

Compliance Assessment Report

Report ID:
CAR_NRW0032654

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

Site	Amber Engineering Ltd	Permit Ref	XP3295FK		
Operator/Permit holder	Amber Engineering Limited				
Regime	Waste Operations				
Date of assessment	21/12/2017	Time in	11:00	Out	11:45
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Jason Jones, Rob Heath/ Director	Date issued	29/12/2017		

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
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	
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

Officer Alex BOWDER attended Amber Engineering Ltd at The Recycling Centre, Dyffryn Business Park, Ystrad Mynach, Caerphilly, CF82 7RJ on Thursday 21st December at 11:00 to carry out a routine inspection of the permit **EPR-XP3295FK**. The weather was cold and slightly wet at the time of visit. Met with business Director Mr. Jay Jones and BIFFA representative Mr. Rob Heath who accompanied me around the yard.

ACTIONS FROM LAST CAR FORM

- Amend Environment Management System (EMS) following our comments dated Thursday 28th July 2017 – **this has not been completed.**

- Expand on the **Fire Prevention Mitigation Plans (FPMP)** in the EMS. In light of recent fire incidents at waste sites across the catchment area, NRW have been focusing on operator site Fire Plans and asking them to assess their current versions. You were asked to expand on your current plan to reflect the Fire Service's prevention guidance in the last report.

Action: Please expand on your Fire Plan in the EMS and submit to NRW for review.

Deadline: 29th March 2018

Sent separately is the Fire Services' Mitigation Plan guidance for factors to address and include in your plan.

PERMIT VARIATION

The business has taken the decision to allow BIFFA to become the overarching group company of Amber Engineering Ltd and has recently applied for a admin variation to change the company's registered address. This will mean better access to resources although the management systems and site procedures will remain the same.

Any changes to operations which have the potential to affect compliance with your permit conditions will need to be updated in your EMS.

GENERAL OBSERVATIONS

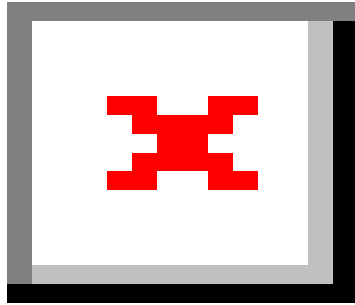
The yard has been cleared up around the rear of the office unit making for better housekeeping. Batteries were stored in the correct manner and the destination was checked. The WAMITAB holder for the site was discussed, please ensure expiry dates are known and when to obtain the refresher qualification.

No water was seen pooling at the bottom of the mixed municipal waste stored in the middle of the yard which is an improvement on last inspection. There was a lower volume of this waste stream present - this is

due to higher turnover rates and less company vehicles on the road. This will no doubt reduce fire risk and reduce the run-off leaving the site via the drainage system.

Storage heights stated in the EMS were being adhered to.

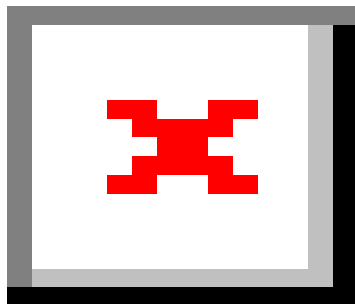
Plasterboard stored undercover.



Picture 1 – showing lower waste volumes stored in the yard

INFRASTRUCTURE

We discussed the repair of the damaged infrastructure in the yard. It is important to ensure that the surface is impermeable and does not allow any surface water to leave the site via groundwater.



Picture 2 – showing cracked surface in need of repair towards the back wall

We also spoke about a timeline for moving the waste inside the building to reduce the issue of potentially contaminated run-off leaving the site via the drainage system. NRW require a date for these works as the waste should not be stored outside; as stated in previous reports.

PERMIT UPDATE AND MODIFICATION

There are currently no European Waste Catalogue (EWC) codes in your permit. Although they have been included in your Management System these need to be in your licence so that they can be regulated. We spoke about the business applying for a permit variation to modernise and consolidate the permit versions; we will look at this in greater detail in the new year. This should look to incorporate the water discharge permit as well.

WASTE RETURNS

Waste Returns have been correctly filled out within the grace periods for 2017. Please continue this habit into 2018.

Thank you to the business for taking on-board NRW comments in 2017, I look forward to working with the site in the new year. If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

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.

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.