

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

Site	Tollgate House	Permit Ref	FB3432AY		
Operator/Permit holder	Smith's (Gloucester) Limited				
Regime	Waste Operations				
Date of assessment	13/12/2017	Time in	11:00	Out	11:45
Assessment type	Site Inspection				
Parts of the permit assessed	operational area				
Lead officer's name	Tye, Laoni				
Accompanied by	Rob Salter				
Recipient's name/position	Mark Davies/ TCM	Date issued	15/12/2017		

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
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F2 - Amenity - Noise	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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 officer Laoni Tye visited site with Robert Salter (Fire and Rescue Service secondee) to conduct an inspection. The purpose of the visit was to focus on fire prevention and mitigation and to assess any potential fire risks. Mark Evans, sites TCM, was not on site at the time of the visit and we were therefore shown around site by one of the site supervisors. We explained that new fire prevention guidance had come into force and that sites would soon be required to have a written fire prevention plan in place. It was raining heavily during our visit. There was a breach recorded and details of the visit are outlined below.

Fire prevention and mitigation Plan

New guidance has been issued (August 2017) which applies to all operators that store any amounts of combustible waste materials. Due to the types of waste that are accepted and the location of the site this guidance will apply to you. It is not yet a condition within this permit to have a fire plan but it is something that will be implemented and we are therefore prompting sites to start putting plans in place. Due to the location of the A4232 and SSSI we would expect there to be some form of fire prevention and mitigation already in place. There are also specific conditions in your permit relating to storage of combustible waste under the bridge, which you were compliant with.

I have attached the 2017 guidance to the email for your reference.

The stockpiles of mixed commercial wastes (combustible waste) were relatively small and had not been on site for more than a day. There is a fast turn-around of waste on this site as it is mainly a bulking up operation, with some manual picking, before being sent off for further processing. This decreases the risk of fire, amongst other risks, and we therefore welcomed this approach. Stockpiles were stored away from the watercourse and the road bridge and there was plenty of access on site for fire-fighting to happen, should a fire break out. The drainage on site is part of a sealed drainage system with goes to foul sewer, which again, helps minimise any impact of fire water in the event of a fire. We were comfortable that the site posed a low fire risk due to these reasons.

We can see that mitigation measures are already in place on site so it should just be a case of ensuring these are documented within a plan and that all staff are aware of the procedures.

If you have any questions about the fire prevention and mitigation plan please let me know.

There was a lot of standing water on the impermeable pad with deep pools of water. We were told that there were plans to improve the concreted area soon which will ensure that water drains towards the sealed system. There was also an area of concrete which had been laid at the back of the site where the inert materials are stored, which has been constructed since our previous visit.

Action: Could you please send us any documentation such as a validation report or relevant quality assurance certificate to show that the area has been properly constructed. We can then add this onto our systems.

There were no breaches recorded during the visit.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032617**

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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			

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.