

Compliance Assessment Report

Report ID:
CAR_NRW0035878

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

Site	The Granary	Permit Ref	EP3994LG		
Operator/Permit holder	Caerphilly Skip Hire (C W S) Ltd				
Regime	Waste Operations				
Date of assessment	24/10/2019	Time in	12:30	Out	13:00
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Lee, Jonathan				
Accompanied by	Harris, Geraint				
Recipient's name/position	Alun Pitten/ Director/TCM	Date issued	28/10/2019		

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	C3	2.2.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.1

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Officers Jonathan LEE and Geraint HARRIS in attendance of Caerphilly Skip Hire, Llanbradach to complete a routine compliance inspection of the permit EPR/EP3994LG. Weather was overcast at the time of the inspection. Officers met with site manager, Mr Alun Pitten.

Inspection

The visit consisted of a visual inspection of site infrastructure and the activities of the site.

Compliance Breaches

The following non-compliances were identified during the inspection.

A1 – Specified by permit – Category 3 breach - Permit condition 2.2.1

Permit condition 2.2.1 states that 'the activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit'.

During the inspection it was noted that some waste(s) were being stored above a boundary wall, as shown in Photo 1 below. No wastes are permitted to be stored on this area as it is outside the permitted boundary, and the area does not benefit from an impermeable surface with sealed drainage.

A Category 3 breach of permit condition 2.2.1 has been scored for failure to ensure that site activities are only carried out within permitted area.

Action: - Remove wastes deposited outside of permitted boundary. Ensure that future site activities are only carried out within permitted area.

A deadline of the **Friday 15th November** has been given to rectify this non-compliance.



Photo One – Wastes stored above boundary wall

B3 – Site drainage engineering (clean and foul) – Category 3 Breach - Permit condition 2.1.1

Permit condition 2.1.1. states that ‘The operator is only authorised to carry out the activities specified in Schedule 1 Table S1.1.’

Table S1.1. states that the ‘storage of non-hazardous waste shall be carried out on an impermeable surface with sealed drainage.’

During the inspection it was evident that the drainage arrangements in the area used for the storage of waste soils was non-compliant with Table S1.1. Run-off from the area of waste soils was not being adequately directed towards the interceptor located on the Southern border of the site. In addition, there was no impermeable pavement connecting the two ‘areas’ of the site. Instead, a temporary drainage gully had been installed between the main concreted yard and the area used for the storage of soils (as shown in Photos 2 and 3 below). This drainage gully was directing run-off contaminated with silt towards a discharge point on the Eastern boundary of the site.

Whilst it is understood that this drainage gully had been temporarily created to alleviate issues with heavy rainfall experienced in recent weeks, it is not compliant with permit condition 2.1.1. A Category 3 breach

of permit condition 2.1.1 has been scored for failure to ensure that the storage of waste is carried out on an impermeable surface with sealed drainage.

Action: - Ensure that the storage of waste is carried out on an impermeable surface with **sealed drainage**. Ensure that run-off is adequately directed towards the interceptor located on site.

A deadline of the Friday 20th December 2019 has been set to rectify this non-compliance.



Photo Two – Area of site used for storage of waste soils



Photo Three – Drainage gully on Eastern edge of site

Summary

Thank you for your time.

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

EPR Compliance Assessment Report

**Report ID:
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Site	The Granary	Permit Ref	EP3994LG
Operator/Permit holder	Caerphilly Skip Hire (C W S) Ltd	Date	24/10/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
B3	C3	Ensure that the storage of waste is carried out on an impermeable surface with sealed drainage. Ensure that run-off is adequately directed towards the interceptor located on site.	20/12/2019
A1	C3	Remove wastes deposited outside of permitted boundary. Ensure that future site activities are only carried out within permitted area.	15/11/2019

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.