

Compliance Assessment Report

Report ID:
CAR_NRW0026354

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	18/08/2016	Time in	11:00	Out	12:30
Assessment type	Audit				
Parts of the permit assessed	Working Plan/Environment Management System (EMS)				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Mr Jason Jones/ Director	Date issued	09/09/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	A1 - 1.1.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1 - Engineered site containment and drainage systems
B4 - Infrastructure - Containment of stored materials	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	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

Alex Bowder visited the site and met with Mr Jay Jones on 18th August 2016 at 10:30am to conduct a part-audit of the Environment Management System (EMS/Working Plan) for Amber waste Management Services Ltd. The purpose of this audit is to assess the working plan on whether the procedures are being followed and what points need updating, amending and even removing. The weather was warm and dry.

Breach – Working Plan - A1 section 1.1.1 | 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.

Jay Jones and I sat down and went through the site's working plan to see what procedures were outdated, missing or needed amending. The current working plan was done by Ceri Environmental Ltd in 2012, as an operator it is your duty to ensure this is kept up to date as a live document and amend procedures accordingly. It is evident that this has not been done for many years and so a lot of the information included is either irrelevant or misleading. Although we agreed on the factors that need updating, you have still been operating the site under this plan for some time and so the permit has been breached as a result.

At the moment you have two separate permits, one for the waste management activities and one for the water discharge from the interceptor. The water discharge needs consolidating into the waste permit and so a variation would be required to modernise and update your permit as there are currently no European Waste Catalogue (EWC) codes included. We have asked the site for a list of all the wastes that the site accepts; please can you submit these.

Breach - Drainage - 2.1 - Engineered site containment and drainage systems | Category 3

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.

We discussed the ongoing drainage issues for the site. Your working plan needs to clarify the drainage situation for Area A and decide what plans are being made for the future, as the system was not designed to accommodate the volume of water going through the mixed municipal waste on the impermeable concrete pad. As a result potentially contaminated water is being discharged via the interceptor and leaving the site. The sampling station was recently looked at by our natural resources management team and comments stated in previous compliance report.

Waste Returns

The business has been using the correct EWC codes on the return spreadsheets and have been submitted diligently for this year's quarters so far, please continue to follow this habit.

The transfer notes and consignment notes for asbestos were checked. All notes were correctly filled in, using correct Premises Code of 45.25 for asbestos. All hazardous waste gets sent to Trecatti Landfill with the EWC code 17 06 01 – insulation materials containing asbestos.

The separate collections regulations were mentioned and Jay was made aware of the changes in legislation that may affect their site/permit. The business was aware of the changes and stated that they have separate wheelie bins for glass, plastic and paper etc. Harris Jones is the current WAMITAB qualification holder valid from June 2016. No waste is transported abroad so TFS (transport for shipping) regulations control is not applicable for this site.



Picture 1 – Showing Area A degradable waste in the middle of the yard

The descriptions for your stated working areas ‘A to E’ in the plan are unclear - turnaround times and operation timelines need to be confirmed and specified for each section. Asbestos is however stored in Area D in line with 1.1 and 4.301 of the working plan in a sealed skip and the necessary storage precautions are taken.

We spoke about the future plans of putting the mixed municipal waste through the new machinery at the North West unit of the site. A grabber has been purchased arriving around September to lift material to the picking station. Spoke about possibly shredding the material before putting it through the process, but this might reduce the amount of recyclable material available. This will create work in the yard and requires training staff in the various machinery operations and waste disciplines. All definite plans will need implementing into the EMS.



Picture 2 – showing new machinery inside building

It was stated that the weigh bridge has sustained damage to a section which could interfere with assessing weight of the vehicles. Spoke about getting the section replaced to avoid complications in taking inaccurate readings.

The company Drainrod Ltd conduct a service of the interceptors every six months where they spray a liquid jet through the lines of the drains to wash out any sediment trapped.



Picture 3 – Showing cracks in the concrete

The fines produced at the site through the use of a trommel get transported to Trecatti Landfill. We discussed how Page 13 of the EMS touches on the secondary aggregate materials being sold as fines, however, it was established that they are not - this needs to be clarified in the EMS. Transfer station fines are not aggregates and will not meet the Quality Protocol for end of waste classification. These must be sent off as waste as they are not suitable for aggregates and so should not be used as a substitute.



Picture 4 – showing fines material stored in the yard

A five metre wall marks the perimeter of the site and it is important for health and safety purposes as well as site management that waste is not stored beyond this height. This also needs to be stated in the EMS for the various working areas. A better fire risk plan needs to be included in the management system as a contingency plan for the work areas.

I was shown the scrap metal sorting area inside the building where the non-ferrous materials are separated. Operations were fairly clinical sorting the different streams of metal, no issues found. The bays of separated waste were all within the permit limits.

We spoke about any waste exemptions that were registered to the site. It was explained that you cannot have an exemption and a waste permit running for the same site as it does not simply increase the waste tonnage allowance, for example. It was stated that they if there were any registered historically they have now expired and no more will be registered.

Another part-audit will be conducted later in the year to look at site infrastructure, I look forward to the next visit.

If you have any issues please don't hesitate to contact Alex Bowder on 0300 065 3394. Thank you.

EPR Compliance Assessment Report

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Site	Amber Engineering Ltd	Permit Ref	XP3295FK
Operator/Permit holder	Amber Engineering Limited	Date	18/08/2016

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			
A1	C3	Update working plan as soon as possible	18/11/2016
B3	C3	Implement future drainage plans	18/11/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.