

Compliance Assessment Report

Report ID:
CAR_NRW0026542

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

Site	Motorworks	Permit Ref	GP3191SA		
Operator/Permit holder	Gill Waste Recycling Ltd				
Regime	Waste Operations				
Date of assessment	08/09/2016	Time in	15:00	Out	16:00
Assessment type	Site Inspection				
Parts of the permit assessed	Management, Operations and Infrastructure				
Lead officer's name	Ward, Adam				
Accompanied by					
Recipient's name/position	Dean Gill/ Director	Date issued	27/10/2016		

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	C3	2.1.1.
B4 - Infrastructure - Containment of stored materials	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	A	
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	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

Separate Collections Visit

This visit was conducted to ensure that you are aware of the amendments to The Waste Regulations (England & Wales) 2011 and your obligation to comply as a waste carrier. It was also a chance for your regulatory officer to conduct a general site inspection.

During the inspection, you explained that you collect waste via your skip hire business only and provide a skip for mixed, inert construction and demolition waste and a separate skip for recyclate such as paper, glass, plastic and metal. This is beneficial to improving quality of recyclate and should be explained in a 'necessity test' as outlined below.

Separate Collections Guidance

We would like to remind you that since 1st January 2015 waste collection operators including private companies, social enterprises and local authorities are required by statute to provide their customers with separate collections for paper, metal, plastic and glass. This is necessary to improve the quality of recycled material by reducing contamination at the point when the recyclable material is collected. This applies to wastes from all sources, industry (including construction and demolition), commerce (including retail, hospitality and offices), charities and households.

If two or more of these four materials are collected in a mixed or comingled form, the waste collection operator needs to demonstrate that it has assessed whether the recyclable materials it collects and the outputs from the ensuing sorting process are of the required quality for the receiving reprocessing industries (the "Necessity Test"), and that it is not technically, environmentally or economically practicable (TEEP) for it to collect waste paper, glass, plastics and metals separately.

As a minimum we expect waste collection service providers to –

1. Provide a co-mingled recyclable materials collection service in circumstances where separate collection does not appear practicable;
2. Avoid fully co-mingled collection systems which include both paper and glass;
3. Ensure their commercial customers have a residual waste bin for non-recyclable materials;
4. Ensure their commercial customers know what materials are recyclable and how the material is to be presented for collection;
5. Undertake regular checks of recycling bins for contamination and provide feedback to customers in

order to maintain or improve the quality of material collected.

Collection service providers who wish to offer a co-mingled service which combines paper and glass must provide us with evidence to demonstrate that the quantity and quality of waste recycled is not significantly less than that which would result from separate collection.

Once the four waste materials for recycling have been separately collected either through separate collections or a comingled collection followed by the necessary materials sorting process at a Material Facility, the regulations require the materials to be kept separately and not mixed with other wastes or other materials with different properties.

Natural Resources Wales is the enforcing authority for these Regulations (the Waste Regulations (England and Wales) 2011) and we may choose to serve Notices to enforce the requirements. Failure to comply with a Notice served under the separate collection requirements constitutes an offence.

Guidance on the Necessity test and the TEEP process is published by Welsh Government document titled '*Guidance on the Separate Collection of Waste paper, metal, plastic and glass*':

http://gov.wales/topics/environmentcountryside/epq/waste_recycling/publication/guidance-on-the-separate-collection-of-waste-paper-metal-plastic-and-glass/?lang=en .

Site Inspection

A general inspection of site was also conducted. It was noted that an area of damaged concrete remained in the centre of the site near the inert waste stockpile. You have incurred breaches on the previous 2 CAR forms (Ref: 150612 and 151216). You explained that you intend to erect a building to cover a large area of the yard and will carry out the repairs at the same time. However, you have continued to incur a repeated breach of the permit as explained below.

Compliance

B1) Infrastructure – Engineering for Prevention & Control of Emissions

Permit Condition 2.1.1 – referring to table 2.1, you are required to store inert material on hardstanding (as a minimum) or an impermeable surface with sealed drainage. All other non-hazardous waste should be stored in a building or a sealed container and must be kept on an impermeable surface with sealed drainage. As you are storing waste in open skips on the damage surface, you have failed to comply with the above condition. **You have therefore been scored a Category 3 breach against the permit.**

Action: Please submit plans to you regulatory officer to demonstrate how you intend to rectify the issue with the impermeable surface sealed drainage system by 23rd December 2016. If you fail to meet the deadline, NRW will consider its enforcement response.

If you have any questions regarding any of the issues discussed in this CAR form, please contact Adam Ward on 03000 653149 or via email on adam.ward@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

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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			
B1	C3	Submit plans to repair concrete/erect new building to NRW.	23/12/2016

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 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.