

Compliance Assessment Report

Report ID:
CAR_NRW0024800

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

Site	Unit 1- Crugmore Farm	Permit Ref	AB3097HG		
Operator/Permit holder	M D Recycling Limited				
Regime	Waste Operations				
Date of assessment	21/07/2016	Time in	12:50	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	1.1.4; 2.1.1; 2.2.1; 2.3.1; 2.3.2; 2.4.1				
Lead officer's name	Dines, Malcolm				
Accompanied by					
Recipient's name/position	Marc Davies/ Owner	Date issued	05/01/2017		

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
A1 - Specified by permit	A	
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	C3	2.4.1
C4 - General Management - Storage, handling labelling and Segregation	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

Inspection was primarily to review outstanding actions from previous compliance work had been completed.

The operator now has valid Technical Competence Management for the site and the interceptor and soakaway for the aggregates processing area has been installed and is operational.

While on-site took the opportunity to walk around and see how the site is developing. The Deposit for Recovery element has seen very rapid progress, much quicker than the operator anticipated. All the material on this part of the site seemed suitable for the intended use.

The composting area was operational and had good signage regarding areas for deposit of feedstock and also a well-signed process layout. There was excessive quantities of green waste being composted at the time of inspection. The operator estimated that there was 600tonnes on-site, which is 100tonnes over the 500tonnes permitted maximum quantity. The material was composting very well and process in place at the site seemed to be working correctly with the windrows generating plenty of heat. There was no noticeable odour, even at the composting pad. The operator was warned that they were in breach of the permit and that they needed to ensure operations were compliant with permit conditions. The operator explained that had they not taken in the extra material they would have lost a valuable contract. This is a breach of Permit Condition 2.4.1 and attracts a CCS score of 3.

An inspection of the aggregates recovery part of the site showed that progress was being made on signage and layout of the site. New equipment had also been procured. The interceptor and soakaway from this area of the site was now in place. However reviewing the permit in the office suggested that the interceptor and soakaway have been located in a slightly different place to the that set out in the permit. NRW had concerns that if the original soakaway lagoon was adjacent to a watercourse, in the event that the lagoon over-topped, then it would have been inevitable that the watercourse would be polluted. The operator has now converted the soakaway lagoon into a settlement lagoon by installing an outlet pipe to a linear soakaway located in the area of land between the watercourse and solar farm. This should minimise the risk of pollution to the watercourse from the settlement.

In reviewing the permit documents in the office it was noted that the original soakaway lagoon was not supposed to be constructed so close to the watercourse. This in turn might mean that perimeter of aggregates recycling area might not correspond with the permitted area. This means that there is a risk that the operator might be carrying out activities outside the permit boundary. The operator must check that the boundary of the permitted area is clearly defined on-site and that it corresponds with the site boundary line on the permit. This will be checked at the next compliance visit.

EPR Compliance Assessment Report

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Operator/Permit holder	M D Recycling Limited	Date	21/07/2016

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			
C3	C3	Operator must ensure they are compliant with permit conditions	06/09/2016

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.