

	EPR Compliance Assessment Report	Report ID: 30188/0238784			
This form will report compliance with your permit as determined by an NRW officer					
Site	Tollgate House		Permit Ref	30188	
Operator/ Permit holder	Smith's (Gloucester) Limited				
Date	29/04/2015		Time in	15:00	Out 15:40
What parts of the permit were assessed	Operational area				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge
Recipient's name/position	Mark Evans, Mike Latuszka and Peter Jukes				
Officer's name	Laoni Tye, Ella Williams		Date issued	07/05/2015	

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
a) Permitted activities	1. Specified by permit	C4	3.2.1
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	C3	1.1
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

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

Number of breaches recorded	2	Total compliance score (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.

The visit was made by officers Ella Williams and Laoni Tye. The purpose of the visit was to carry out a site inspection and handover the site to the new regulatory officer Laoni Tye. For any future contact please use the details below:

laoni.tye@naturalresourceswales.gov.uk
03000 65 4492

Weather at the time of the visit was dry with a slight breeze. There had a small amount of rain in the morning but mainly dry. TCM Mark Evans was not on site but we thank the skip hire manager for taking time to show us around.

Breaches

C4 – Storage, handling, labelling and segregation. Category 3 breach

Section 3.2.1 of the environment management plan – Impervious paving and drainage

Whilst on site we saw there was a pile of scrap metal, bitchumen and other non-inert waste material being stored on the hard standing area to the rear of the site. This section of the site is permitted to store and treat inert materials only. All surfaces used for depositing, sorting, processing and storing of non-inert wastes must be done on an impermeable surface with drainage directed to the foul sewer.



Action

Please ensure non-inert wastes are removed from this area and are stored in line with the conditions in the permit.

A1 – Specified by permit. Category 4 breach.

Table 1.1 Specified waste management operations

Whilst on site we witnessed scrap metal being cut with a blow torch on the area of hard standing identified above. Although we were told this was only a temporary thing, the permit does not allow for the treatment on non-inert wastes. The only treatment authorised is for crushing of inert material for hardcore.



Action

Please ensure the permitted activities as specified in the permit are adhered to and that only inert wastes are treated on site.

T9 Exemption – Recovery of scrap metal

If you wish to treat scrap metal on site there is a waste exemption that would cover this type of activity. You may wish to register one if you wish to continue with this on site. Please follow the link below to the .gov website for more information:

<https://www.gov.uk/waste-exemption-t9-recovering-scrap-metal>

Other comments

6.1 Control, monitoring and reporting of dust, fibres and particulates.

There were dust particles arising from the site during the visit that have the potential to go off-site, onto the highway or into one of the nearby receptors – The River Taff or Cwm Cydfin SSSI. The weather has been particularly dry recently and mitigation measures in line with your EMS need to be followed to ensure dust is kept down to a minimum on site.



There was a skip containing asbestos that has been segregated on the hard standing in the area empty skips are kept. We were pleased to see that this had been quarantined but as recognised on site this should be kept on an impermeable surface with sealed drainage. We were advised this was usually the case and that it would be moved.

If you have any questions please get in touch with Laoni Tye. I look forward to meeting you on site during the next visit.

Kind regards

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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
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

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			
A1	C4	Please ensure the permitted activities as specified in the permit are adhered to and that only inert wastes are treated on site.	N/A
C4	C3	Please ensure non-inert wastes are removed from this area and are stored in line with the conditions in the permit.	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 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 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. 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.