

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

Site	Project Red Recycling		Permit Ref	900079		
Operator/ Permit holder	Tom Pritchard Contracting Limited					
Date	11/08/2015		Time in	15:00	Out	16:00
What parts of the permit were assessed	All					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Jon Wilson / TCM					
Officer's name	Adam Ward, Gareth Danter-Hill		Date issued	25/08/2015		

**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	A	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	C4	1.1.1(a)
	3. Materials acceptance	C4	2.3.2(a)
	4. Storage handling, labelling, segregation	A	
<b>d) Incident management</b>	1. Site security	A	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	A	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	A	
	5. Waste	A	
<b>f) Amenity</b>	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	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	N	
<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)	0.2
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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.

### Project Red Recycling

#### Introduction

This inspection was conducted as part of the regular compliance inspections required throughout the year. It was also an opportunity for your new regulating officer, Adam Ward, to complete a site handover with Gareth Danter-Hill.

You requested guidance on completing the new waste returns spreadsheet to ensure you were using the correct Recovery or Disposal (R or D) Code for the sub soils that were being sent to a closed landfill to re-engineer the capping. As discussed on site, we can confirm that you should be using the R code for recovery, regardless of the fact that it is going to landfill. The reason for this is that it is being used for a specific purpose for the engineering of the site. For this scenario, R05.03.01 Mechanical reprocessing of mineral C&D waste/ roadwork's waste, would seem the most appropriate, unless the material is more accurately described by a different code (e.g. mixed C&D).

It was noted that there are several tons of green waste on site. This waste is not authorised for deposition or treatment by your permit, but you explained that it had been produced on site. You therefore have 12 months to remove this waste from site.

#### Compliance

Although I found the site to be clean and generally well managed at the time of the inspection, there were several tons of mixed municipal waste (20 03 01) on site that had come from a local Civic Amenity site. This material was supposed to be soil and stones (20 02 02) but had an unacceptable level of contamination and contained a number of plastic waste plastics and is therefore not authorised by the permit. On this occasion, we have chosen to downgrade the breaches scored to Category 4 (no impact) as we feel the contamination is contained within small stockpiles and can be easily cleaned via the screening process.

#### C3) Management – Waste Acceptance

**Permit Condition 2.3.2(a)** – 'Wastes shall only be accepted if; a) it is of a type and quantity listed in Schedule 2 table S2.1'. **You have been scored a Category 4 breach for accepting contaminated waste.** The root cause of this is as follows;

#### C2) Management – Management Systems and Operating Procedures

**Permit Condition 1.1.1(a)** – Management System Condition. You have failed to follow procedures specified by conditions 2.4.1.1 and 2.4.1.2 of your Environmental management System. **You have been scored a Category 4 breach against the management condition of your permit.** Please ensure more stringent waste acceptance procedures are followed in future to ensure the risk of contaminated or unauthorised material is not accepted at site in future

#### Action

You may wish to discuss this as a potential issue with Ty Amgen CA site to ensure members of the public are educated to avoid contamination of soil and stones in future. Alternatively, operatives at the CA site may be able to pick some of the contamination out prior to it being exported to your site. It is important that you follow the waste acceptance procedures you've provided in your EMS to avoid breaches in futures.

**If you have any questions regarding this CAR form, please do not hesitate to contact Adam Ward on 03000 653149 or via email: [adam.ward@naturalresourceswales.gov.uk](mailto:adam.ward@naturalresourceswales.gov.uk).**

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Operator/ Permit	Tom Pritchard Contracting Limited	Date	11/08/2015

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

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.	X
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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.	
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We will now consider what enforcement action is appropriate and notify you, referencing this form.	
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**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			
C2	C4	No action specified	N/A
C3	C4	No action specified	N/A

## 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.

**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 Natural Resources Wales (NRW) to fulfill 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 (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 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 twenty 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 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 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](mailto: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.