

Compliance Assessment Report

Report ID:
CAR_NRW0032389

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

Site	Bulky Waste Recycling Centre		Permit Ref	NP3498FK		
Operator/Permit holder	J L A Recycling Ltd					
Regime	Waste Operations					
Date of assessment	31/10/2017	Time in	10:50	Out	11:10	
Assessment type	Audit					
Parts of the permit assessed	See Below					
Lead officer's name	Edwards, Michael					
Accompanied by						
Recipient's name/position	John Adams/ Managing Director	Date issued	14/11/2017			

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	X	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	1.1.1 (a)
D1 - Incident Management - Site security	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	7.2.2

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

Unannounced site inspection undertaken by Michael Edwards of Natural Resources Wales, accompanied on site by Mark Daniels.

General Management

During the inspection the site was quiet with no traffic, a small amount of litter was seen in the hedges on site. Ensure that the working practices within the working plan are carried out and that daily inspections are carried out as stated in **section 7.6**.

As discussed, the site no longer operates the BWRC. Please ensure that the current EMS is updated to accurately reflect the operations currently undertaken on site. Under **section 2.1.2 Waste Storage** of your EMS it states that waste will be stored in skips within the sunken bay. however, during the inspection it was noted that wastes were all deposited into the sunken bay, please note that this is linked with condition **1.1.1 (a)** of your environmental permit, (**see waste acceptance and storage below**).

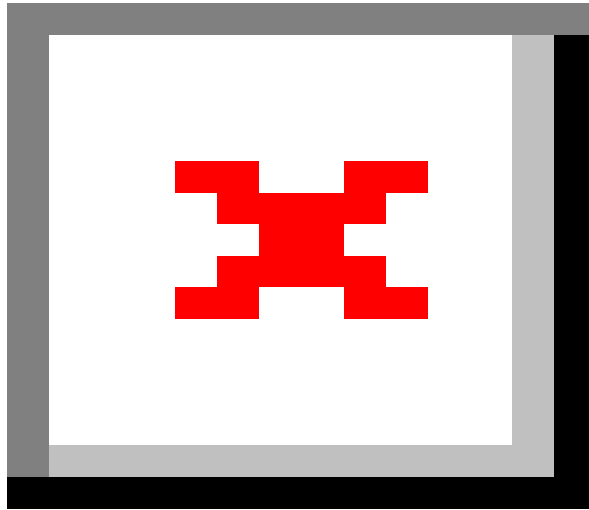
Infrastructure and Drainage

No issues were identified with the infrastructure of the recessed waste storage bay, with enclosed drainage system leading to a discharge into lagoon via reed bed. No issues identified during the inspection.

Waste acceptance and storage

No non-permitted waste types were identified during the inspection.

Waste was stored in the recessed storage bay, Skip area B on the site layout plan, as discussed during the inspection, some specific waste types are removed before the remaining waste goes through mechanical treatment and disposal i.e. shredding before being disposed of in the landfill.



Under **condition 1.1.1 (a)** of your environmental permit; '*Specified in and undertaken in accordance with the limitations in section 2.1 of the working plan and in the following table (1.1)* - waste shall only be stored within designated skips, drums and tanks upon an impermeable surface in accordance with figure 4 of the working plan.

This has been scored as a **Category 3 (C4)** breach of permit.

Action - Please ensure that all waste is stored in line with the conditions of the environmental permit.

Shredding activity was not observed during the inspection, however, please note that under the current conditions of your permit you are not able to shred waste, and are currently limited to physiochemical treatment of waste, outlined under table 1.1 of the environmental permit.

LPG cylinders were stored in a locked cage on site in line with **condition 4.7** of the permit.

Waste Returns

The waste returns have not been submitted for Q2 of the financial year, this has been marked as a non compliance with **condition 7.2.2** of your environmental permit, and as such you have been scored a **Category 4 breach (G4)**.

You are required to submit any outstanding waste returns and put in place procedures to ensure that all future returns are completed and submitted in time. Please be aware that if no waste has been accepted during a quarter you are still required to submit a NIL return.

Action - These have since been submitted.

Continuing competency

The current competencies have not been renewed, following discussions with Mr Adams, and due to the circumstances which led to this non compliance with **condition 1.4** you have not been scored **(C1)**. However, as agreed, please ensure that the renewal test is completed by **01/12/2017**.

Action - Please notify me once this has been completed.

Duty of Care and Consignment Notes

Some duty of care notes have been reviewed, an issue was identified with waste received from *South Wales Wood Recycling Ltd.* on 12th September 2017. Under section 4.5.3 of the Duty of Care Code of Practice you are required to **'keep an accurate record of a wastes quantity, nature and whether it is contained or loose'**. In the Duty of Care note you provided no weights were recorded.

Action - In future, ensure that the weights are recorded for all wastes entering and leaving site.

Many thanks for your time during the inspection.

EPR Compliance Assessment Report

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Operator/Permit holder	J L A Recycling Ltd	Date	31/10/2017

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.

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			
G4	C4	Submit missing waste return and ensure that procedures are put in place so that the breach does not reoccur	17/11/2017
C1	X	Please complete the continuing competency training by the agreed date.	01/12/2017
C4	C3	Please ensure that waste is stored in accordance to the requirements of permits.	31/12/2017

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 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.