

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

Site	Unit 17	Permit Ref	UP3295FU	
Operator/Permit holder	Project Black Recycling Ltd			
Regime	Waste Operations			
Date of assessment	01/11/2017	Time in	09:30	Out
Assessment type	Site Inspection			
Parts of the permit assessed	Operational area			
Lead officer's name	Tye, Laoni			
Accompanied by	Alice Sims			
Recipient's name/position	Jon Wilson/ TCM	Date issued	06/12/2017	

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
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3	2.2.1
F2 - Amenity - Noise	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

Environment officer Laoni Tye visited site with Alice Sims (NRW) and met with Karol Lajewski, site supervisor who showed us around site. The visit was a first time inspection since the new operator has taken the site over and an opportunity for the new regulator to understand the site processes. Karol was supervising at the time. Details of the visit with some actions can be found below. There were two breaches recorded.

C2 – Management systems. Category 3 breach.

Permit condition 1.1.1 states that the activities shall be managed and operated: a) in accordance with a written management system, which identifies and minimised risks of pollution including those arising from operations, maintenance, accidents, incidents....'

The current EMS needs updating to reflect current on site processes. The EMS in place has not been updated since 2013 and the document belongs to RGF Haulage Ltd. The processes detailed within the document are not detailed enough and more information should be included to ensure volumes and storage, especially that which carries a higher risk are managed effectively.

There was a large stockpile of mixed waste on site, measuring approximately 6-7 metres in height. Any plastic, metal or cardboard is separated out and put into skips which will then be sent on to siteserv for further storage/recovery. We were told that there were approximately 9-12 skips a day of mixed waste material coming onto site. I raised concerns about how the stockpile was managed as there did not appear to be a method of identifying the length of time waste had been on site. There was no access to the back of the stockpile which would mean that waste on site the longest would not be removed first. This type of waste material can pose a fire risk if not managed effectively and the therefore needs to be considered when managing the waste. Karol understood this and advised that the entire yard was supposed to be cleared on a weekly basis to ensure that waste is not allowed to accumulate although it was not clear whether this did happen as it should.

The above has since been discussed with Jon Wilson in a telephone conversation on the 16th November 2017 and it has been agreed that improvements will be made. I was also advised that the entire stockpile of mixed waste had been removed following the visit.

Action: Please update the EMS as discussed to ensure that it accurately reflects on site processes and identifies and minimises risks. This should include a section as to how the site manages and mitigates against fire risks. The EMS should include (as a minimum) information in terms of storage, sorting/processing, incident management, drainage, emissions etc. We will be asking for this to be

completed by the end of February 2018 so please submit it to us by then.

Please see the links below for more information and guidance:

<https://naturalresources.wales/media/683222/guidance-note-16-fire-prevention-mitigation-plan-english.pdf>

<https://naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf>

There was waste WEEE stored on site which is not in line with the permit conditions which does not allow the acceptance or storage of this waste. The root cause of this can be seen as inefficient management as the operatives were not aware that this could not be received onto site. Any unauthorised waste that arrives should be quarantined ready for removal as soon as is practicable. If the site wishes to continue to accept WEEE an application for an authorisation should be submitted. Please follow the link below for more information on exemptions to assess whether or not they will be suitable:

<https://www.gov.uk/guidance/waste-exemption-s2-storing-waste-in-a-secure-place>

Action: Please remove unauthorised wastes from site and/or apply for an authorisation.

This is also a breach of:

C3 - Materials acceptance. Category 3 breach.

Table 2.2 states the types of wastes that can be accepted onto site and WEEE is not a permitted waste type. Please see above for actions.

TCM

Jon Wilson is the current TCM for the site and the WAMITAB certificate has been checked since leaving site. We were shown some paperwork in the office of the COTC checklist, some of which had been completed by Jon Wilson. I have been advised during a phone call since the visit that he is the site TCM and although operatives from Siteserv Recycling are supervising the site, it is Project Black that are in control of the operations.

Waste returns

Thank you for sending in the waste returns in a timely manner. We have looked through waste returns from January 2017 – present and we can see that many of the incoming waste volumes are missing. This is especially in relation to inert materials and green waste where the waste types have been identified but not the volumes. Can you please re-submit the waste returns from 2017 with all incoming and outgoing waste volumes complete as required. Please submit by the end of December 2017.

Photographs from visit





If you have any questions please get in touch with your regulatory officer using the details below.

Laoni Tye
03000 65 4492

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032520**

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Site	Unit 17	Permit Ref	UP3295FU
Operator/Permit holder	Project Black Recycling Ltd	Date	01/11/2017

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.

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			
C3	C3	Remove unauthorised wastes from site	22/12/2017
C2	C3	Please update the EMS as discussed to ensure that it accurately reflects on site processes and identifies and minimises risks. This should include (as a minimum) storage, sorting/processing, incident management, drainage, emissions etc. We will be asking for this to be completed by the end of February 2018 so please submit it to us by then.	28/02/2018

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.