Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0033171

This form will report compliance with your permit as determined by an NRW officer					
Site	Riverside Garage	Permit Ref	EB3433RE		
Operator/Permit holder	Grant Haines				
Regime	Waste Operations				
Date of assessment	28/03/2018	Time in	14:00	Out	14:40
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Tony Haines / Business Manager	Date issued	10/04/2018		

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	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	C3	Condition 3.2.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	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

Officer Alex BOWDER attended NAG Recycling Ltd at 14:00 on Wednesday 28th March 2018 to carry out a routine inspection of permit **EPR-EB3433RE**. The weather was mild and slightly wet at the time of visit. Met with Director Mr Tony Haines and walked around the yard.

ACTIONS FROM LAST CAR FORM

NRW issued an Action Plan that stated three areas to be completed by 01 March 2018:

1) Reduce waste stream volumes on site so that the combined waste total is less than 80 cubic meters and that it does not exceed the concrete bay walls in height.

2) Update the Working Plan document to an Environment Management System (EMS) and devise your tonnage allowance in document.

3) Create Noise Prevention Plan document demonstrating how you plan on limiting and reducing noise issues

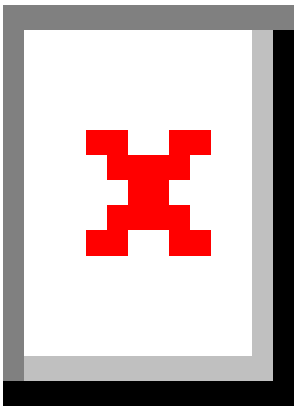
The business has submitted the required documents for review. As discussed on site, NRW will be conducting an Audit on the business focusing on updating the Working Plan, drainage system and operating procedures in the next few months. This will involve analysing site procedure documents and setting agreed action tasks for improvements.

1) Reducing waste volumes

The business has included the overall tonnage limit of 80 cubic metres in the Management System as requested which is good to see. We are satisfied that the business has reduced tonnages to below the wall height, however this is an on-going action and the Director / TCM must take responsibility to ensure waste is kept below the agreed level.

The volume of mixed waste on site was stored above the bay wall height. It was stated that this was due to storing two waste streams in a single bay. This will have to be reviewed as operations are likely to become busier in the upcoming warmer months and so it is paramount to keep on top of managing the amount of waste stored in the bays.

Stricter operating techniques must be implemented so that waste levels are kept on top of and stockpiles cannot be seen over the fence from the road side.



Picture 1 – showing waste bay with mixed waste material divided into two streams

2) Update Working Plan

Thank you to the site for sending through the current version of the Working Plan. We will look to analyse the document and highlight the areas that need updating to change the text from a Working Plan to a modern Environment Management System (EMS). After conducting the Audit will set out various actions that will require completing by the business by an agreed timescale.

3) Noise Prevention Plan

The submitted document is a good start but may require expansion in some areas. This will be looked at in further detail on the Audit.

Noise was at a reasonable level at the time of inspection with nothing deemed excessive.

Noise complaint notifications

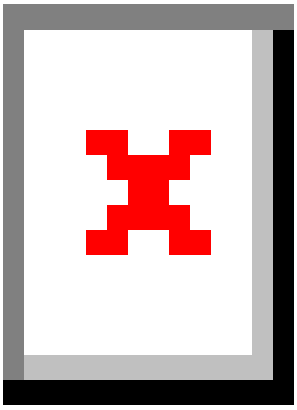
As a way of addressing future noise complaints emanating from the yard we have set up a reporting function that we operate with other permitted sites.

When any noise complaint is reported into our Incident Communication Centre, the information will get entered into a report template and sent directly onto the site at the time of occurrence to make the business aware of the activity.

These notifications have proven to be a useful tool in the past with other permitted sites to help to manage noise issues. The reports can help to pinpoint the site activities that are causing the biggest noise issues and allows the opportunity to look at procedures and root causes.

Breach – Category 3 - **D1 - Incident Management – Site security; Condition 3.2.1:** *"Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised by either the licence holder or under legal powers of entry. These shall*	**Site perimeter** There has been an on-going issue with the site perimeter fencing over the past few years that needs addressing. Due to the size of the site it is essential to have good housekeeping to allow operations to function smoothly. Waste is pushed right up against the site fencing all around the yard to the point where the metal has bent overtime under the weight of the material. This is not only a safety hazard but presents the risk of waste falling off the site boundary if the fence were to collapse.

be installed, operated and maintained, and shall be fully documented and recorded […]"	Although the waste stored at the rear of the site is at no immediate risk of falling onto the river bank, waste is still resting on the wall and poses a risk. **Action:** The site should pull away all waste resting on the wall. A clear gap should be established between waste material and the perimeter fence. This has been raised before and needs addressing.



Picture 2 – showing the fence angled towards the road at the front of the yard.

GENERAL OBSERVATIONS

One of the site offices is now located inside the unit on the top floor. Housekeeping was a little messy around the back of the weighbridge with various scrap and other materials. Some water was pooling in the yard due to heavy rain, but no oil or diesel on the surface at the time of inspection. No issues with pest control witnessed.

Tony is currently completing his WAMITAB qualification to become leading TCM for the site – once completed, the expiry date and refresher continuing competency will need to be stated in the Management System.

No waste in skips or waste 'in transit' associated with NAG Recycling Ltd was being stored at the Flying Services Ltd premises down the road. There were no skips filled with waste stored outside the permit boundary on the road at the time of visit. Please ensure this rule is adhered to as there been reports of skips being stored here – this breaches your permit.

TYRE STORAGE

We discussed the business' tyre storage principles on site. Clear cut procedures should be in place in the EMS to safeguard fire risk. For instance, at what point are tyres disposed of and how are they stored until then?

DRAINAGE AND INFRASTRUCTURE

We discussed the drainage system and the site interceptor. It became apparent that the manhole cover for the system was located under the wood chipper. It is important to have quick access to the drainage in the case of an emergency and so bear in mind when storing machinery over the cover.

The French drain at the front of the yard seemed free of sediment at the time of inspection and is cleaned regularly.

WASTE RETURN DOCUMENTS

Waste return for Quarter 4 of 2017 was submitted on time, recording approximately 225 tonnes of waste removed from the site going mainly to landfill. Awaiting Quarter 1 for 2018.

Thank you to the business for taking the time to address the points made in the report. I look forward to conducting the Audit in the next few months and working to tighten and improve operations on site.

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

Thank you.

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Operator/Permit holder	Grant Haines	Date	28/03/2018

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			
D1	C3	Pull away all waste resting on fencing. Establish gap between waste stored and fence. Fix perimeter where bent .	10/06/2018

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.