

## Compliance Assessment Report CAR\_NRW0041992

**Permit being assessed:** CB3699ZR.

For: Hill Farm, held by Raymond Fleming

At: Unit 13, The Hill Farm, Raglan, Monmouth, Monmouthshire, NP15 2JH.

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

On 07/06/2023 between 11:00 and 11:40.

Parts of permit assessed: Various

**NRW Lead Officer:** Carla Curtis, accompanied by Greg Gardner.

**Report sent to:** Raymond Fleming, Operator on 19/06/2023.

### 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)	
B4 - Infrastructure - Containment of stored materials	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
D1 - Incident Management - Site security	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	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
0	0

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
B4	Please send a photo once the raised lip at entrance has been arranged	31/07/2023

Criteria	Action needed	Complete by
C1	Once completed please send certificate to your NRW officer showing Waste Management Industry Training and Advisory Board Certificate (WAMITAB)	31/07/2023
C2	Once completed please send the following electronically to your NRW Regulatory Officer:  Environmental Management System (EMS)	30/07/2023

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 report details the site inspection made on 7 June 2023 for Mr Raymond Fleming located at Unit 2, Hill Farm, Raglan, Monmouth, NP15 2JH - Permit Number **EPR-CB3699ZR**.*

Natural Resources Wales (NRW) Officers Carla CURTIS and Greg GARDNER attended Mr Raymond Fleming at 11:00 to carry out an introductory inspection of environmental permit **EPR-CB3699ZR**. The Officers were met by the Site operator Ray Fleming who was present throughout the visit and walked around the permitted area discussing intended operations. A first inspection checklist was completed (and signed by the operator) with the various requirements of the permit explained. The weather conditions were sunny and dry throughout the inspection.

#### **COMPLIANCE**

Following each assessment Natural Resources Wales (NRW) will produce a Compliance Assessment Report (CAR) detailing our comments from the visit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach activities against your permit conditions. This has the potential to affect your site banding and annual subsistence fees; these are scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 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

## GENERAL OBSERVATIONS

On 27 October 2022, the operator was issued a Standard Rules permit (SR2011No3) for vehicle storage, depollution & dismantling (authorised treatment) facility. There were no waste activities taking place at the time of inspection, with operations looking to begin in the next few months. There were no offensive odours, excessive noises / dust and no issues with scavengers (birds / rats) witnessed by NRW officers during the site inspection.

It was noted that there was no raised lip across the doorway of the building of the permitted area, advice was provided to arrange this as a secondary containment measure to prevent or minimise leakage and spillage from the primary containers as per Condition 3.1.3. (Photo 1 & 2)



**Photo 1** – oil storage area within building



**Photo 2** – doorway requiring raised lip for secondary containment

**ACTION:** Please send a photo once the raised lip at entrance has been arranged.

**DEADLINE:** 31 July 2023



**Photo 3** - Workshop area inside building

## FIRST SITE INSPECTION

The purpose of this site visit was for NRW regulatory officers to undertake a first site inspection of the newly permitted waste operation where certain topics were to be discussed with the operator, Ray Fleming.

The topics discussed as part of the initial site inspection in further detail included:

- How to comply with your environmental permit
- Purpose of an Environmental Management System (EMS)
- Technical competence such as obtaining a WAMITAB certificate
- Frequency and details of waste return submissions
- How compliance scoring affects subsistence fees
- What documents are held on the public register
- The site / operators waste duty of care
- Hazardous waste requirements

**ACTION:** Once completed please send the following documents (listed below) electronically to your NRW Regulatory Officer:

1. Environmental Management System (EMS)
2. Fire Prevention & Mitigation Plan (FPMP)
3. Waste Management Industry Training and Advisory Board Certificate (WAMITAB)

**DEADLINE:** 31<sup>ST</sup> July

## WASTE RETURN SUBMISSIONS

Under permit condition 4.2.2. it states that 'Within one month of the end of each year, 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 year

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

**Waste Return Submission Deadline**

Annual Return Period	Deadline
January 1 to December 31	January 31 of the following year

NRW Officers Carla CURTIS and Greg GARDNER left site at 11.40am the same day.

If you have any issues with this report please contact Carla Curtis on [carla.curtis@naturalresourceswales.gov.uk](mailto:carla.curtis@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](mailto: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](mailto: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.