

Compliance Assessment Report

Report ID:
CAR_NRW0035447

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP			
Operator/Permit holder	Siteserv Recycling (sw) Limited					
Regime	Waste Operations					
Date of assessment	18/04/2019	Time in	11:30	Out	12:30	
Assessment type	Site Inspection					
Parts of the permit assessed	Operational area					
Lead officer's name	Tye, Laoni					
Accompanied by	Bowder, Alex					
Recipient's name/position	Nigel England, Carl Jones and Chris Smith/ Director, Manager and TCM	Date issued	19/07/2019			

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
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3	2.2.1
C4 - General Management - Storage, handling labelling and Segregation	C3 - Suspended	2.3.1
D2 - Incident Management - Accidents, emergency and incident planning	C3	3.4.1

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	4	Total compliance score (see section 5 for scoring scheme)	12
-----------------------------	---	---	----

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

Environment officers Laoni Tye and Alex Bowder conducted an unannounced site inspection on the 18th April 2019. The sites TCM Chris Smith accompanied us on the visit, Carl Jones and Nigel England were not present on site at the time. The purpose of the visit was to focus on the area around hangar B. The weather was dry and mild at the time of the visit. There were breaches recorded.

C2 – Management systems. Category 3 breach.

Condition 1.1.1 states that the operator shall manage and operate the activities in line with a written management system that identified and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints..'

The management system (IMS) we have currently on record does not adequately cover the environmental aspects of the site. As an example, there is currently no information relating to site security within the EMS and no information on staff training and how it is ensured that they are kept up to date with changes. Most of the documents within the IMS were last updated in 2015 and there have been significant changes since then which will need to be reflected.

The EMS needs to be accessible for all on site personnel and for our own officers to see and inspect as needed. The document should therefore be a stand-alone document rather than pages within the IMS which makes the information difficult to access especially in an incident.

You need to produce a management system that shows how you will minimise risks of pollution from your activities . You then need to follow and keep it up to date. You must continually assess your management system to monitor the effectiveness of your operations and make changes to it if it fails or when you can see ways of improving it. The EMS needs to be relevant to the permit and needs to be written to ensure compliance with each of the permit conditions. You should use the guidance documents on our webpage and the how to comply with your environmental permit guidance, which can be found here:

<https://cdn.naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf?mode=pad&rnd=131467604540000000>

This can also be identified as the root cause of other breaches witnessed on site, namely the acceptance of unauthorised wastes and the incorrect storage of wastes currently on site.

Action: Please review and produce an EMS in line with the guidance and which reflects current on site

processes. We will allow time for this to be updated and set a deadline of the 31st October 2019.

C3 – Materials acceptance. Category 3 breach.

Condition 2.2.1 states that waste shall only be accepted if: a) It is of a type and quantity listed in table 2.2. and

b) it conforms to the description in the documentation supplied by the producer and holder.

There were two bins on site, stored outside the area of hangar B that contained various cans of what appeared to be paint and oils. Some of the cans had been crushed and stacked and it was therefore difficult to determine whether they were completely empty, however, they were visibly contaminated with paints and hazardous property labels could be seen on some of the cans. This would be classed as packaging waste that contains hazardous substances, in line with Waste Classification guidance (WM3,). Hazardous waste is not accepted onto site.

The root cause of this breach is attributed to a lack of general management procedures not in place and not being carried out, which has been scored under C2- Management.

Action: Unpermitted wastes must be removed from site by the 2nd August 2019. Paperwork showing the movement of the waste to be provided to NRW.

C4 – Management – storage, handling, labelling and segregation. Category 3 breach. **Score suspended**

Condition 2.3.1, table 2.3 states that unless stored or treated outside as specified waste:

- a) all bulking, transfer or treatment of waste shall be carried out inside a building;
- b) all waste shall be stored in a building or within a secure container
- c) all waste shall be stored and treated on an impermeable surface with sealed drainage system

Specified waste shall be stored and treated on hard standing or on an impermeable surface with a sealed drainage system.

There are large volumes of waste stored outside of a building which is not in line with this condition. There is the fire damaged waste of hangar B which was under notice to be removed from site by the 31st August 2018 which has not all been removed. There was also additional waste on the area of the concrete pad, which included numerous plastic bags, inside what appeared to be aluminium cans and plastic bottles. There was also construction and demolition types of waste such as tiles, wood and barbed wire along with bins containing old paint tins.

***Waste fines continued to be stored on unmade ground which require removal and are currently under

notice to be removed. The waste is not stored on an impermeable surface with sealed drainage system which means there is a potential risk to groundwater from the wastes stored with direct pathways to ground. This score has been suspended in line with the notice until the 29th July 2019 - further breaches following this period will be scored. If the notice is complied with any suspended breaches will remain suspended. ***

Actions:

All waste needs to be stored in line with the permit conditions.

Mixed waste to be removed and taken to an authorised facility. Paperwork to be provided to NRW showing the movement of the waste.

Compliance notice in place for waste fines removal.

D2 – Accident, emergency and incident planning. Category 3 breach.

Permit condition 3.4.1 states that 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 are large stockpiles of mixed waste stored outside which are not in line with the requirements within the FPMP guidance which states that mixed waste (whose particle size has not been reduced) should not be stored for longer than 6 months. This waste needs to be removed from site and taken to an authorised facility. This is a further breach of the FPMP that states that all mixed waste would have been removed from site by the 31st August 2018 but it remains. The current FPMP therefore needs updating.

You have also been breached against this condition since the site fence between the bottom of the site towards Hangar A and the adjacent caravan park has been taken down. The FPMP states that the site is fully enclosed by a fence in all areas where public access can be gained. This was taken down in February 2019 to replace it with an acoustic fence, but the work has not been completed, leaving the site vulnerable to unauthorised access.

Chris Smith the sites TCM did confirm that monitoring and visual inspection is being undertaken on the hangar A and B stockpiles to monitor fire risk from self- heating and combustion. Please ensure this is documented as we may ask to see evidence of this during our inspections.

Action: All waste stored on site for more than 6 months must be removed and taken to an authorised facility with evidence of the removal provided to NRW.

Action: The site needs to be secure and a fence erected to ensure no unauthorised access, in line with the FPMP.

Other comments

Hangar A appeared to have low volumes of wastes, namely baled cardboard. Stockpiles appeared to be in line with storage requirements within the FPMP. There is a better turnaround of waste in this hangar now with waste coming in and going out relatively quickly.

Photographs





Action: Please explain waste pictured above.

Hangar A



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035447**

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

Site	Site Serv Recycling Ltd	Permit Ref	JB3893HP
Operator/Permit holder	Siteserv Recycling (sw) Limited	Date	18/04/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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	See comments in body of CAR	30/08/2019
C4	C3	See comments in body of CAR form	30/09/2019
C3	C3	See comments in body of CAR form	01/08/2019
C2	C3	See comments in CAR form	31/10/2019

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.