

Compliance Assessment Report CAR_NRW0040319

Permit being assessed: JB3033RC.

For: A D J Skip Hire, held by Mr Lee Gapper And Mrs Marie Gapper

At: Llanbradach, Caerphilly, Gwent, CF83 3QS.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 23/08/2022 between 11:00 and 11:15.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner.

Report sent to: Mr. Lee Gapper & Mrs. Marie Gapper, Owners on 02/09/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	2.4.1
C1 - General Management - Staff competency/training	C3 Minor	1.1.4
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	3.1.4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	4.2.2
D1 - Incident Management - Site security	Action only (X)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
4	16

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
A1	Improve general housekeeping in area and ensure all waste(s) are stored within the permitted boundary.	01/12/2022
C1	Acquire WAMITAB qualification as designated site owner / Technically Competent Manager which is a requirement	01/12/2022

Criteria	Action needed	Complete by
	under your permit (condition 1.1.4)	
D2	Please submit a written fire prevention and mitigation plan for assessment by Natural Resources Wales.	01/12/2022
G4	Please submit all outstanding waste return data to NRW	01/12/2022
D1	Ensure site is secure to prevent potential for unauthorised access resulting in an environmental and / or health and safety issue	01/12/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This report details the site visit made on the 23rd August 2022 to ADJ Skip Hire Ltd, Llanbradach, permit reference number EPR-JB3033RC.

NRW Officer Greg GARDNER attended, unannounced, to the ADJ Skip Hire Ltd site at Graddfa Industrial Estate, Llanbradach, Caerphilly, CF83 3LQ for a routine site inspection at 10:30am where we met with the Site Manager, Mr. Lee GAPPER. The weather was intermittent rain and reasonably mild which it had also been the previous day.

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 substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and 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 or 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

COMPLIANCE BREACHES

CATEGORY 3 BREACH – PERMIT CONDITION 2.4.1**(A1) – SPECIFIED BY PERMIT**

"The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit."

- Quantities of waste(s) stored outside of designated permit boundary
- Housekeeping in area in general need of improvement
- Same findings as per previous site inspection (CAR_NRW0039365)

Please see report content for further justification

CATEGORY 3 BREACH – PERMIT CONDITION 3.1.4**(C1) - STAFF COMPETENCY/TRAINING**

"The operator shall comply with the requirements of an approved competence scheme."

- To date, Mr. Lee GAPPER of ADJ Skip Hire Ltd does not possess a WAMITAB Certificate
- This has been raised and breached with the operator on previous CAR forms CAR_NRW0035095 and CAR_NRW0039365

Please see report content for further justification

CATEGORY 3 BREACH – PERMIT CONDITION 3.1.4**(D2) ACCIDENTS, EMERGENCY AND INCIDENT PLANNING**

"The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance"

- To date, ADJ Skip Hire Ltd have failed to submit an FPMP document to NRW for assessment which is a permit condition requirement
- This has been raised and breached with the operator on previous CAR forms CAR_NRW0035095 and CAR_NRW0039365

Please see report content for further justification

CATEGORY 3 BREACH – PERMIT CONDITION 4.2.2

(G4) – REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES

"Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales 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."

- ADJ Skip Hire Ltd have failed to submit any waste return data since quarter 1, 2016.
- This has been raised and breached with the operator on previous CAR forms CAR_NRW0037480, CAR_NRW0035095 and CAR_NRW0039365

Please see report content for further justification

GENERAL OBSERVATIONS

ADJ Skip Hire Ltd, Llanbradach operate a waste transfer station facility under a standard rules SR2008 No01 permit. The total quantity of waste that can be accepted at a site under these rules must be less than 75,000 tonnes a year. With the exception of specified waste, all bulking, transfer or treatment of non-hazardous waste must be carried out inside a building. Wastes can be bulked up for disposal or recovery elsewhere and can be manually sorted or separated for recovery but these rules will not allow any waste treatment activities such as screening and crushing. These rules will also not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator. The site was not operational at the time of the site inspection. No ADJ Skip Hire Ltd staff member was present and NRW Officer Greg GARDNER was able to access the whole site which was not locked / secured. This was a concern for potential unauthorised access which could result in an environmental and / or health and safety issue.



Photo 1 - Waste stored within permitted area of ADJ Skip Hire

ACTION: Ensure site is secure to prevent potential for unauthorised access resulting in an environmental and / or health and safety issue

WASTE ACTIVITIES - GENERAL

The site operates as a waste transfer station where various different types of waste are accepted, sorted and removed from site. On site a warehouse was used to house the

accepted waste prior to being treated, separated and transported to other sites for further processing / storage. Unprocessed material was stored within a building adjacent to where the waste processing takes place. This unprocessed waste (see photo 2 and 3) is not stored within the designated permit boundary (see image 1 - extract from EPR-JB3033RC permit) Please note - Green area is designated permit boundary, red area is where unprocessed waste was stored which is outside of designated permitted area. This was also raised in the previous site inspection (CAR_NRW0039365).



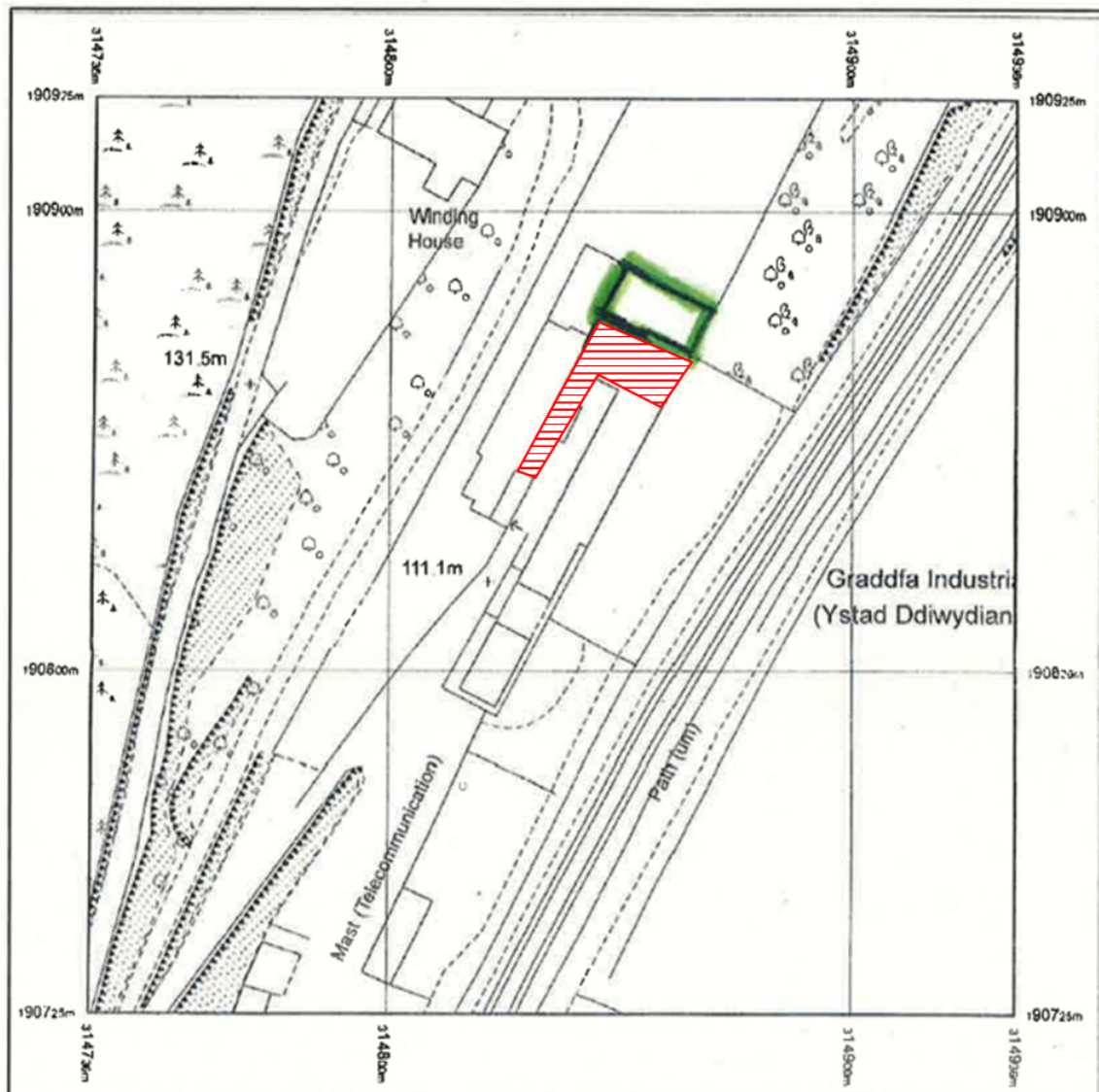
Photo 2 - Unprocessed waste(s) stored outside permitted boundary



Photo 3 - Unprocessed waste(s) stored outside permitted boundary

Schedule 1 - Site plan

This is the plan referred to in the standard rules SR2008_No1 75kte



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Image 1 - Area in red where unprocessed waste(s) were stored which is outside the permit boundary. Area in green is the designated permit boundary.

ACTION: Ensure all waste(s) are stored within the designated permitted boundary as outlined in your environmental permit **EPR-JB3033RC**

Whilst on site, NRW Officer Greg GARDNER witnessed a vehicle (photos 4 and 5) that had been stripped down for parts. There was no evidence of depollution activities taking place. A follow up discussion with the operator, Mr. Lee GAPPER took place, via telephone, where Mr. GAPPER indicated that only parts were being taking from the car and once this has been completed the car will be removed from site and scrapped. Mr. GAPPER indicated that no vehicle fluids were being removed Whilst there was no evidence of depollution activities taking place, this is a reminder to the operator that any ELV (End-of-Life Vehicle) activities

must not be undertaken and is not a requirement under your current permit conditions. If you intend on changing your operational activities you must inform NRW at the earliest opportunity of these changes.



Photo 4 - SORN vehicle located at ADJ Skip Hire Ltd



Photo 5 - SORN vehicle located at ADJ Skip Hire Ltd

FIRE PREVENTION AND MITIGATION PLAN (FPMP)

On the 1st August the permit 'SR2008 No1' was updated to version 7.1. This updated version of the standard ruleset included permit condition 3.1.4 which states that 'the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance'. See link to FPMP guidance: [Guidance No. 16 Fire prevention and mitigation plan - waste management \(naturalresources.wales\)](https://naturalresources.wales/guidance/16-fire-prevention-and-mitigation-plan-waste-management)

To date an FPMP document has not been submitted for assessment by the permit holder. This has been raised on previous CAR forms issued to the operator, notably the most recent CAR Form (CAR_NRW0039365).

ACTION: Please submit a written fire prevention and mitigation plan for assessment

by Natural Resources Wales.

WAMITAB

The business does not currently have a Technically Competent Manager (TCM) assigned to the site with the relevant WAMITAB qualification. NRW does not run this scheme, the WAMITAB website holds more information on the relevant course and trainers in this area. Whilst we appreciate the financial costs of the course, it is still a condition of the permit, under section 1.1.4, which requires this.

"The operator shall comply with the requirements of an approved competence scheme."

Again, this has been raised on previous CAR forms issued to the operator, notably the most recent CAR Form (CAR_NRW0039365).

ACTION: Please ascertain a WAMITAB qualification in order to comply with your permit condition.

WASTE RETURN SUBMISSIONS

According to NRW records, ADJ Skip Hire Ltd have failed to submit any waste return data since quarter 1, 2016.

Permit condition 4.2.2. states that *'within one month of 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.'*

As a reminder to the operator, please see below the waste return submission deadlines:

Waste Return Submission Deadline

Quarter	Period	Deadline
1	1 January to 31 March	30 April
2	1 April to 30 June	31 July
3	1 July to 30 September	31 October
4	1 October to 31 December	31 January

Site management need to put in place measures to ensure that the Return data is submitted diligently every quarter. This can be done by setting calendar reminders or having a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance.

Again, this has been raised in previous CAR forms issued to the operator, notably CAR_NRW0037480, CAR_NRW0035095 and CAR_NRW0039365.

ACTION: Please submit your all outstanding Waste Returns documents to NRW for review.

Due to no ADJ Skip Hire Ltd staff member being present at the time of the site inspection to discuss inspection findings, a telephone conversation was held with the operator, Mr. Lee GAPPER and NRW Officer Greg GARDNER on 31/08/22. Officer GARDNER outlined his

findings and indicated to Mr. GAPPER that these needed to be rectified by the next site inspection as these as these same / similar findings that have been brought up on previous site inspections by myself and other NRW Officers with little or no action undertaken to rectify these findings. Officer GARDNER indicated that he wanted to work with Mr. GAPPER to ensure these actions were progressed and completed however warned Mr. GAPPER that if these actions were not completed by the agreed deadlines then there would be a potential for NRW to escalate their regulatory response in order to bring the site back in compliance.

NRW Officer Greg GARDNER left site at 11.15am the same day.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.