Station. This TS area was filled with metal at the time of inspection to make way for the installation of the shredder machinery. Please ensure that staff are aware where the allocated quarantine area is for each day, in the event of needing to isolate and extinguish material.

DESIGNATED AREAS

There should be separate Quarantine Areas for non-permitted/hazardous waste types and the area allocated for fire-affected material. There must be enough room so that any potential material deposited complies with the separation distances set out in FPMP guidance.

The site agreed that it could benefit from a joint visit from NRW and the Fire and Rescue Service to assess storage principles and procedures on site.

SCRAP METAL RECYCLING

Depolluted waste vehicles and general scrap metal materials are put through the shredder to make the separation of fragments of scrap easier. At the time of inspection various metals were segregated and sorted in bays in accordance with the permit.

INDUSTRIAL EMISSION DIRECTIVE (IED)

The business is looking to install a shredder machine that would look to process more than 75 tonnes a day of non-hazardous. This activity would push the operation into which requires an installation permit under the Industrial Emission Directive (IED).

The site is currently looking to vary its SR metal recycling permit to a bespoke installation and has received some pre-application advice regarding this. As stated during the Audit, the site must ensure that it does not exceed the 75 tonnes a day threshold until a permit has been issued by NRW.

END OF LIFE VEHICLES (ELV)

The old depollution bay has been dismantled and rebuilt on the west of the yard. The Officer queried the depollution process for vehicles and the destinations/storage methods for the extracted liquids from ELVs.

The vehicle is first raised to gain full access underneath the unit. A worker then will puncture the various tanks and either extract the liquid via a suction tank or leave to drain by gravity into an appropriate container/tanker. The liquid is left to drain until empty and then the hole is resealed with a fit-for-purpose bund to prevent any leakage occurring. These liquids are then stored in relevant labelled canisters and collected from site by an authorised contractor.

Staff were aware of the spill kit locations on site and when to use them. Please note, if absorbent material is used to clean up residual oils and fuels, this material needs to be separated and consigned as hazardous.

It is important to ensure that there are tight procedures in place for tyre storage; for example, how high tyres are tacked and the acceptable distance away from flammable canisters. Tyres are typically stored in a skip away from potential ignition sources and are sent to an authorised waste acceptor once the volume is suitable for a collection.

As stated, the business should be completing Hazardous Waste Consignment Notes for hazardous wastes such as oils removed from vehicles. Please see section 'Transfer of waste and records' (*Page 17*) for further details.

3 - INFRASTRUCTURE AND DRAINAGE SYSTEMS

SITE ENGINEERING: Drainage – section 2.2 of EMS

On the Audit report ***CAR_NRW0033511*** on 20/06/2018, it was stated that the drainage of the site was of great concern and that Officers were not satisfied that the site drainage would prevent pollution entering the Ebbw River in the event of a fire.

The site has since made efforts to install a new system which is looking to be completed by the end of June 2019. The new interceptor will be fitted with an alarm and is an upgraded system, which should improve the overall drainage system on site. The current system discharges to foul sewer, however this will be replaced by a sealed system with a sump.

Water collected from the system will be pumped out of the system and tested for re-use for firefighting and dust suppression. All liquids are said to be collected from sealed sump and collected via specialist recovery company for disposal.

The interceptor was emptied on 05/03/19 and the consignment note was checked. The Officer raised the issue of setting reminders for maintenance, rather than relying on alarms.
When the new interceptor is installed, the old interceptor will be decommissioned; this will need to be updated on the Site and drainage plan. Please note, that the interceptor must be accessible at all times in the event of an incident.

INFRASTRUCTURE: Section 2 of EMS

The business stated that a monitoring and maintenance regime is in place and there are ongoing infrastructure improvements being made to the facility. Wear and tear of the yard surface is expected due to heavy plan machinery and nature of scrap activities

Previous CAR Forms required the site was to replace and repair the impermeable surface at the top yard. **Section 2.1** of your EMS states that repairs will be carried out as soon as 'practical'. The Officer questioned what timeline this would involve and the procedures in place to execute completion. It was stated that the site typically waits for warmer, drier weather to restore any damaged areas. It is important to repair weakened areas as soon as possible to ensure the surface is impermeable and all run-off captured by the drainage system.

Picture 4 – showing an area of weakened infrastructure in the yard, taken on 08/05/18

Picture 5 – showing further weakened infrastructure in the yard, taken on 08/05/18

There were some areas pooling surface water next to the non-ferrous metal building. The Officer was told that this gets swept towards the drain by plant on site; no issues apparent with the drainage channels or drain slots at the time of inspection.
NRW will review the new drainage system and interceptor on the next inspection to assess suitability.

Section 6.5 - NOISE CONTROL AND OPERATING TIMES

This section of the EMS gives a brief paragraph about noise management on site. The business has three documents that it uses for its Noise Prevention Plan:

- Noise Management Document, Version 1 - April 2019.
- Noise Shredder Impact Assessment, 2016.
- Noise Risk Assessment.

When asked about how the site manages noise daily, it was stated that this is done subjectively on a reactive basis. Due to the location of the site within the valley, this can amply any excessive noise which has the potential to create noise pollution to nearby receptors.

The documents reference running the shredder at lower speeds to minimise noise and educating staff about dropping material from heights. This is all logged on the online training tool manuals.

Please ensure business vehicles adhere to operating times and that machines are not started up before set opening times. No unreasonable noise levels were noted at the time of visit.

BURNING OF WASTE

The site is aware that it is not permitted to burn any waste on site. There have been reports of smoke emanating from site, which have been attributed to engine/generator maintenance at the front of the yard. This has been mistaken for a burning activity and the site has worked to address these issues.

4 - TRANSFER OF WASTE AND RECORDS

As part of your waste duty of care you must classify the waste the business produces before it is collected, disposed of or recovered. This is to identify the controls that apply to the movement of the waste and to complete waste documents and records. It is also essential to identify suitably authorised waste management options and to prevent harm to people and the environment.

BREACH – CATEGORY 4 **G) MONITORING AND RECORDS, MAINTENANCE AND REPORTING**	**WASTE RETURN DOCUMENTS** The business has failed to submit its Waste Returns documents for the past few quarters across the permit. It is your duty under your permit conditions to ensure your

<u>Paragraph 4.2.2</u> *"Within one month of the end of each quarter, the operator shall inform the Agency using the form made available for the purpose of, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter"*	returns are submitted to NRW on time to enable us to check the transfer of waste. The site should also be submitting **Hazardous Waste Consignment Notes** for all wastes deemed <u>hazardous.</u> This has scored as **Category 4** breach against condition 4.2.2 as a result. You must be reliant on yourselves for correct and diligent submission. If there any issues as to why you cannot submit your returns within the allocated timeframe, then you must notify us. **<u>ACTION</u>** - Submit any outstanding Waste Return Documents. - Put in place measures to see that they are submitted within the grace period.

- **DB3097TJ -** Metal recycling and ELV are required to be submitted annually (within one month at the end of each year).
- **LB3093HH** - Transfer Station and WEEE – are required quarterly (within one month of the end of each quarter).

The timescales for quarterly submissions are as follows:

QUARTERLY RETURNS PERIOD	RETURN SUBMISSION DEADLINE
- Q1: 1st January to 31st March - Q2: 1st April to 30th June - Q3: 1st July to 30th September - Q4: 1st October to 31st December	- 30th April - 31st July - 31st October - 31st January

Yearly returns:

ANNUAL RETURN PERIOD	DEADLINE FOR RETURN
- January 1 to December 31	- January 31 of the following year

It is evident that there have been some issues with submitting the quarterly Waste Return spreadsheets within the grace period. Measures must be put in place to determine

- Who is solely in charge for inputting and submitting your returns?
- What format are they being completed in (written/electronic)?

Solid reminders to be put in place before submission deadlines to see that the appropriate person is submitting them.

MOVING HAZARDOUS WASTE

When hazardous waste is moved to or from any location in Wales it needs to be accompanied by a hazardous waste consignment note. The business should therefore be submitting hazardous waste returns for any materials deemed hazardous, such as liquids from vehicles.

Template consignment notes are available our website:
https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/moving-hazardous-waste/?lang=en

ACTION

Submit hazardous waste consignment note for appropriate wastes in future.

CLASSIFICATION AND ASSESSMENT

CATEGORY 3 BREACH – CONDITION 1.1.1
C2 - GENERAL MANAGEMENT – MANAGEMENT SYSTEMS & OPERATING PROCEDURES - ROOT CAUSE *"the operator shall manage and operate the activities in accordance with a written management system…. [ ]"*
Procedures in the business' Environment Management System (EMS) are not being followed to attain correct waste code classification. This has scored a root cause breach with your Management System as a result. The Management System has not been followed to ensure diligent submission of Waste Returns documents. **ACTION** - Update Management System to reflect correct classification protocols. - Implement procedures to ensure diligent waste return submission.

We determine that the site has been incorrectly coding waste that has been accepted or removed from site. This breaches Directly Applicable Legislation (DAL); Section 34, Environment Protection Act 1990 – Duty of Care. This is a serious offence and so the site must put measures in place to ensure this is addressed going forward.

The site should be using **Technical Guidance WM3** for the processes that produce, manage or regulate waste. This is to correctly classify waste types under EWC. It has been stated that all classification is done on site.

FINES MATERIALS

It has been stated that shredder residue material has been sent to Atlantic Recycling Ltd.

The EWC being used for any metal shredder material or shredder residue, should be leaving site as either:

- 191003* - fluff-light fraction and dust containing dangerous substance
- 191004 - fluff-light fraction and dust other than those mentioned on 19 10 03
- 191005* - other fraction containing dangerous substances
- 191006 - other than those mentioned on 19 10 05

Waste should not be leaving site coded under as a ***19 12 __***.
Although operations take place on the same yard, the business should be keeping an internal Audit trail that documents all movements of waste between permits. You must be able to demonstrate this on your returns. We currently find this difficult to track

WASTE ACCEPTANCE CRITERIA (WAC) TESTING

WAC testing is used to determine how a waste will behave once it's buried in a landfill. This is carried out primarily through analysis of leachate derived from that waste during laboratory analysis. It cannot be used to determine whether a waste is hazardous or not.

When asked what testing is being conducted on the fines waste, it was said that only WAC tests are being completed. WM3 states that the sampling and assessments should be used on these waste types to test for hazardous components. Therefore, a WAC test is **not** sufficient to accurately classify the waste.

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

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

Site	G L J Recycling Limited	Permit Ref	DB3097TJ
Operator/Permit holder	G L J Recycling Limited	Date	08/05/2019

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.

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			
D2	C3	Bring down the heights of all Stockpiles exceeding 4 metres. Do not store material up against site boundary and establish 360-degree access to all piles. Amend site FPMP to reflect these operations.	26/07/2019
B1	X	Repair any weakened areas of infrastructure to uphold impermeable status.	25/09/2019
C2	C3	Update Management System to reflect correct classification protocols. Implement procedures to ensure diligent waste return submission.	26/08/2019
G4	C4	Submit any outstanding Waste Return Documents. Put in place measures to see that they are submitted within the grace period.	10/07/2019

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.