

Compliance Assessment Report

Report ID:
CAR_NRW0033475

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

Site	LAS Waste Ltd.	Permit Ref	JP3698FK			
Operator/Permit holder	L.A.S. Recycling Limited					
Regime	Waste Operations					
Date of assessment	23/05/2018	Time in	10:00	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	The CAR sub criteria listed below					
Lead officer's name	Goddard, Jeremy					
Accompanied by	Wilson, Alastair					
Recipient's name/position	Mark Saunders/ Director	Date issued	11/06/2018			

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	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	4.7.1
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
	A	
F4 - Amenity - Pests/birds and scavengers	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

This was a routine compliance visit by Natural Resources Wales (NRW) officers Jeremy Goddard (Senior Environment Officer) and Alastair Wilson (Environment Officer).

The weather throughout the inspection was dry and sunny.

The site was operational at the time of the visit.

NRW officers were accompanied throughout the visit by Mark Saunders and Lianne Tinnermann of LAS Recycling Ltd.

Mark Saunders provided a general overview to officers on the activities which take place at the site explaining how waste is received, processed and despatched.

Officers, accompanied by Mark Saunders and Lianne Tinnermann walked through the civic amenity area first. Waste was stored in correctly labelled bays and containers. The yard surfaces within the civic amenity site were free from any loose litter or debris. Officers were shown that a new one-way system for members of the public was now in place and the access ramp (that was being constructed during the last compliance visit on 11/10/2017) had now been completed and was in use (see Photo 1, below).



Photo 1: New one way system in Civic Amenity site.

Mark Saunders showed officers the lower area of the yard where waste including plastics, glass, cardboard and WEEE were stored in designated external bays while paper wastes were being kept in an open sided building. Officers were then shown the area used for bailing scrap metal and the building used for draining out oil filters and other oil contaminated waste collected from vehicle repair garages. No issues were noted in these areas.

The access ramp separating the Materials Recycling building and the lower yard has been resurfaced with concrete since the last compliance visit and was in a good state of repair (see Photo 2, below).



Photo 2: New ramp near the Materials Recycling building.

Officers were taken around the Materials Recycling building which was not in operation due to the operatives being at break. No issues were noted in this area.

No compliance issues were noted relating to amenity issues – noise, dust, odour, litter, pests or mud on the highway during the visit.

Lianne Tinnermann, Tina Morris and Mark Saunders of LAS recycling Ltd are currently technical competency holders for the site and copies of their latest WAMITAB Continued Competency certificates have been forwarded to NRW since the visit.

Officers were shown the new wood waste incinerator which has been constructed at the site. Whilst the incinerator is within the permitted area it will operate under a separate authorisation issued by Ceredigion County Council. Once this permit has been issued by Ceredigion County Council please forward me a copy. Your Environment Management System (EMS) needs to be updated to include the incinerator and confirm the point where waste is transferred from one authorisation to another. This will avoid confusion and any future compliance issues with regulatory bodies.

The latest version of an Environment Management System I can find on our system is an old style 'working plan' referenced version 4 and dated April 2010. Site operations have changed since this document was issued, including the recent installation of the wood incinerator and the reconfiguration of the Civic Amenity layout.

An amended Environment Management System or 'Working Plan' with updated site layout plans needs to be submitted to NRW. As you have an old style waste management licence the working plan is referenced several times in the document. You must ensure that all references between the two documents tie-up. In addition, I recommend that you consider consolidating the permit so you have a new style legal document that does not have specific references to the working plan in its conditions. We will review these documents in a future compliance visit.

The hazardous waste premises notification (CAE211) for the site has been renewed since the last compliance visit with the current registration expiring on the 23/10/2018.

The site's bespoke permit was varied on 23/10/2018 to add conditions relating to the requirement to have in place a written Fire Prevention and Mitigation Plan. The conditions require you to write the plan in accordance with our guidance, and manage and operate your onsite waste activities in accordance with this plan and your permit. This plan should have been developed within 3 months of the permit variation being issued, 23/01/2018.

As the site has not yet developed a Fire Prevention and Mitigation Plan the following permit non-compliance has been recorded -

Compliance Classification Scheme Category 3 breach, Permit condition 4.7.1, CAR sub criteria C2 General Management: Management System and Operating Procedures.

A consultancy has been engaged by LAS Recycling Ltd to develop a Fire Prevention and Mitigation Plan and it has been agreed that it will be **submitted to NRW and the Fire and Rescue Service by 27/07/ 2018**. See actions section for further details of actions to take.

Guidance has been developed by NRW in conjunction with the Fire and Rescue Services within Wales. The current latest version of our Fire Prevention and Mitigation Plan guidance (version 2) is available on our website at:
<https://naturalresources.wales/media/682159/eng-guidance-note-16-fire-prevention-mitigation-plan.pdf>

Thank you for your time on site. Should you have any questions or queries please do not hesitate to contact me on 0300 065 4022 or by email: jeremy.goddard@cyfoethnaturiolcymru.gov.uk

ENDS

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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0033475**

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Site	LAS Waste Ltd.	Permit Ref	JP3698FK
Operator/Permit holder	L.A.S. Recycling Limited	Date	23/05/2018

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			
C2	C3	Fire Prevention and Mitigation Plan to be submitted to NRW by 27/07/2018.	27/07/2018

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.