

**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	27/05/2015	Time in	14:00	Out	14:30
What parts of the permit were assessed	Operational area				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Steve Nichol				
Officer's name	Laoni Tye, Peter Morisson		Date issued	10/06/2015	

**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	N	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	A	
	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	A	
	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	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**

<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.

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

[laoni.tye@naturalresourceswales.gov.uk](mailto:laoni.tye@naturalresourceswales.gov.uk)

03000 65 4492

We met with Steve Nichol the sites TCM who showed us around and explained the on site processes. The weather was warm and dry which meant there was no flow throughout the treatment system. We will revisit site for an inspection when there is likely to be a flow.

### Advice and guidance

You have not been scored any breaches against your permit during this handover visit.

However, we have the following advice and guidance for you that will need to be followed to avoid breaches in relation to these matters in the future.

**C2 General management - Management systems.** Condition 1.1.1 States that the operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations and maintenance.

Whilst on site we were told that there is a vehicle wash down area within the permitted boundary. This area drains to an underground sump and oil interceptor before being discharged to the surface water sewer. This is not currently included in the environment management system (EMS). A risk assessment will need to be conducted and included in the EMS that considers how to avoid or minimise the risks posed by this activity and any mitigation measures in place. We may for example, have concerns over detergents being used which could compromise the effectiveness of the oil interceptor. Also, the discharge from this area appears to be by passing the treatment process and silt traps which may be having an impact on the levels of suspended solids and other water quality indicators. This operation needs to be assessed to ensure it is not causing pollution.

Please see the guidance below on the Environment Agency's website: How to comply with your environmental permit which will assist you with the EMS:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/298102/LIT\\_7123\\_79744e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/298102/LIT_7123_79744e.pdf)

Please follow the link to the following pollution prevention PPG 13: Vehicle washing and cleaning on the.gov website:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/290144/pmho0307bmdx-e-e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290144/pmho0307bmdx-e-e.pdf)

**Action:** Please conduct a full risk assessment of the vehicle wash down area and update the

EMS accordingly. This will need to be sent to us to be assessed and it may be that it requires a permit condition. Please action this within 2 months of the date of this CAR form.

#### **G4 – Monitoring and records, maintenance and reporting – Reporting and notification.**

Condition 4.2.2 states that the operator shall submit waste returns to Natural resources Wales detailing the waste accepted and removed from it during the previous quarter. Although we have received the information from you, the waste has been categorised under the incorrect EWC number leaving site. As stated in Schedule 2 the only waste permitted to be accepted to site is waste code 200303, street-cleaning residues (consisting of street sweepings or gully emptyings). As discussed with you on site de-watering alone does not change this waste code and therefore all waste must leave as 200303.

**Action:** Please ensure all waste returns are completed using the correct waste codes as discussed with you on site and specified in your permit.

#### **Monitoring and analysis**

We are pleased to see that water quality monitoring and analysis reporting is being conducted. Visually, the water samples appear to have improved and appear clearer from our previous visit in January 2015. We were provided with a certificate of analysis during the visit which we have looked at along with appendix 5 of the EMS and we have the following comments to make:

- Additional samples are being made that are not included in the EMS. Table 3.1 - Discharge emission limit criteria should include the emission limits for the remaining indicators of water quality i.e Biochemical Oxygen Demand and suspended solids.
- The results provided show the suspended solids to be higher than we would expect at 102mg/l and more recently 94mg/l. We need to continue working towards improving this result which we can discuss.
- There appears to have been a delay in getting the results to the laboratory which may affect the results, especially the COD and BOD. Please advise how this sampling process is carried out between taking the sample to their arrival at the laboratory.

**Action:** In addition, could you please now send any results you have for pH, electrical conductivity and total hydrocarbons as specified in your EMS including the visual checks made for oil and grease. 2 months worth of results will be proficient.

**Note:** Please ensure that all results are being taken on the same day to give fair and accurate results.

If you have any questions or comments to make please get in touch with me using the details outlined in this form.

We will visit again within the next few months.

Many thanks,

	<b>EPR Compliance Assessment Report</b>	Report ID: 900000/0241064
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Site	Nichol Road Maintenance Ltd	Permit	900000
Operator/ Permit	Mr Steve Nichol	Date	27/05/2015

**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.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
We will now consider what enforcement action is appropriate and notify you, referencing this form.	<input type="checkbox"/>

**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.