

Compliance Assessment Report

Report ID:
CAR_NRW0035620

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

Site	Biffa Viking Place Waste Transfer Stn		Permit Ref	SP3795FZ	
Operator/Permit holder	Biffa Waste Management Ltd				
Regime	Waste Operations				
Date of assessment	22/08/2019	Time in	10:30	Out	11:15
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Owen Thirkettle/ Site Manager	Date issued	23/08/2019		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Regulation Officers Alex BOWDER, Mark RHODES and Cynthia DAY attended BIFFA Waste Services Limited at Viking Place, Roath Docks, Cardiff CF10 4TS at 10:30 on Thursday 22nd August 2019 to carry out an introductory inspection of permit **EPR-SP3795FZ**. The weather conditions were mild and dry at the time of the visit. Met with site manager Owen Thirkettle who showed the Officers around the permitted area and explained the operational procedures on site.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment/people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

GENERAL OBSERVATIONS

BIFFA operate a Transfer Station activity and Mixed Recycling Facility (MRF) within the permitted area. The site accepts, stores, physically treats (including sorting and bailing for the purposes of recycling) and transports end-product wastes. The material accepted to site comprises of paper, cardboard, segregated glass, mixed plastic, dry mixed recyclable (DMR) and general waste. The majority of waste comes from industrial and commercial sources. The site is also affected by the Environmental Permitting Regulations Schedule 9A Material Facility (MF) Regulations, and so must have regard to this legislation.

All wastes were being stored and treated on an impermeable surface within the permitted boundary at the time of inspection. There are various interceptors on site that make up the drainage system with limited slot drains available in the yard. Officers asked how often the system is maintained – it was stated annually.

Only processed recyclables and wood are stored outside of the unit. At the time of the visit, some of the wood material had fallen behind the bay walls which border the site boundary fencing. It was stated that a clean-up is done daily - please ensure that this is actioned.

No issues were apparent with the drainage system. The infrastructure was in good condition with no obvious weakened or damaged areas observed around the permitted yard. No issues with the plant equipment on site.

The site was asked about what happens if it encounters hazardous wastes. It was stated that it is rejected at the first instance and does not come onto the site. Officers were shown the sampling area and Owen explained the sampling procedures for the business.

Officer Mark RHODES spoke about the Transport for Shipping (TFS) requirements and the associated legislation. He also questioned the destinations for materials and the quality protocol procedures in place for assessing suitability for reuse. It was stated that the market dictates where materials get sent, which at present favours remaining in the UK (rather than export).

TECHNICALLY COMPETENT MANAGER (TCM)

Owen Thirkettle is the designated TCM for the site who possesses the relevant competency qualification; certificate was present in office. There is also another staff member that holds a similar qualification. Please ensure that a **continuing competency course** is completed once the qualification has expired.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

A copy of the business' Management System and daily diary is kept in the office unit on site. The business has submitted an electronic copy to NRW, which will be looked at in more depth on the next inspection.

FIRE PREVENTION AND MITIGATION PLAN (FPMP)

The business submitted its drafted FPMP document, Version 3.1 June 2018 to NRW for review. This will be assessed and given feedback in due course. The business was instructed to create fire walls between certain waste types to create adequate separation between the stored materials. These could be seen at various locations throughout the unit.



Image 1 – showing a fire wall separating baled materials

STORAGE HEIGHTS

The Officer discussed how the FPMP guidance sets the maximum storage height of materials to **four metres**. Section 2.2 of your FPMP details pile management - this outlines the maximum stack sizes and separation distances between neighbouring features. Your Plan states that the maximum height for all stored materials is **three metres**. However, at the time of the inspection there was baled waste stacked four high; which seemed to exceed this parameter.

Please can the business inform NRW of its intentions with regards to height storage within the unit.

It was stated that waste streams are not stored on site for long periods of time. Your Plan states that during normal operations these are the maximum storage durations:

- General wastes – 48 hours
- Baled plastic – 14 days
- Bales cardboard – 7 days
- Baled scrap metal – 90 days
- Wood – 90 days
- Difficult waste – (hard plastic) – 90 days

WASTE RETURN DOCUMENTS

The site submitted its Quarter 2 2019 Waste return document on 18/07/19. This declares that 9025

tonnes were received by the site and 9115 tonnes removed.

I look forward to working with the site in future.

If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

EPR Compliance Assessment Report

**Report ID:
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Site	Biffa Viking Place Waste Transfer Stn	Permit Ref	SP3795FZ
Operator/Permit holder	Biffa Waste Management Ltd	Date	22/08/2019

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.

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			

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.