

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

| | | | | |
|------------------------------|--|-------------|------------|-----------|
| Site | M & E Bin Hire | Permit Ref | SP3495FG | |
| Operator/Permit holder | M & E Bin Hire | | | |
| Regime | Waste Operations | | | |
| Date of assessment | 02/09/2016 | Time in | 12:00 | Out 12:30 |
| Assessment type | Site Inspection | | | |
| Parts of the permit assessed | Reporting | | | |
| Lead officer's name | Tye, Laoni | | | |
| Accompanied by | | | | |
| Recipient's name/position | Dean and Kevin Humphreys/ Site manager | Date issued | 09/09/2016 | |

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 |

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

Thank you for your time when Environment Officer Laoni Tye visited site on the 2nd September 2016. Dean Humphrey, site TCM accompanied us on the site visit. There had been light rain on the day of the visit but it was dry at the time of the visit.

Breaches recorded

C2 – Management systems. Category 3 breach. Condition 1.1.1 states that the activities shall be managed and operated in accordance with a written management system which identifies and minimises risks of pollution..'

There were areas of the site near the de-pollution bays that had oil contamination. Your EMS states that any spillages of oils will be cleaned up using spill kits. Although there was evidence that a spill kit had been used on some of the oil, there was a considerable amount that had been left. Although the site is an impermeable surface with an oil interceptor, there is an increase in the potential for an oil pollution if too much oil enters the interceptor.

Action: Please ensure spills are cleaned up immediately and disposed of correctly with immediate effect.

Action: Please ensure all vehicles are fully de-polluted in line with the End of Life Vehicle Regulations 2013.

Directly Applicable Legislation – Category 4 breach.

Quarterly waste returns

You have been scored a category 4 breach for failure to submit quarterly waste returns into us for the year of 2015. It is your duty of care as a waste operator to ensure waste returns are complete and sent to us, the regulator. As discussed on site and in an email, please submit these returns to us as soon as possible to the following address:

Waste.returns@cyfoethnaturiolcymru.gov.uk

The screenshot shows a web browser window with the URL <http://naturalresourceswales/waste/new-wales-operator-waste-return>. The page title is "Deadlines for submitting waste returns". It features two tables: one for "Quarterly returns" and one for "Yearly returns".

| Quarterly returns | |
|--------------------------|---------------------|
| Quarters | Deadline for return |
| January 1 to March 31 | April 30 |
| April 1 to June 30 | July 31 |
| July 1 to September 30 | October 31 |
| October 1 to December 31 | January 31 |

| Yearly returns | |
|--------------------------|----------------------------------|
| Annual return period | Deadline for return |
| January 1 to December 31 | January 31 of the following year |

Below the tables, there is a section titled "How to complete your waste return" with the text: "You can complete your returns in one of two ways:"

- complete the waste returns spreadsheet and email it to waste.returns@cyfoethnaturiolcymru.gov.uk
- complete a paper version of the waste return form, Complete and Return It, too.

At the bottom, there is a message: "You are looking at our new site." with a "Learn More" button and a "Close" button.

Please ensure waste returns are submitted on time complete with all of the relevant information. If the problem re-occurs we may need to consider increasing the severity of the breach.

We have received a quarterly waste return for the period of April-June 2016. The return shows that no waste came onto site during this period and only 2 Tonnes left site during the same period. Please advise and re-submit if this is not correct.

Please note: This is separate from the haz waste returns which need to be sent to hazwaste.returns@naturalresourceswales.gov.uk .

Hazardous waste returns

We are also missing Quarters 3 and 4 of your hazardous waste returns for 2015 and we have not received any for 2016. Please submit these returns to us and ensure they are submitted on time going forwards. If we do not receive them we may need to consider escalating the breach under Directly Applicable Legislation.

Other comments

During the visit you advised that new concrete was getting laid to improve the impermeable surface on site. There were some areas of rutting where the machinery had been on site which was due to be repaired. The surface is improved every couple of years which we are pleased to see.

You also advised that the sites storage was getting re-organised and you had plans to change some of the

storage areas. Please ensure your Environment Management System and site plan is updated as necessary to reflect the changes. It is important that your site plan shows where waste is stored which can be vital if an incident occurs.

The interceptor was last emptied in May 2016 by Egan Waste and gets done approximately every 5-6 months. I saw evidence of this on the waste transfer notes.

If you have any questions about this CAR form or anything else please get in touch with your site officer using the contact details below

Laoni Tye

03000 65 4492

Laoni.tye@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026357**

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

| | | | |
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| Site | M & E Bin Hire | Permit Ref | SP3495FG |
| Operator/Permit holder | M & E Bin Hire | Date | 02/09/2016 |

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 | Please ensure spills are cleaned up immediately and disposed of correctly with immediate effect. | 09/09/2016 |

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.