

Compliance Assessment Report

Report ID:
CAR_NRW0026701

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

Site	Greens Recycling Centre	Permit Ref	SB3493HB		
Operator/Permit holder	Greens Recycling (Wales) Ltd				
Regime	Waste Operations				
Date of assessment	14/11/2016	Time in	11:00	Out	13:00
Assessment type	Site Inspection				
Parts of the permit assessed	Site Operations				
Lead officer's name	Ward, Adam				
Accompanied by					
Recipient's name/position	Andrew Green/ Director	Date issued	24/11/2016		

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	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1.
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	A	
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	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

Introduction

This inspection was conducted for your new regulatory officer, Adam Ward, to conduct an initial compliance assessment. Thank you for taking the time to demonstrate your waste storage and treatment activities on site.

Your operation consists mechanically sorting inert construction and demolition (C&D) waste on an open, concreted section of your premises, and a mixed waste treatment area inside a building which undergoes manual and mechanical sorting. You explained that the two parts of the operation are kept separate as the inert C&D waste is kept separate at source from the mixed waste.

Inert Waste

The aim is to improve the quality of the inert waste entering site. However, there were some small fractions of waste wood and plastics in some of the inert stockpiles and you should therefore ensure these are removed before exporting for re-use. You explained that you are currently compliant with the aggregates quality protocol. Your paperwork confirming end of waste status for you aggregates and the procedures you follow to achieve this will be assessed at the next inspection.

You are currently constructing a large retaining wall using gabions full of inert waste from your transfer station. The purpose of this wall is to allow create a second level on your premises which can be access via road at the back of the site which above the level of main site entrance. You intend to concrete this second level and use it for waste storage and treatment. Some, but not all of the gabions appeared to contain some contamination, such as wood, metals and plastics. There is also evidence of contamination in some of the earth bunds and banking's you have created on site.

You have explained that you have planning permission to construct this wall and the second level and you are using waste in construction under the U1 exemption. To comply with the U1 exemption, the material must be inert and must not contain mixed waste such as metals, plastics and wood. You must also remain below the 5,000 ton limit of the exemption.

Compliance

C4) Storage, Handling, Labelling and Segregation

Permit Condition 2.3.1 – this permit condition refers to Table 2.3 ‘Operating Techniques, in which section 1, c) states “Unless stored or treated outside as specified waste... all waste shall be stored and treated on an impermeable surface with sealed drainage system.” **As you are storing small fractions of mixed waste in bund and in gabions outside of the concreted areas with sealed drainage, you have been scored a Category 3 breach against this permit condition.**

Action: To ensure compliance with the permit and the U1 exemption, please ensure any permanent deposits are *completely* free from mixed waste such as plastics, metals and wood. A follow up inspection will be conducted in 3 months to monitor your progress.

Action: Please submit evidence of your planning consent for the second level and gabion wall by 30th December 2016. NRW can then check compliance with the U1 exemption.

Mixed Waste

In the building used to store and treat mixed waste, a visual assessment is made by staff to separate larger waste fractions before processing the remaining waste through a trommel to separate smaller fractions. A duty of care audit of your waste returns and waste transfer notes will be conducted in the near future to determine the end destination for all waste fractions, including transfer station fines produced by the trommel (EWC Code 19 19 12).

Bio-mass Boiler Proposal

As mentioned above, waste fractions are manually separated in the mixed waste storage area. This includes the removal untreated waste wood. While you currently export this wood for use in domestic wood burners, you explained that your intention is to eventually store this waste in sealed containers on the second level of your premises. You then intend to use this wood for use in a bio-mass boiler to heat your offices and other buildings on your premises. The waste wood you are importing is coming from construction and demolition sources waste and is likely to be treated. You will therefore need to demonstrate to NRW that the wood used in the boiler is not contaminated.

Action: You are advised to provide robust written procedures demonstrating how you identify and separate untreated wood. You will also need to demonstrate that the purpose of incineration is for recovery and it is not an illegal disposal method.

NB. If you intend to burn less than 50kg of Grade A, untreated wood waste an hour, you will require a U4 exemption from NRW. The exemption has a thermal output limit of 0.4MW. If you intend to burn 50kg to 3 tonnes an hour, you will require a permit from the Local Authority.

If you are unable to demonstrate that you are burning Grade A, untreated wood waste, you may be able to burn 3 tons or less of Grade B/C wood *if* you obtain a permit from the local authority. Specified assessments will be made by NRW regardless of whether NRW or the Local Authority is the regulatory body.

For further information, please see the following website:

<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-incineration-directive/environmental-permitting-guidance-waste-incineration#check-which-permit-is-required-and-who-the-regulator-is>

If you have any questions regarding this Compliance Assessment Report (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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Site	Greens Recycling Centre	Permit Ref	SB3493HB
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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			
C4	C3	Remove all contamination, including metal, wood, plastics and fines from any permanent deposits to ensure compliance with the permit and the U1 exemption.	24/02/2017

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.