

Compliance Assessment Report

Report ID:
CAR_NRW0026353

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	08/02/2017	Time in	11:00	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Jay Jones/ Director	Date issued	15/02/2017			

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	C3	1.1.1 - Working Plan
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1 - Engineered site containment and drainage system
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
	A	
C4 - General Management - Storage, handling labelling and Segregation	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Routine site inspection conducted by Alex Bowder at Amber Recycling Ltd. on Wednesday 8th February at 11:00am. Met with Director Mr. Jay Jones to discuss the Environmental permit **EPR-XP3295FK** (EAWML 30239). The weather was mild and dry.

Breach - A1 section 1.1.1 **Working plan | Category 3**

"No waste Management operations shall be authorised by this licence unless specified in and undertaken in accordance with the limitations of sections 1.1 and 4.210 of the working plan".

The action of updating the Environment Management System (EMS) that was required on the last report has not been completed. The site has been operating under this outdated Management System in the interim with irrelevant or misleading information.

The permit has been breached as a result. As an operator it is your duty to ensure the document is kept up to date as a live document and amend procedures accordingly.

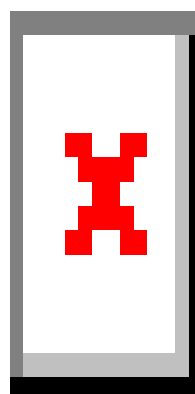
Guidance has been issued separately for points to address in the document.

Breach - Drainage – section 2.1 **Engineered site containment and drainage system | Category 3**

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"No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been constructed and completed in accordance with this condition and section 2.210 of the working plan".

The drains in the yard were blocked at time of visit, allowing potentially contaminated water to pool on site.



Drainage

The ongoing drainage issues for the site were discussed. A service of the interceptors is conducted every six months and the drains are maintained every month.

As stated on the last report the drainage for the impermeable concrete pad was not designed to accommodate the volume of water filtering through the mixed municipal waste that is currently stored and sorted outside.

Due to insurance related constraints, this has prevented the business from storing this waste inside the building. If the waste can be stored inside this will alleviate the issues of the drainage system and reduce the risk of potentially contaminated matter leaving site. The EMS will therefore needs to clarify the drainage situation for Area A for future operations.

Infrastructure

The site are currently repairing parts of the concrete pad in the yard that have been damaged. Good to see that action is being taken to restore the surface to an agreed impermeable state.

Technically competent Officer

WAMITAB holder Harris Jones 24/06/16 is the TCM for the site, please be mindful of expiry and when to register on the continuing competency course.

A second weigh bridge has been installed aiding with the vehicle weighing. The two landfill sites that the site exports to are Trecatti landfill and Trident Way, depending on quality.

If the waste goes the unit at the rear of the site spoke about creating a wall separating the plasterboard from

the waste.

Waste Returns

There are currently no European Waste Catalogue (EWC) codes included in the permit. We have asked the site for a list of all the wastes that the site accepts; please can you submit these.

Waste returns correctly submitted with relevant EWC codes. No issues apparent.

If you have any issues with the report please contact Alex Bowder on 0300 065 3394. Thank you.

EPR Compliance Assessment Report

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Operator/Permit holder	Amber Engineering Limited	Date	08/02/2017

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			
B3	C3	Aim to move waste inside to comply with permit and prevent further occurrence.	15/04/2017
A1	C3	Submit to NRW immediately.	15/03/2017

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.