Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0031645

This form will report compliance with your permit as determined by an NRW officer					
Site	A D J Skip Hire	Permit Ref	JB3033RC		
Operator/Permit holder	Mr Lee Gapper And Mrs Marie Gapper				
Regime	Waste Operations				
Date of assessment	10/05/2017	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	Lee Gapper/ Director	Date issued	18/05/2017		

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	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	C4	1.1.4 (b)
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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)	0.2

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

Officers Alex BOWDER and James PERRY attended ADJ Skip Hire at Graddfa Industrial Estate, Llanbradach, Caerphilly, CF83 3LQ on Wednesday 10th May at 11:00 to carry out routine inspection of permit **EPR-JB3033RC.** The weather was warm and dry at the time of visit. Spoke with company director Mr. Lee Gapper.

Introductory inspection as Alex Bowder takes over as the new regulator of the site – thank you to Mr. Gapper for taking the time to meet us and explain the business processes. We discussed brief history of the site's activities and outlined the processes for the skip 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 – Very minor incident with no environmental impact.

Breach **Category 4 -** (C1) Staff competency/training **WAMITAB qualification** Condition 1.1.4 (b) "The operator shall comply with the requirements of an approved competence scheme."	**The site does not possess a WAMITAB qualification holder.** We expect a member of the business or a consultant to hold a suitable and relevant qualification such as level 4 WAMITAB. If you do not have this qualification, you can undertake an EPOCH – which is usually the first 4 modules of any WAMITAB qualification, and then will have a grace period of 1 year to complete the qualification. NRW does not run this scheme, the WAMITAB website holds more information on the relevant course and trainers in this area. Whilst we appreciate the financial costs of the course, it is still a condition of the permit and so operating without the qualification has scored a Category 4 breach as a result.

Breach **Category 4 -** (G4) Reporting and notification to Natural Resources Wales **Waste returns | Condition 4.2.2** "Within one month of the end of each quarter, the operator shall submit using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter."	The business was recently issued a CAR form by the audit regulation team which stated that no returns had been submitted for the last few quarters - these returns have still **not** been submitted - Mr Gapper was unaware of this. **Action:** Please submit outstanding waste returns documents by July 18th 2017. Sent separately is the NRW spreadsheet template that you must fill out. The required timescales for submissions are below: **Quarterly Returns Period Return Submission** Q1 - 1st January to 31st March – Deadline: 30th April Q2 - 1st April to 30th June – Deadline: 31st July Q3 - 1st July to 30th September – Deadline: 31st October Q4 - 1st October to 31st December – Deadline: 31st January



Picture 1 – showing skips stored inside the unit on impermeable pad

Once separated waste streams get sent to Bryn Quarry for disposal. The household waste are separated inside the unit on the impermeable flooring. The business plan on purchasing more skips for expansion in the future.

Infrastructure
Infrastructure in the unit was generally ok. Please be sure to attend to cracks to ensure the surface remains

impermeable.

Environment Management System (EMS)
Adequate for activities - please keep in mind that the document is meant to be live and should be updated accordingly to operation changes.

If you have any issues with the report please contact Alex Bowder 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

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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			
G4	C4	Submit remaining waste returns immediately	18/06/2017
C1	C4	Attain WAMITAB/instruct consultant to attend site	18/07/2017

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.