

Compliance Assessment Report

Report ID:
CAR_NRW0032032

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	28/07/2017	Time in	11:00	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Jason Jones/ Director	Date issued	16/08/2017			

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)	C3	2.1
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	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

Officer Alex BOWDER attended Amber Services at The Recycling Centre, Dyffryn Business Park, Ystrad Mynach, Caerphilly, CF82 7RJ on Thursday 28th July at 11:00 to carry out a routine inspection of the permit **EPR-XP3295FK**. The weather was mild and dry at the time of visit. Met with business representatives Harris Jones.

Thank you to Harris for taking the time to show around site and explain the business processes. We discussed a brief history of the site's permit activities and outlined the processes for the waste management.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we are not satisfied with a certain part of the inspection, we can breach the business against your permit conditions which can affect your annual subsistence fees; this is scored on a Category 1-4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment, people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

Breach - B3 - Infrastructure - Site drainage engineering (clean and foul)

Condition - 2.1 | 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".

Dark discoloured leachate was seen pooling around mixed waste in stored in work Area A in the yard. In times of heavy rainfall there is high risk of potentially contaminated leachate being discharged via the interceptor and leaving the site.

Until the waste is moved inside the building as planned we must continue to score a breach against this permit condition.

Action: Please provide NRW with a date for when the waste will be move inside the building.



Picture 1 - showing discoloured leachate pooling around mixed waste in stored in work Area A

Environment Management System (EMS) Audit

The primary purpose of this inspection was to focus on the site's Management System. The site has recently submitted a revised version of the document, completed by Green Triangle Management Systems Ltd in April 2017. The points raised in the EMS audit last year have been addressed which is good to see. Having analysed document for the purposes of this audit we want to focus on:

Fire Prevention Mitigation Plans (FPMP)

Operating techniques

Firstly, the document references the historic Waste Management Licence (WML) number 30239 which is an Environment Agency ID. This is fine to include; however, you should also be stating your current Natural Resources Wales Environmental Permit number **EPR-XP3295FK**.

Fire Prevention Mitigation Plans (FPMP)

This section needs expanding. You should identify all fire hazards and state any potential sources of ignition on site. A detailed fire plan should be included in the document; sent separately are Prevention Guidelines for standards that you must meet. You should include fire procedure list of:

Sources of Fuel

For instance, any storage of petrol, diesel, oils, paints, wood frames of buildings/wooden roofs, tyres or vehicles.

Work Processes

Any fuel oils kept to a minimum within the premises and to be stored in contained facilities. Containers and paints to be kept in secure storage. Awareness of site security and vandalism.

Structural features that could promote the spread of fire

Building material on site. The trommel material separating unit.

Identify people at risk

Identify people at significant risk in case of fire, indicating why they are at risk and what controls are or

need to be in place.

Evacuation plans and decided meeting points. Upon discovery of a fire instructions for all personnel on site.

Fire Fighting Equipment

Fire extinguisher types and their locations. Emergency Action Plan (EAP)

Under the 'Technical Competence' paragraph it is useful to state the expiry and continuing competency dates for the site's WAMITAB qualification holder, so that parties are aware for renewal etc.

Interim containment measures

The timeline stated for when the sump levels reach 80% needs further elaboration to safeguard control measures. It is stated that the contents will be tankered away via a contractor, although nothing in place to demonstrate the frequency of checks and maintenance. How exactly will this be managed?

We feel the operating techniques for each work area need elaborating on. Although good to see storage times have been clearly set out in the document for each work area.

Future plans

Will require you to amend the document to state the new work areas and storage spaces for empty skips. Please ensure cracks in the work surface are repaired to make it sure it is deemed impermeable and guidelines for how and when this is checked are included.

Waste Returns

Good to see the quarterly submission deadlines for the returns are stated in the document. Good to have your submission deadlines stated in the document as a reminder.

Permit variation

Thank you for sending in the EWC codes that the site accepts. As mentioned in previous reports the business has two separate permits, one for the waste management activities and one for the water discharge from the interceptor. The water discharge will need to be consolidated 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 this also makes it difficult to regulate activities and almost gives you free rein for waste types that can be accepted.

We will be looking to address this issue in the future to incorporate EWC (European Waste Catalogue) codes.

If you have any issues with the 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			
B3	C3	Please provide NRW with a date for when the waste will be move inside the building.	16/09/2017

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.