

Compliance Assessment Report

Report ID:
CAR_NRW0026281

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

Site	Woodstock Waste Transfer Stn	Permit Ref	KP3095FE		
Operator/Permit holder	Gwilym Eirwyn Williams				
Regime	Waste Operations				
Date of assessment	18/08/2016	Time in	12:20	Out	13:10
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	A1, C1, C2, C3, C4				
Lead officer's name	Bruten, Anthony				
Accompanied by	Murphy, Eoin				
Recipient's name/position	Eirwyn Williams/ owner	Date issued	19/08/2016		

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 - Infrastructure - Specified by permit	A	
C1 - Infrastructure - Staff competency/training	C4	1.4.1
C2 - Infrastructure - Management system and operating procedures	A	
C3 - Infrastructure - Materials acceptance	A	
C4 - Infrastructure - Storage, handling labelling and Segregation	O - Suspended	4.6.1

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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

Tony Bruten visited the site on 18th August to carry out an agreed inspection to ensure that the site was proceeding to come into compliance with its permit.

It was pleasing to see that there was a dramatic reduction in the volume of waste stored on site. It is somewhat disappointing that the site yoyo's in and out of compliance. Since I have taken over as regulator of the site this is the first time that I consider that it has under the permitted 90 tonnes of waste on site. The owner must ensure that the remaining agreed clearance takes place as will be discussed below, that the site remains in compliance and that the adjacent exempt part of the site is also brought into and remains in compliance.

There is a continuing breach of C1. competency and training. This is a breach of permit condition 1.4.1 *which specifies whenever the site is open to receive or dispatch waste, or is carrying out any of the specified waste management treatment or disposal operations, it shall be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence and the working plan.*

the owner Eirwyn Williams who is the registered TCM for the site is not up to date with his continuing competency. Two dates, one in June and one in August have been arranged but have not been met. Mr Williams said he missed his latest date as he was ensuring waste was removed from site to ensure compliance of that part of the permit.

He has now informed us that a new date has been arranged for 6th September 2016. I have set a date of 7th September 2016 for completion of the Continuing Competency test, this date is inline with the agreed date for inspection of removal of final old stored waste.

There is an ongoing non-compliance of part C4, storage, handling and labelling segregation. This is a continuing breach of 4.6.1 which stipulates *waste which is likely to be odour producing is not kept on site for more than 48 hours*. The waste I refer to is the remainder of old waste that remains from the large stockpile and has quite clearly been on site for more than 48 hours.

It was agreed by the owner to remove this prior to 5th September 2016. As this removal is taking place and is almost complete I have suspended the score.

You must ensure that you obtain the necessary WAMITAB continuing competency qualifications by 5th September 2016 as you have not been in compliance with this requirement for sometime, this must be completed by 5th September 2016 and proof of compliance supplied to NRW.

You must ensure that the site remains in compliance, failure to remain in compliance or failure to obtain the necessary WAMITAB qualifications will result in revocation of your permit.

In addition to the permitted site, there is a need to bring the adjacent exempt site into compliance. On my next arranged visit on 5th September 2016 I wish to inspect the exemptions and inspect the area to ensure that the waste is being stored as required by those exemptions. On my visit it was quite clear that the waste was not being stored in compliance with the exemptions. Again failure to comply will mean that Regulation Notices will have to be served.

Further to the above I was pleased to see improvement in machinery and equipment on site such as new machine for loading and movement of waste and painting of skips. This gives a more positive image of the company and is welcome for future prospects of the said company.

EPR Compliance Assessment Report

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Operator/Permit holder	Gwilym Eirwyn Williams	Date	18/08/2016

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.

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	O	Remove remainder of old waste as discussed	05/09/2016
C1	C4	Ensure completion of continuing competency	07/09/2016

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 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.