Compliance Assessment Report

Report ID:
CAR_NRW0035184

This form will report compliance with your permit as determined by an NRW officer					
Site	Cwmtwrch HWRC	Permit Ref	HB3390HX		
Operator/Permit holder	Sundorne Products (Llanidloes) Ltd				
Regime	Waste Operations				
Date of assessment	23/05/2019	Time in	09:00	Out	17:00
Assessment type	Audit				
Parts of the permit assessed	See Below				
Lead officer's name	Edwards, Michael				
Accompanied by	Medcraft, Jodie				
Recipient's name/position	Mark Phillips/ TCM	Date issued	07/06/2019		

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**
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1
D1 - Incident Management - Site security	A	

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)	4

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

Unannounced site inspection undertaken by Michael Edwards and Jodie Medcraft of Natural Resources Wales.

Since the last inspection, the Pwllfawatkin CA site has been closed and it was noted on site that traffic has increased.

Staff requirements

Under **condition 1.1.1. a)** the site must operate '*using sufficient competent persons and resources*'. Under the '*How to Comply with your Environmental Permit*' guidance for sufficient competent persons, resources and training it states that 'you must have enough trained and competent staff…to manage and operate your site to ensure that you comply with your permit'.

During the inspection there were 3 employees on site assisting the public, although with the increase in on site traffic there were some instances where some members of the public had put wastes in the incorrect areas. These were rectified by the employees once they identified them.

Storage of waste

During the inspection, it was noted that the number of skips stored at the rear of the site has increased as a direct result of the increase in traffic on site. On review of the photographs taken at the time (see below), the skips are stored on a hardstanding area.



Condition 2.3.1 states that the activities shall be operated using the techniques and in the manner described in table 2.3 below.

Table 2.3 (2) states that waste shall be stored and treated on an impermeable surface with sealed drainage system.

This has been scored as **Category 3** breach of permit condition under (C4) Storage, handling labelling and Segregation.

Action – Ensure that wastes are stored in accordance with condition 2.3.1. Please contact NRW with an agreeable date for this action to be completed by the date detailed in Section 4 below.

Under **condition 3.1.3** all liquids, whose emissions to water and land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate methods to prevent or where it is not practicable, to minimise leakage and spillage from the primary container.

Under your *Site Management System,* you have stated that these liquids are not removed from their original containers and are placed within a secondary container on the impermeable pavement.

This was also explained to officers during the inspection, however there was a large volume of containers containing liquids yet to have been put into the secondary containment (see photograph below), this has not been scored as breach of permit however, please ensure that there is enough secondary containment available and that wastes are stored correctly as soon as

possible when deposited by members of the public.



No issues were identified with site security during the inspection.

END.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0035184**

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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.

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.

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			
C4	C3	Ensure that wastes are stored in accordance with permit conditions.	31/07/2019

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.