

Compliance Assessment Report

Report ID:
CAR_NRW0032062

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

Site	Project Yellow Recycling	Permit Ref	AB3298HZ		
Operator/Permit holder	Project Yellow Recycling Limited				
Regime	Waste Operations				
Date of assessment	06/07/2017	Time in	09:45	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Emissions management and storage/processing areas				
Lead officer's name	Tye, Laoni				
Accompanied by	Sherratt, Kelly				
Recipient's name/position	Jon Wilson/ TCM	Date issued	21/08/2017		

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
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	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
------------------------------------	----------	---	----------

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 officers Laoni Tye and Kelly Sherratt visited site on the 6th July 2017 to conduct a site inspection. We met with site supervisor Darren, who accompanied us around site. The purpose of the visit was to conduct an initial site inspection and introduce myself as the new regulatory officer. Please use the contact details below going forward. We had also recently received dust complaints from members of the public which we wished to address on site. The weather was hot and dry at the time of the visit.

There was one breach recorded in relation to dust issues which is outlined below. There were no other concerns whilst on site, which appears to be running effectively and in line with the permit conditions. Stockpiles were of materials permitted on site and the processing of these materials appeared to be producing good quality outputs. The sites supervisor gave a well detailed explanation of the procedures as we walked around site. Please see below for details on the breach.

C2 – Management. Category 3 breach.

Condition 1.1.1 states that the operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution'

There were large clouds of dust witnessed on site which was seen to be created largely by vehicles moving around site. The track that leads down to the site was very dusty and did not appear to have been doused with any water. It is reasonably foreseeable that the dust will be leaving site and could therefore be impacting on nearby receptors.

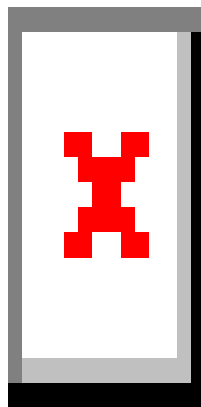
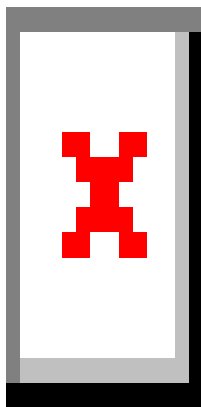
The matter was discussed on site and we were advised that they had not been dousing with water due to time constraints and the requirement to travel to Llantrisant to pick up water. The dust management plan states that 'during dry conditions or when dealing with dry wastes a water hose or vacuum tanker will be used to spray the site surfaces to prevent the formation of dust'. The management system also states that an adequate supply of water will be available for dust suppression – this was not present on site at the time. Following on from our discussion we were advised that a member of staff went to re fill the bowser with water.

Action: Please update the dust management plan with detailed processes and procedures to ensure that dust is managed effectively. The mitigation measures/processes should be formed as part of a risk assessment to ensure any nearby receptors are identified and protected. The management plan must be followed at all times and should be reviewed accordingly. Any additional measures need to be included and personnel should be trained on all procedures.

Action: Please ensure any management checks made are documented as we may require them in the future to ensure compliance with the management system.

Action: We understand that some dust complaints have been made direct to site, please ensure these are documented in line with your complaints procedure and are investigated accordingly.

Photographs



If you have any questions please get in touch.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032062**

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

Site	Project Yellow Recycling	Permit Ref	AB3298HZ
Operator/Permit holder	Project Yellow Recycling Limited	Date	06/07/2017

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			
C2	C3	See comments section	25/09/2017

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.