

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

Site	Nichol Road Maintenance Ltd	Permit Ref	900000		
Operator/ Permit holder	Mr Steve Nichol				
Date	12/01/2015	Time in	11:50	Out	13:30
What parts of the permit were assessed	Permitted Activity				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Steve Nichol				
Officer's name	Peter Morrison	Date issued	15/01/2015		

**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
<b>a) Permitted activities</b>	1. Specified by permit	A	
<b>b) Infrastructure</b>	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	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
<b>h) Resource efficiency</b>	1. Efficient use of raw materials	NA	
	2. Energy	NA	

**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**

<b>Number of breaches recorded</b>	0	<b>Total compliance score</b> (see section 5 for scoring scheme)	0
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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.

Environment Officer Peter Morrison met with Steve Nichol on site. This was the first site visit for a newly permitted waste operation. This visit was carried out so that Peter Morrison who will be the regulatory officer for the site could see the waste operations taking place and discuss some requirements of the permit. As the site has only recently received its permit please find advice and guidance below regarding activities on site and compliance with your permit. On future inspection if these issues have not been addressed I will consider scoring breaches against conditions of your permit.

For your information should you have any queries regarding the permit you are able to contact Peter Morrison via email at [peter.morrison@cyfoethnaturiolcymru.gov.uk](mailto:peter.morrison@cyfoethnaturiolcymru.gov.uk) or by phone on 03000653371.

Your permit was granted on the 18th of December. Please ensure that you have a copy of your permit on site. If you have not received a copy please contact Peter Morrison who will be able to send one to you. Please make yourself familiar with the conditions of your permit to ensure that you are able to comply.

"How to Comply with your Environmental Permit" is a guidance document that explains some of the conditions and rules of your permit and how to comply with these. The guidance is available from the GOV.uk website at the link below.  
<https://www.gov.uk/government/publications/how-to-comply-with-your-environmental-permit>

Steve Nichol accompanied Peter Morrison around the site, there was heavy rain at time of visit. Waste was being stored in dewatering bay, waste on site at time of visit appeared to comply with permit conditions.

### B3 –Infrastructure - Site Drainage Engineering (Clean & Foul)

Table S1.2 Operating Techniques of your permit refers to Section 2.5.1 Management Controls of your EMS, controls to prevent fugitive emissions, part (iii) of this states you will carry out inspection of integrity and maintenance of drainage channel (by cleaning and regular de-silting) and sumps and silt traps.

Water in dewatering bay as well as the drainage channel appeared visible discoloured, a chocolate brown colour and was flowing into the drain. See pictures below.



Using a shovel Mr Nichol showed that there was a large amount of sediment at the bottom of this drainage channel. Steve Nichol informed Peter Morrison that this water then passed through a series of sumps underground and through the interceptor before entering the surface water drain underneath the site entrance. The manhole cover at the inspection point was removed, there was water flowing that also appeared visibly discoloured and chocolate brown colour. Steve Nichol informed the officer that from this point the water would not be treated any further before joining the surface water drain.

### **Action**

Please ensure that the channel and storage bay are maintained and de-silted regularly, and that the dewatering process is working effectively in removing the suspended solids before the water is discharged into the surface water drain. Please de-silt the channel and ensure the dewatering process is working effectively **by 31st of January**

### **C1 – General management – Staff Competency/ training – Advice and Guidance**

#### Technically Competent Manager

Permit Condition 1.1.1 (b) requires operators to manage and operate their activities using a sufficiently competent persons and resources. The technically competent person must attend the site for a minimum period of time each week. The technically competent person demonstrates their competence by satisfying one of the industry schemes, for example WAMITAB scheme. All technically competent people must demonstrate the continued competence by passing a periodic assessment which tests the candidate's understanding of recent development within the waste industry.

### **Action**

Steve Nichol confirmed that he is currently completing his WAMITAB and is hoping to submit his assessments in the upcoming weeks. Once you have gained relevant qualifications please send a copy of certificate to Peter Morrison.

### **C2 – General Management – Management System & Operating Procedures – Advice and Guidance**

#### Environment Management System

Permit Condition 1.1.1 (a) requires you to operate the site in accordance with a written management system. You had an Environment Management System (EMS) on site.

### **Action**

Please ensure that you and your staff follow the procedures noted in the EMS, this includes carrying out all inspections and monitoring noted in Appendix5 of your EMS – Emissions and Monitoring Plan. Please ensure that these inspections and monitoring are recorded and are available for inspection.

### **G4 Monitoring and Records, Maintenance and Reporting – Reporting and Notification – Advice and Guidance**

#### Waste Returns

Permit Condition 4.2.2 requires you to submit waste returns detailing the amount of waste accepted and removed from site during the previous quarter to Natural Resources Wales. Guidance on how to complete waste returns as well as the waste return forms can be found on the Natural Resources Wales website at link below;

<http://naturalresourceswales.gov.uk/policy-and-guidance/waste-policy/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en>

As discussed on site you are required on you waste returns to detail the amount of waste accepted into site. As you do not have a weigh bridge you will be need to find a way to estimate the amount of waste you accept, you may be able to do this through knowing how much your vehicles are able to carry and how full they are on arrival to site. This estimation is for the combined total of the waste solid and liquids that would be coming in as street cleaning residues. You should have more accurate measure of waste removed from the site as this should be weighed by the site who accept it.

As discussed on site the only waste you are permitted to accept on site is street sweeping and gully emptying (EWC code 20 03 03). Both street sweepings and emptying may contain heavy metals, oils and other contamination and may have a high leachable organic content that may pose a risk to the environment. Dewatering alone does not change the characteristics of the waste and therefore the waste code should remain the same when dewatered waste is removed from site.

Treatment that would need to be carried out in order to change the characteristics of the waste would likely include manual picking, mechanical separation, screening, washing and dewatering and biological treatment of organic fractions.

### **Action**

As your permit was issued on the 18th of December. You will need to submit your waste return for Quarter 4 of 2014 detailing any waste accepted on or removed from site between the 18th -31st of December. The deadline for submitting your waste return is the 31st of January. Waste returns should be emailed to [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) or sent by post to; Natural Resources Wales, Customer Care Centre, 29 Newport Road, Cardiff, CF24 0TP

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**Section 3- Enforcement Response** **Only one of the boxes below should be ticked**

<p>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.</p>	
<p>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.</p>	X
<p>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.</p>	
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

**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			

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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.