

Compliance Assessment Report

Report ID:
CAR_NRW0033419

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

Site	The Recycling Centre		Permit Ref	XP3295FK		
Operator/Permit holder	Amber Engineering Limited					
Regime	Waste Operations					
Date of assessment	14/05/2018	Time in	14:00	Out	16:00	
Assessment type	Audit					
Parts of the permit assessed	Various					
Lead officer's name	Matalynski, James					
Accompanied by						
Recipient's name/position	Jay Jones/ Site Manager	Date issued	29/05/2018			

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	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	-
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F4 - Amenity - Pests/birds and scavengers	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

James Malatynski and Alex Bowder met with the site manager Mr Jay Jones at Biffa Recycling Ltd. on Monday the 14th of at 14:00pm to discuss the Environmental permit **EPR-XP3295FK**. The weather was mild and dry.

Various areas of the Environment Management System (EMS) were covered during the site visit and asked questions in relation to:

Materials acceptance procedures

Storage procedures

Staff training

Documentation

Site security

Drainage

Waste Returns

Compliance

b3) Infrastructure: site drainage engineering

Breach - Drainage – section 2.1 Engineered site containment and drainage system | 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" 2.210 of the working plan states "A series of gulleys will intersect across the site with man holes to divert run-off."

A Category 3 breach against this condition has been issued as the drains in the yard were blocked at time of visit, allowing potentially contaminated water to pool on site and significant potholes and rutting were identified on site (please refer to table 2.1 below). This breach is likely to have a minor impact on the environment but if left as it is could lead to further more severe breaches.

Action: Please ensure that any waste is stored away from any site drains to allow proper drainage until your infrastructure is updated.

Action: Please ensure that any damage is repaired so that the hardstanding area remains even to remain free of standing water by the next site visit due to be conducted in the 3rd quarter commencing October 2018.

Table 2.1 Site containment and drainage standards

Type of Site Surface and Drainage	Minimum Specified Standards of Design, Construction and Maintenance
a) Hardstanding	Areas of hardstanding shall be constructed of inert and uncontaminated granular material (e.g. crushed stone, aggregate, road planings or other similar material) and maintained such that the working surface: i) shall remain even ii) shall not be subject to settlement or differential settlement iii) shall not be subject to rutting by vehicles even when wet iv) shall have sufficient durability to allow cleaning for example by scraping v) shall remain free of standing water.



Picture 1: Blocked drain



Picture 2: Rutting and surface damage

I was satisfied that the site is accepting the correct wastes, we did not see any unauthorised waste accepted on site. Staff appear to be following the correct waste acceptance procedures.

I was shown the scrap metal sorting area inside the building where the non-ferrous materials are separated. Operations were clinical sorting the different streams of metal, no issues found.

The volume of mixed degradable waste was visibly lower than previous visits, which is good to see.



Image 3: Waste Storage

Drainage

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.

Bunding and sloping of the ground allows for any water onsite to be directed away from the nearby water course and when the drainage blockage was highlighted as an issue, staff acted immediately to remove the offending waste.

Jay showed where the access point to the interceptor and the sampling station, a car was parked near to the access point for the interceptor. **Advice and guidance:** There was inadequate signage on site to prevent parking on the interceptor access point, please could you ensure there is clear signage not to park on the interceptor access point.

Infrastructure

The site is currently undergoing an infrastructure change and Jason talked us through the proposed changes at site including the construction of 10x5 bays and that there is no asbestos accepted onto site.

FPMP

The site operations and infrastructure are currently changing with no set date as to when the changes will be completed, however the FPMP submitted would suggested the site development would be complete in a few months, please ensure this is done to validate your submitted FPMP.

Waste Returns

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

If you have any issues with the report please contact James Malatynski on 0300 065 3394. 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.

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			
B3	C3	Please ensure that waste is adequately stored to prevent blocking on site drainage and repairs to tears in the hard standing are carried out.	01/10/2018

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.