Compliance Assessment Report

Report ID: CAR_NRW0000156

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	07/04/2016	Time in	14:45	Out	15:10
Assessment type	Site Inspection				
Parts of the permit assessed	Storage				
Lead officer's name	Powell, William				
Accompanied by	Davies, Eleanor				
Recipient's name/position	Grant Haines/ Permit holder	Date issued	15/07/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	C3	2.1.1
C4 - General Management - Storage, handling labelling and Segregation	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	2	Total compliance score (see section 5 for scoring scheme)	8

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

Site inspection with officers Eleanor Davies and Will Powell. Officers met with Grant and Tony Haines. This was a site inspection following complaints about the amount of waste onsite.

Please also see CAR form for associated exempt activities.

Breaches

A1 - Specified activities; breach of condition 2.1.1: "Waste shall only be deposisted, stored, treated or otherwise handled in any area of the site, where the engineered site containment and drainage system for that area is provided in accordance with conditions 2.1.2 and Table 2.1 of condition 1.2, and in accordance with section 2.8 of the working plan."	Waste is stored outside of the permit boundary, where it does not benefit from the sealed drainage system.

Category 3 breach scored

C4 - Management - Storage, Handling, Labelling & Segregation; breach of condition 1.1.1; "No waste management operations shall be authorised by this licence unless: a) specified in and undertaken in accordance with the limitations in the following table [...]"	More waste stored onsite than permitted volume of 80m^3

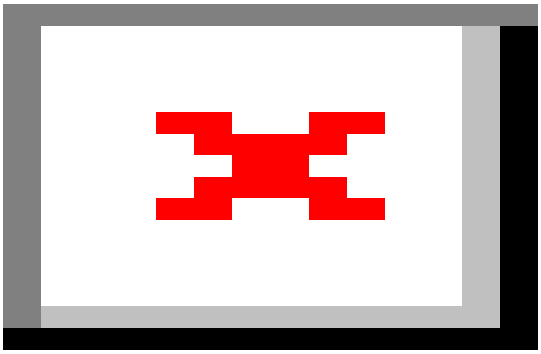
Category 3 breach scored

Action taken since previous inspection

There is more waste onsite than there was on the previous visit, 8th August 2015. Skips containing waste are still stored outside of the permit boundary.

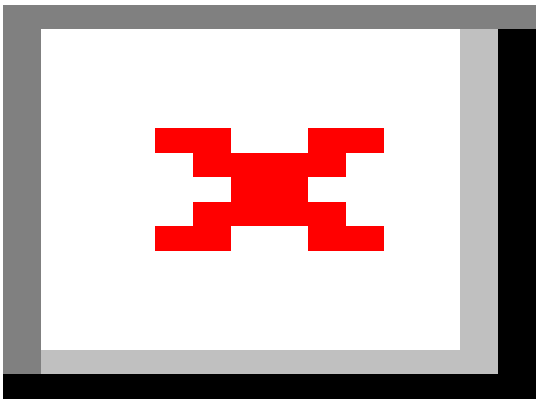
Site inspection

A roll on/roll off skip, and two builders skips were stored outside the permit boundary, and looked to be containing general waste material. These skips are outside of the permit boundary. Waste must be stored onsite where it benefits from a secure location and sealed drainage. Waste stored outside of the site poses a greater environmental pollution and vandalism. In addition to this, waste stored outside of the site is likely to attract complaints from local residents. This is the second time waste has been stored outside the permitted area.



View from outside of site, showing skips stored outside of site boundary.

Waste volumes have increased since the summer, rather than decreased. Waste is piled around double the height of the push walls. Waste consists of mixed municipal and construction and demolition waste.



Waste stockpiles - much over the permitted volume of 80 cubic meters

Grant Haines informed us that NAG Recycling Ltd had gone into administration, and that the yard was being sold to another party. This party were taking on the responsibility to clear the waste, and are organising a load of waste to be removed in a fortnight. NRW officers reminded Grant that the permit remains in his name, rather than the company name. This would not automatically transfer with any sale of property or company, and Grant Haines will remain responsible for the waste brought

onsite under the permits.

NRW are considering serving an enforcement notice requiring the volume of waste onsite to reduce to within the permitted amount.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0000156**

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Operator/Permit holder	Grant Haines	Date	07/04/2016

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.

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

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			
C4	C3	Reduce volume of waste to permitted level	31/05/2016
A1	C3	All skips containing waste to be brought back within the permit boundary where it benefits from sealed drainage.	18/04/2016

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 reports 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 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.