

Compliance Assessment Report

Report ID:
CAR_NRW0032824

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

Site	Land Adjacent To Herbert Road	Permit Ref	MB3390HF			
Operator/Permit holder	Riversee Ltd					
Regime	Waste Operations					
Date of assessment	01/02/2018	Time in	14:00	Out	14:30	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Darran Watts/ Director	Date issued	05/02/2018			

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	
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	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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

Officer Alex BOWDER attended Riversee Ltd, Land Adjacent to Herbert Road at 14:00 on Thursday 1st February 2018 to carry out an introductory inspection of permit **EPR-MB3390HF**. The weather was cold and slightly wet at the time of visit. Met with business representative Mr Darran Watts who accompanied me around the yard.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we are not satisfied with a certain part of the inspection, we can breach the business against your permit conditions which can affect your annual subsistence fees; this is scored on a Category 1- 4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment, people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

Thank you to Darran for explaining the business processes and the site history.

Breach - Category 4

G4 - Reporting

and notification to Natural Resources Wales

Waste returns - Condition 4.2.2

“Within one month of the end of each quarter, the operator shall submit using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter”.

WASTE RETURNS

As discussed on site, permit holders are required to fill out quarterly waste return spreadsheets for their activities - **even if a NIL return.**

Your permit states that the business must submit your return documents every quarter within the one month grace period. This is to show our records that the permit is still active but with no activities being undertaken for that period.

Here is link to our website that details this and contains the spreadsheet template:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en>

Quarterly Returns Period Return Submission

- Q1** - 1st January to 31st March – Deadline: 30th April
- Q2** - 1st April to 30th June – Deadline: 31st July
- Q3** - 1st July to 30th September – Deadline: 31st October
- Q4** - 1st October to 31st December – Deadline: 31st January

Once completed the spreadsheet can be sent to this email address:

waste.returns@cyfoethnaturiolcymru.gov.uk

Action: Please can the business submit the outstanding waste return documents and send every quarter form now on.

Deadline: 28th February 2018

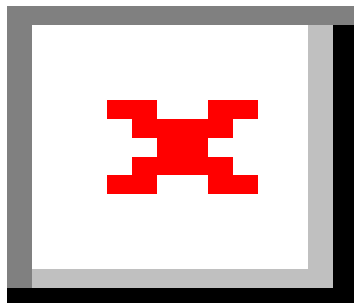
GENERAL OBSERVATIONS.

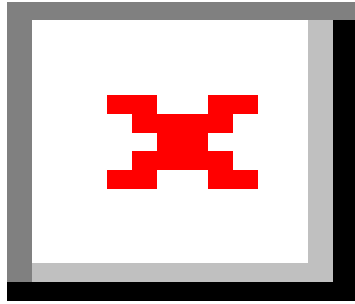
The site was in good condition at the time of inspection. Clean waste piles form a bund around the perimeter of a section of the permit boundary.

Some inert material was left on site which is said the contain topsoil that could be re-used.

Waste brought into the yard and then re-used are within the permit tonnage limits.
No issues with drainage or infrastructure.

The accepted Waste Recovery Plan has been adhered to.





Picture 1 - showing empty yard with a pile of inert waste stored

TECHNICALLY COMPETENT MANAGER (TCM)

Your permit requires a competent manager present with the relevant qualifications such as the EPOCH or WAMITAB. The last record on file was for a Mr. Gary Curtin issued in 2014. We wanted to check who the current allocated TCM is for the site and that the qualification held is still effective.

Action: Please inform us of the site's current TCM and qualification expiry dates.

PERMIT SURRENDER

We discussed the possibility of surrendering the permit in the future. If the company did decide to surrender, further details can be found on our website for how to action this:

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-waste-permit/?lang=en>

In summary, to apply for the surrender of the permit you would be required to:

- Complete a Site Condition Report (SCR) – see website for further details
- Provide a general overview and summary from the CAR forms to show record of no pollution.
- Include photos to show that the site is in a good condition and not contaminated in any way.
- Give a detailed site plan and clear the yard of any waste and litter.

I look forward to working with the site in the future. If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

EPR Compliance Assessment Report

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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			
G4	C4	Submit outstanding returns	28/02/2018

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.