



**This form will report compliance with your permit as determined by an Environment Agency officer**

Site	Former Wealden Brickworks W T S		Permit Ref	401997		
Operator/ Permit holder	Britaniacrest Recycling Limited					
Date	23/08/2019		Time in	10:00	Out	11:30
What parts of the permit were assessed	Waste acceptance, site operations, amenity					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	[REDACTED]					
Officer's name	[REDACTED]		Date issued	30/08/2019		

**Section 1 - Compliance Assessment Summary**

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
<b>a) Permitted activities</b>	1. Specified by permit	A	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	C3	1.1.1
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates & litter	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C4	4.2.2
<b>h) Resource efficiency</b>	1. Efficient use of raw materials	NA	
	2. Energy	NA	

**KEY: C1, C2, C3, C4 = CCS breach category (\* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored**

<b>Number of breaches recorded</b>	2	<b>Total compliance score</b> (see section 5 for scoring scheme)	4.1
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**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Routine site inspection to get a view of overall site operations.

The site is a straightforward operation, with waste transfer of non-hazardous waste within the building with no treatment, and concrete crushing outside. There is a history of odour complaints in area, with several waste facilities that could be responsible. Odour management onsite is a high priority that a lot of work has gone into.

Odour checks are undertaken daily and recorded on a form. The current monitoring is fine, but I recommend a minor change to the recording of it, so that each individual point checked during the odour run has a specific entry, so that it can be shown that each point was visited and what was found there.

Two permit breaches have been recorded from this inspection:

**Condition 1.1.1** - Construction and demolition waste in the form of concrete is being accepted onto site as non-waste, and then crushed and sent out as non-waste aggregate material. Separate more detailed guidance has been sent regarding this, but all the concrete on site is waste and must be accepted onto site as such. This remains waste until it can be demonstrated that the requirements of the WRAP Quality Protocol for aggregates has been met, and until this time must be removed from site as a waste, even if being used in a construction project. This must start happening immediately. Section 4.4.2 of the operating techniques document states that Britaniacrest 'will undertake some treatment of inert construction and demolition wastes in the external yard area', and the concrete crushing will come under that.

**Condition 4.2.2** - The site waste returns show a large quantity of 191212 coded waste being accepted, with 40,000 tonnes to date in 2019, but with no corresponding removal of this waste code. This code is typically used to record trommel fines. Due to the volume of the waste and nature of the site, it is highly likely that this has been incorrectly coded on the returns and ought to have been submitted as 191210 (RDF). Checking of transfer notes at the weighbridge showed that this waste is being accepted as 191210, and this is likely to be an administrative error. Please investigate this and submit your findings by **30 September 2019**. Please also resubmit any incorrectly coded waste returns by this date.

A consignment of asbestos is recorded as having left the site in 2018. This is a permitted waste type for the site, but there is no record of it on the site waste returns. From conversations, it is thought that this waste only remained onsite for a short period of time before being removed again, but still needs to be recorded on the waste returns. Please include this in the resubmitted return documents.



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**Section 3- Enforcement Response** **Only one of the boxes below should be ticked**

<p>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.</p>	
<p>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.</p>	<b>X</b>
<p>In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.</p>	
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

**Section 4- Action(s)**

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
C3	C3	All concrete arriving on site must be accepted as waste. All concrete leaving site must be transferred as waste until such time as compliance with the WRAP Quality Protocol for aggregates can be demonstrated. This must begin immediately	30/8/19
G4	C4	191212 waste received on site to be investigated. Findings to be submitted to the EA along with corrected waste returns as necessary, including the single consignment of asbestos waste as well as the appropriate waste acceptance codes.	30/9/19

## 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 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.

● A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

**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 which could have a <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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 Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency 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 Environment Agency 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 28 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 the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#), phone their helpline on 0345 015 4033.