Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0035834

This form will report compliance with your permit as determined by an NRW officer					
Site	Waterton Depot	Permit Ref	PP3394FP		
Operator/Permit holder	Bridgend County Borough Council				
Regime	Waste Operations				
Date of assessment	15/10/2019	Time in	10:30	Out	11:30
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Steve Cottrell/ Site Manager	Date issued	18/10/2019		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	TABLE 2.1 Licensed activities
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	X	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	3.7.1 and 3.7.2
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	**3**	**Total compliance score** (see section 5 for scoring scheme)	8.1

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

Officer Alex BOWDER attended Waterton Highways and Construction Services, Waterton Lane, Bridgend, CF31 3YF at 10:30 on Tuesday 15 October 2019 to carry out an introductory inspection of permit **EPR-PP3394FP** regulated by Bridgend County Borough Council. The weather conditions were mild and dry at the time of visit. Met with Site Manager Steve Cottrell who accompanied the Officer around the permitted area.

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

PREVIOUS SITE ISSUES

- Valid WAMITAB qualification
- Updating Working Plan to an EMS document
- Storage of material on appropriate surface
- Submission of discharge consents

GENERAL OBSERVATIONS

The permit exists for a Household Commercial and Industrial Waste Transfer Station with Treatment *(EAWML 34307)*. The quantity of wastes accepted at the site shall be less than 25,000 tonnes a year. The

business operates a transfer station yard whereby material from the Bridgend highway works is brought back to the permitted area. The material is then sorted and stored ready for disposal or reuse for building foundations, for example.

TECHNICALLY COMPETENT MANAGER (TCM)

Steve Cottrell is the designated business TCM for the site. He holds the WAMITAB modules 'transfer and treatment of non-hazardous waste' which is valid until 02/02/20.

Please ensure to complete the continuing competency once this has expired to validate qualification.

More information can be found at:
https://wamitab.org.uk/competence/continuing-competence/

CATEGORY 3 BREACH – CONDITION 1.1.1 (A)

(C2) Management system and operating procedures

"The activities shall be managed and operated in accordance with a management system... [ ]"

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The business has been asked to send its most recent version of the Working Plan document to NRW for review. This has been noted as a previous compliance issue.

ACTION:

Update Working Plan document to modern Environment Management System and submit to NRW for review. Details for what to include in the document can be found our website: https://naturalresources.wales/permits-and-permissions/environmental-permits/environment-management-system/?lang=en

Deadline:

18 January 2020

CATEGORY 3 BREACH – TABLE 2.1 Licensed activities

(B1) Engineering for prevention and control of emissions

"Non-hazardous wastes must be kept on an impermeable surface with sealed drainage"

INFRASTRUCTURE

The surface infrastructure across the yard seemed in reasonable condition, however there were weakened areas appearing along the fault lines where concreate slabs meet. Please ensure damaged or fractured areas are restored to uphold its impermeable status and prevent any run-off from leaving site.

ACTION:

Repair weakened areas of flooring to ensure the system is fully sealed.

DEADLINE:
18 January 2020



Image 1 – showing weakened cracks in the infrastructure with the quarantine areas in the background

The permitted site has not been visited since 16 October 2018. All waste streams were sorted and segregated within the permitted area at the time of inspection. There was a small pile of fine tarmac material on site. The Officer asked what the procedures are if hazardous waste is accepted with a load. It was stated that the material is either highlighted and rejected, or an appropriate contractor is contacted to take the material away.

The Quarantine area consists of three separate bays. There were a few tyres stored in this area next to the bay that contained flammable liquids, such as oils and diesels.

We would advise that any tyres are stored away from flammable material to reduce the risk of arson or fire on site.

CATEGORY 4 - (G1) Monitoring of emissions and environment - Sampling procedures

DRAINAGE AND INFRASTRUCTURE

The interceptor is required to be maintained in accordance with condition 3.7.4. It was stated that the interceptor is maintained on a monthly basis – the Officer was shown the maintenance records in the office.

This drainage system has a permitted consent to discharge. Sampling and analysis is required to be carried out by 3.7(a) – this needs to be undertaken every six months.

Please provide a copy of the Dwyr Cymru Welsh Water consent to discharge related to this for review.

Condition 3.7.1 and 3.7.2 requires monitoring of the solid gully waste material – procedures to ensure these are submitted to NRW should be included in your EMS.
The gully where street sweepings are tipped and dewatered in a purpose-built bay. The rubbish is collected, disposed of and consigned in the correct manner. Material is then taken to an authorised facility such as Neal's Soils Suppliers. Please ensure that all treatment of gully emptying waste is carried out in the designated gully sump area.

STORED MATERIAL
Metal and wood wastes are sometimes accepted which are separated and stored in separate skips. These are then taken to an authorised recycling facility once large enough tonnage is reached. Green wastes consisting of tree trunks and tree cuttings are stored in a designated area. This is chipped on site and can be used for fire wood.

No skips or waste was stored outside the permitted boundary at the time of visit. The Officer was told that the site has created a bund around the yard edges over the years made from treated material. The site stated that there had been no recent reported amenity issues, such as dust or noise, from residents in the vicinity - no WIRS received by NRW.

The permit states that inert wastes must be kept on hardstanding or an impermeable surface with sealed drainage. The Officer queried the composition of the surface material where the largest inert pile was stored.

WASTE TREATMENT
The business brings machinery onto site on an ad hoc basis to screen materials - no machinery was present at the time of inspection. Workers are told to pick out any bits of plastic that could contaminate the inert material. This is then taken to end destinations for use as building foundations.

ADVISORY NOTE
About two tonnes of old pallet wood was stored outside one of the gates; it was said that this material had been there for around six months. Please bear in mind the associated arson risk. The site should establish set storage times to see that this material is removed within a reasonable timescale.

WASTE RETURN DOCUMENTS

The site's last return document was submitted on 25/07/2019, where it was declared that 345 tonnes were received by site and 516 tonnes removed. No issues highlighted with classification of waste and use of EWC codes.

Moving hazardous waste

When hazardous waste is moved to or from any location in Wales it needs to be accompanied by a hazardous waste consignment note. The business should therefore be submitting hazardous waste returns for any materials deemed hazardous, such as oils and diesels.

Template consignment notes are available our website:

https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/moving-hazardous-waste/?lang=en

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or alex.bowder@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

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0035834**

This form will report compliance with your permit as determined by an NRW officer

Site	Waterton Depot	Permit Ref	PP3394FP
Operator/Permit holder	Bridgend County Borough Council	Date	15/10/2019

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.

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			
G1	C4	Submit sampling data for the gully waste area and the consent to discharge.	18/11/2019
C4	X	Address the tyre storage procedures on site and establish timescales for the removal of pallet wood stored.	18/11/2019
C2	C3	Update Working Plan document to modern Environment Management System and submit to NRW for review.	18/01/2020
B1	C3	Repair any weakened areas of flooring to ensure the system is fully sealed and impermeable.	18/01/2020

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.