

Compliance Assessment Report

Report ID:
CAR_NRW0022663

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

Site	U R A Cardiff Docks Site	Permit Ref	PB3230RV		
Operator/Permit holder	United Recycled Aggregates Limited				
Regime	Waste Operations				
Date of assessment	26/05/2016	Time in	12:30	Out	13:00
Assessment type	Site Inspection				
Parts of the permit assessed	Operational area				
Lead officer's name	Tye, Laoni				
Accompanied by	Moggridge, Lara				
Recipient's name/position	Anthony Morgan and Colin Williams/ Site manager	Date issued	16/06/2016		

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
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	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

Environment officers Laoni Tye and Lara Moggridge visited site and met with Colin Williams, the site supervisor. The purpose of the visit was to conduct a site handover to Laoni Tye who will be taking over regulation of the site. Please use the following contact details going forward:

Laoni.tye@naturalresourceswales.gov.uk

03000 65 4492

The site takes in soils and inert wastes for processing and treatment. Some of the waste is treated in line with the WRAP Quality Protocol and meets end of waste. Some of the soils are screened before being stockpiled and sent out. Some of the soil goes as landfill capping at Lamby Way. There was some general waste and metals stored in skips on site that had been sorted and separated from the inert waste materials.

Waste returns

Thank you for submitting your waste returns to us, they are currently all up to date. However, we can see that no waste has been recorded on the waste returns as leaving site during 2015 which we are assuming is not correct. Any waste material that is not processed under WRAP or another quality protocol will still be considered a waste and will therefore need to be reported on the waste returns. Appropriate waste controls will need to be applied to this waste and it is your duty of care as a waste producer to ensure it is handled correctly (please see the link link below to the duty of care regulations). This includes any metals, plastics and any other waste leaving the site.

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

Action: If no waste has left site in 2015 then there is no action required, otherwise please action all waste and complete the waste returns correctly as above.

End of waste

We understand that some of your inert waste material is processed and treated in accordance to the WRAP Quality Protocol to produce aggregates. This is then used as a product on various construction sites.

Action: Could you please send us any evidence to show that this product meets this protocol, including any sampling results from the past 6 months.

Classifying the waste

Please also ensure you are using the correct EWC codes when classifying the waste as currently all waste over the previous 12 months has been coming onto site as 170101 which is the code for 'Construction and demolition wastes (excluding excavated soil from contaminated sites), Concrete.' However, it is ultimately the responsibility of the site to correctly classify the waste and if this is the correct classification for waste coming in over the past 12 months then no action is required.

Action: Please ensure the process is detailed in your environment management system. We may ask to see this in the future.

Cl:aire code of practice

We saw that there were soils stored on site which have also come from various demolition jobs. We were told that they meet end of waste and therefore the waste controls will not apply.

Action: Can you please provide NRW with the evidence that these soils meet end of waste.

Once we have the information we can update our records to show that the site is compliant with any legislation. If there are any issues please get in touch and we can arrange a discussion or site visit.

Many thanks,

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			

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.