

Compliance Assessment Report

Report ID:
CAR_NRW0034512

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

Site	North Wales Skip Hire Ltd	Permit Ref	HB3393HC			
Operator/Permit holder	North Wales Skip Hire Limited					
Regime	Waste Operations					
Date of assessment	23/09/2019	Time in	14:13	Out	14:40	
Assessment type	Site Inspection					
Parts of the permit assessed	See below					
Lead officer's name	Challender, Paul					
Accompanied by	Henderson, Amy					
Recipient's name/position	Mr Dahne Gizzi/ Operator	Date issued	03/10/2019			

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	A	
B2 - Infrastructure - Closure and decommissioning	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	C3	Permit Condition 1.1.4 EMS Section 1.8.1
C2 - General Management - Management system and operating procedures	C4	Permit Condition 1.1.1, EMS Section 3.6.5.
	X	
C3 - General Management - Materials acceptance	C4	Permit Condition 2.2.1, Table 2.2. EMS Sections 2.9.2 & 3.6.3.
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 2.3.1, Table 2.3. EMS Section 2.9.1.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	Permit Condition 4.2.2

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	5	Total compliance score (see section 5 for scoring scheme)	8.3
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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

This was a routine, unannounced inspection by the Natural Resources Wales (NRW) regulating officers Paul Challenger & Amy Henderson. During the inspection the weather was mild, still and partially cloudy. The site was operational with loads being deposited and sorted whilst the officers were in attendance.

The site is enclosed by walls and palisade fencing; no litter, dust, odour or noise could be perceived from outside the boundary of the permitted site. In addition, there was no evidence of mud or other debris on the road.

There was an improvement in the yard area since the last inspection. No external containers were observed that were over topping and as such storage arrangements appeared to be subject to better stock rotation. It was also noted that the previously highlighted bales of card and paper that had been stored outside had now been removed from the yard floor and stored in a covered 40 cubic yard skip.

There were however, some external storage issues: batteries were not stored in accordance with the requirements of the batteries directive, a small quantity of paints and wood preserves were stored without containment, wood was stored in 1 tonne bulk bags, and metals & WEEE were stored in a bay. In addition, there was still a quantity of baled plastic in the north eastern corner of the yard. These storage issues constitute a breach of permit condition and is discussed below.



Batteries stored without a suitable lid.

In the building, recently deposited waste was being sorted by a site worker. Although quite full, the waste within the building was organised into separate waste streams with waste stockpiles not exceeding more than 2 metres high. One container is present in the building which contained books. This container is starting to overtop and arrangements should be made for onwards transfer of this waste stream as you are at capacity.

In the offices, the site permit and Environmental Management System (EMS) were present and available to staff for reference when required. In addition, the site has now implemented a Site Diary which, on inspection had been populated on a regular basis. It was good to observe regular use of the Site Diary please remember to also record details of maintenance, unusual events and actions taken and the weather conditions for the day including any dramatic changes in weather within the working day.

It was noted in the Site Diary however, that the third party Technically Competent Manager (TCM) for the site had not visited for some months. Adequate TCM cover for the site is a requirement of the permit conditions and as such this breach has attracted a CCS score.

Furthermore, the actions requested in the last CAR form which, reviewed the contents of the site's Fire Prevention & Mitigation plan had not been actioned. As requested by the operator, the previous CAR form highlighting these

details will be sent to his designated consultant and an action to address the comments in CAR_NRW0034513 is listed in Section 4.

The following breaches to the permit have been recorded:

(C1) Staff Competency and Training. Permit Condition 1.1.4. EMS Section 1.8.1. CCS Score 3.

There was no original or hard copy of a valid certificate for a Technically Competent Manager (TCM) displayed on the notice board or information identifying a TCM. After discussion with Mr Gizzi he confirmed that he had still not completed the competence qualification on which he enrolled. The Site Diary was present and it was possible to check for the requisite minimum attendance of a suitably qualified TCM at the site. Mr Gizzi confirmed which third party provider was currently the designated TCM for the site however, the stated TCM had not visited the site since early 2019. As the site is open all week, regular weekly attendance is required by the TCM which should be evidence by logging their visits in the Site Diary.

(C2) Management Systems. Permit Condition 1.1.1. EMS Section 3.6.5. CCS Score 4.

(G4) Reporting and notification to Natural Resources Wales. Permit Condition 4.2.2. CCS Score 4.

It has been noted from our records that you have not submitted Waste Returns for Quarters 1, 2, 3 or 4 of 2017 & 2018 or Quarters 1 or 2 of 2019 and Quarter 3 2019 is due by the end of this month. Permit condition 4.2.2 requires "within one month of the end of each quarter, the operator shall submit information relating to the site and the waste accepted and removed from it during the previous quarter". You must ensure that you submit waste returns at the end of each quarter. This is a breach of your permit conditions and two CCS 4 scores for non-compliance has been applied on this occasion for the failure to submit returns and the ongoing failure to follow the Environmental Management System Section 3.6.5 with regard to the submission of Waste Returns. Please submit the missing returns by the date stipulated in Section 4 - Actions of this form. A Site Warning has been issued for the non-submission of Waste Returns in this instance. Any further non-compliances of this permit condition may result in enforcement action being taken including the service of a notice.

(C3) Materials Acceptance. Permit Condition 2.2.1, Table 2.2. EMS Sections 2.9.2 & 3.6.3. CCS Score 4.

A small quantity of paint was found to be on the site. Paint is not a waste type listed in Table 2.2 of the permit and as such should not have been accepted at the site. If non-permitted waste types are identified in deposited loads after waste acceptance checks have been carried out they should be segregated and removed immediately or if not practicable stored in accordance with your quarantine procedure i.e. in "A clearly labelled 10 cubic yard or similar enclosed skip" however, the paints were stored without cover or containment and stored at height with a risk of falling and breaching which could result in a spill. No evidence of the finding or quarantining of the observed paints was identified in the Site Diary.



Un-quarantined, non-permitted waste items not stored in a container

(C4) Storage, handling labelling and Segregation. Permit Condition 2.3.1, Table 2.3. EMS Section 2.9.1. CCS Score 3.

Although storage at the site is an improving picture several waste streams are not appropriately stored. Batteries were not stored in a secure container with a fitted lid, a small quantity of paints and wood preservatives were stored without containment, wood was stored in 1 tonne bulk bags, and metals & WEEE were stored in a bay. In addition, there was still a quantity of baled plastic in the north eastern corner of the yard. None of the listed items are defined as *specified waste* by the permit and as such they are required to be stored in a building or within a secure container.



Non-specified waste types not stored within a building or container (WEEE & metals)

Thank you for your time during this inspection.

Paul Challender

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 2012.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034512**

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Site	North Wales Skip Hire Ltd	Permit Ref	HB3393HC
Operator/Permit holder	North Wales Skip Hire Limited	Date	23/09/2019

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			
C1	C3	Ensure that there is sufficient TCM attendance on site on a weekly basis.	31/10/2019
G4	C4	Submitted all outstanding Waste Returns. Failure to submit missing Waste Returns may result in the service of a notice.	31/10/2019
C4	C3	Ensure all non-specified waste is stored in a building or secure container.	31/10/2019
C3	C4	Cease accepting non-permitted waste types. If non-permitted waste types are not identified during waste acceptance checks then follow the quarantine procedure and document actions taken in the Site Diary.	31/10/2019
C2	C4	Follow the procedure in the EMS Section 3.6.5 to ensure that Waste Returns are submitted within required timescales.	31/10/2019
C2	X	Action the comments in the previous CAR form CAR_NRW0034513 (attached)	30/11/2019

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.