

Compliance Assessment Report CAR_NRW0040591

Permit being assessed: WP3799FB.

For: Olivers Sales & Rentals, held by Mr Paul Jones And Mr Roger Jones

At: Tir Y Berth, Hengoed, Ystrad Mynach, CF82 8AU.

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

On 04/10/2022 between 11:45 and 12:30.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: Carla Curtis, accompanied by Alex Bowder.

Report sent to: Roger Jones, Site Manager, TCM on 24/10/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to	C4 No impact	4.2.2

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
Natural Resources Wales		

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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
C1	The latest WAMITAB certificate we have on the system for Roger Jones expired 9/12/18, please send the latest WAMITAB certificate so we can save a copy on file.	31/10/2022
G4	Please ensure all recent / up to date waste return data is submitted to NRW by the specified deadlines as indicated in table.	31/10/2022

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.

At this time, we do not intend to take any further action.

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 compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on 4 October 2022 at Olivers Sales & Rental, Tir-y-Berth, Pengam, Hengoed CF82 8AU- Permit number EPR-WP3799FB

Senior Regulation Officer Alex BOWDER and Officer Carla CURTIS attended Oliver Skips at 11:45 to conduct an introductory inspection for the Quarter 3 compliance year 2022-23. Site Manager Roger was present who accompanied Officers around the permitted area. Weather conditions were mild and overcast at the time of inspection.

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 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

PERMIT COMPLIANCE – BREACHES**CATEGORY 4 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.*

- Failure to submit up to date waste returns to NRW
- Last waste returns received Quarter 2 2020 on NRW records

PERMIT HISTORY

See below extract from permit regarding variation history

Status log of the permit		
Description	Date	Comments
Waste Disposal Licence Licence no 64 Issued	11/05/93	Licence for a Non-Special Solid Waste Transfer Facility issued to Mr Paul Jones and Mr Roger Jones trading as Olivers Sales and Rentals.
Waste Management Licence Licence no 64 Modified	31/03/99	Modification removes condition 26 and replaced with conditions 26.1, 26.2 and adds new condition 40 in relation to keeping records.
Waste Management Licence Licence no 64 Modified	22/03/02	Variation to vary and update the permit to modern conditions.
EAWML 30095 formerly Waste Management Licence no 64 Modified	20/04/06	Modification remove conditions 1.2.1, 1.2.2, 20 and Annex 1 and replaced with new conditions 1.2.1, 1.2.2, 20 and Annex 1 and 2 in relation to permitted waste codes and records keeping.
Application EPR/WP3799FB/V005 (variation and consolidation)	Duly made 12/12/12	Environment Agency Wales led variation to update the permit to modern conditions
Variation determined EPR/WP3799FB	01/03/13	Varied and consolidated permit issued in modern condition format.

GENERAL OBSERVATIONS

Oliver's Sales and Rentals operate under a Tier 2 Bespoke environmental permit based on standard rule set SR2010_No12. This site is used as a waste transfer station with treatment prior waste

being distributed to other companies / sites within the UK. The site was in operation at the time of the visit with heavy machinery carrying out waste operation activities.

There were multiple empty skips stored outside of the permit boundary. Officers reminded the operator that there should be no waste stored in these as it does not benefit from any drainage containment system.

TECHNICALLY COMPETENT PERSON

The site TCM is Roger Jones. The latest WAMITAB certificate we have on the system for Roger Jones expired 9/12/18, please send the latest WAMITAB certificate so we can save a copy on file.

DRAINAGE AND INFRASTRUCTURE

The system comprises of three sections - the first is a silt trap, then water flows into a second chamber which acts as a secondary trap. Any oil or polluting liquid is then captured within the third chamber and the remaining liquid discharged down a pipe that runs down a bank into the soakaway. This was operational at the time of site visit with no concerns raised. Officers mentioned that there was a recent report of debris present on the road outside the permitted boundary, This was not visible on inspection. Officers advised the operator to make sure they keep the road area clean and keep on top of any residual waste falling from vehicles.

WASTE TYPES

Wastes located on this site were separated into the various waste streams, such as metals, wood, plastics and construction and demolition. During the site visit, NRW officers noted that the waste was being put through a trommel via a JCB which was then sorted manually into separate piles. Wastes are bulked up and then transferred to other waste transfer sites for further treatment and recovery.

Tyre storage was reasonable at the time of inspection. These are removed in bulk to an appropriate contractor once a bin/skip is full.

There was a large pile of soil and stone at the rear of the site -this stockpile was quite sizeable. Please ensure waste volumes are managed to reasonable levels given the size of the site, and for manoeuvrability in the case of an emergency incident.

Environment Management System documents were not checked during the inspection. This will be evaluated later in the compliance year. Waste transfer tickets were checked in the office with no evidence of non-compliance.

WASTE RETURN DOCUMENTS

Checking our NRW systems, the last submitted waste return data received from Olivers Sales and Rentals was for quarter 2, 2020. No other waste return data has been submitted since.

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

ACTION: Please ensure all recent / up to date waste return data is submitted to NRW by the specified deadlines as indicated in the above table.

If you have any issues with this report, please contact Regulation Officer Carla CURTIS at carla.curtis@cyfoethnaturiolcymru.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.