

	EPR Compliance Assessment Report	Report ID: 30222/0229647			
This form will report compliance with your permit as determined by an NRW officer					
Site	Tynewydd Farm Transfer Station		Permit Ref	30222	
Operator/ Permit holder	Green Circle Sustainable Developments Ltd				
Date	17/12/2014		Time in	10:45	Out 12:30
What parts of the permit were assessed	Closure and decommissioning				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge
Recipient's name/position	Mr Robert Harry				
Officer's name	Laoni Tye, Kelly Sherratt		Date issued	20/01/2015	

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
a) Permitted activities	1. Specified by permit	N			
b) Infrastructure	1. Engineering for prevention & control of pollution	N			
	2. Closure & decommissioning	C2		4.5;	
	3. Site drainage engineering (clean & foul)	N			
	4. Containment of stored materials	N			
	5. Plant and equipment	N			
c) General management	1. Staff competency/ training	N			
	2. Management system & operating procedures	N			
	3. Materials acceptance	N			
	4. Storage handling, labelling, segregation	N			
d) Incident management	1. Site security	N			
	2. Accident, emergency & incident planning	N			
e) Emissions	1. Air	N			
	2. Land & Groundwater	N			
	3. Surface water	N			
	4. Sewer	N			
	5. Waste	N			
f) Amenity	1. Odour	N			
	2. Noise	N			
	3. Dust/fibres/particulates	N			
	4. Pests, birds & scavengers	N			
	5. Deposits on road	N			
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N			
	2. Records of activity, site diary, journal & events	N			
	3. Maintenance records	N			
	4. Reporting & notification	N			
h) Resource efficiency	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					

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	31
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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.

Site officers Laoni Tye and Kelly Sherratt visited the Waste transfer site on the 17th of December 2014 to conduct a site inspection. There are still significant quantities of waste stockpiles on site that have not been removed since the site closed which is in breach of the conditions set out in the permit.

B2 Closure and decommissioning – Category 2 breach

For sites that are closed, it includes non-compliances related to unsatisfactory decommissioning of equipment or residual contamination, or failure to maintain pollution control measures.

Permit condition 4.5, Removal of residual wastes from site states 'In the event that the specified waste management operations on the site cease and the Agency (NRW) has reasonable grounds to believe that they will not be resumed within 6 months then, notwithstanding the operational limits on storage times of wastes specified in the other conditions of this licence, the licence holder shall ensure that all wastes remaining on the site shall be removed by the date specified by the Agency (NRW) in writing. This shall not apply to any wastes which have been disposed of, on the site in accordance with the other conditions of this license or prior to the issue of this licence.

We noted approximately 12 large piles of waste some of which could be seen to be crushed hardcore of differing size and quality. Due to the length of time that the waste has been on site most of the waste stockpiles are overgrown with vegetation. Some of the waste could not be identified due to this reason.

Annex 1 reference: 30222/0229651/01. Please see attached photos.

Annex 2 reference: 30222/0229651/02. Please see attached site map.

Waste to be removed

Due to the transfer operations no longer taking place the operator is required to begin moving some of the waste piles from site. The stockpiles that are able to be removed have been identified by NRW officers as stockpiles 1, 3, 5 and 10 and are referenced in Annex 1 and 2. These stockpiles have minimal vegetation and their removal should not impact any biodiversity or ecosystems.

Please can the operator remove these to an authorised facility no later than the 2nd March 2015.

The operator will need to submit in writing a management plan of operations and the proposed recovery/disposal options which are to be agreed in writing by NRW. The plans are to include:

- Timeframes for removal
- The proposed method of removal
- Where the waste is being transferred to

NB: There is to be no treatment of waste on site. Any further treatment of waste would require authorisation from us, a permit or an exemption.

Please forward this information on to me using the contact details below within 10 days of the date of this letter:

Natural Resources Wales
Rivers House
St Mellons Business Park
St Mellons
CF3 0TP
laoni.tye@naturalresourceswales.gov.uk

Waste awaiting ecology assessment

Stockpiles 2, 4, 6, 8, 9, 11 and 12 as identified and referenced in Annex 1 area heavily overgrown with vegetation and are currently being assessed for their ecological value. Once the ecology assessments have been completed the operator will be required to remediate and/or remove **all** of the waste stockpiles.

The operator must ensure that these stockpiles are currently left undisturbed.

Landowner access

All access to the site must be arranged between the operator/tenant and landowner.

Contact details

If you have any questions please get in touch with the site officer Laoni Tye on 03000 65 4492 or email laoni.tye@naturalresourceswales.gov.uk.

Kind regards

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Operator/ Permit	Green Circle Sustainable Developments Ltd	Date 17/12/2014

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

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			
B2	C2	Due to the transfer operations no longer taking place the operator is required to begin moving some of the waste piles from site. The stockpiles that are able to be removed have been identified by NRW officers as stockpiles 1, 3, 5 and 10 and are referenced in Annex 1 and 2. The operator will need to submit in writing a management plan of operations and the proposed recovery/disposal options which are to be agreed in writing by NRW.	2nd March 2015

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 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 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. 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.