

Compliance Assessment Report

Report ID:
CAR_NRW0036110

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

Site	Motorworks	Permit Ref	GP3191SA		
Operator/Permit holder	Gill Waste Recycling Ltd				
Regime	Waste Operations				
Date of assessment	17/12/2019	Time in	12:45	Out	13:15
Assessment type	Audit				
Parts of the permit assessed	Infarstructure, staff training, waste accepotance, security. waste quantity				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Dean Gill / Director and site manager	Date issued	19/12/2019		

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
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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 Compliance Assessment Report (CAR) form has been completed following the site inspection undertaken on the 17th December 2019 of the Gill Waste recycling Ltd site in Tonypany, permit number - EPR-GP3191SA

The inspection was unannounced and covered both routine regulation and incident response following 2 anonymous reports being received into NRW. Details are provided below.

Ffion Thomas lead the inspection and was joined by new NRW recruits Elysia Lovelock and James Kinhead. Mr Dean Gill, company director and site operator of Gill waste met us on site and accompanied through the inspection.

The permit allows for the storage and manual treatment e.g. sorting and segregation of Non-hazardous waste. The permit allows for 25,000 tones of waste per year.

Site walkover:

This was the first time Ffion Thomas had visited the site and so a walk over tour of operations was provided. During the walkover Ffion was able to inspect the waste activities on site, segregation and storage arrangements, and surface infrastructure were checked.

Incoming wastes are stored in Gill wastes own skips following pick up from their customers. The skips are then tipped into one area, and the waste then segregated into waste types.

Mr Gill explained how, at the moment, the yard was very busy compared to other times. There was a seasonal increase as customers looked to clear waste ahead of the Christmas downtime. The residual general waste was due to be cleared by the end of the week and taken to a known permitted site.

An anonymous report had previously been made to NRW regarding a concern over the amount of waste stored on site. Whilst there was a waste pile on site, it was not visible above the walls of the site.

The treatment activities, consisting only of manual sorting or separation of non-hazardous or inert waste into different components for disposal or recovery are limited to no more than 50 tonnes per day.

No tape measures or measuring poles had been taken to the inspection and so it was not possible to measure the exact quantity of waste on site. The current pile visually appeared to be approx. 5m wide by 2m high or 5 skip loads. See photo below.



Advice and Guidance: You are reminded to keep within your permitted tonnage limits of 50 tonnes a day.

Within the yard there are areas for segregated wastes to be stored. For inert waste, soil and stones this is not required to be within a skip and can be sored on the floor, as was seen on site. All other wastes were stored within segregated skips, metal, wood, green waste, plastic etc. See photos below:



The surface infrastructure was visually checked. The photo above right shows that there were some minor scratches to the surface and the casting lines between concrete slabs were noticeable but they did not appear to extend the surface.

The site is undergoing a phase development with one area having already had new impermeable surface constructed. See photo below illustrating the stepped up concrete slab at the office location with visible rebar enforcement.



On checking back over previous CAR forms it seems this work was constructed a year ago. Mr Gill explained the intentions were to complete this impermeable pavement work, along with the construction of a waste storage framed building over the coming year 2020.

The new building is planned to extend the width of the yard and replace the current building that has sustained weather damage to the roof. No waste activities are currently undertaken within this existing building confirmed through a visual inspection from the door looking into the building. Full entry was not undertaken due to H&S risks of the damaged roof.

A visual inspection of the surface to the rear of the main waste pile was partly possible via access along the edge of the wall. This confirmed the location of the site interceptor. Mr Gill informed that the interceptor had been cleared and cleaned by Egan waste in the summer of 2019.

Please forward a copy of the inspection record confirming the interceptor maintenance.

Fire fighting equipment is stored on site and a mains water supply is available via a tap and hose. Whilst FRS equipment would not couple up to this supply it does provide initial fire fighting capability. The site is small in scale and segregated wastes tonnages low. The planned future development is also said to include a water bowser to be stored on site to provide additional water capacity. As seen in the photo below there is also a spill kit on site.



The site fire management plan does not detail how local receptors would be communicated with but having now visited the site and seeing how neighbours are directly adjacent it was taken that people would be verbally informed. Your FPMP will be reviewed separately and comments made but as you may be undertaking a review of the plan to fit with the site changes and development planned you are advised to include communication details.

Whilst on site waste acceptance procedures were discussed and mtr Gill explained how all customers are provided details of the waste types that can be accepted/put into a skip. The staff are then trained to do a visual check on pick up and again when waste is off loaded on site checks are made for any wastes that can not be accepted. All skips are marked with signs stating no asbestos is accepted.



Ffion Explained that an anonymous report had been received suggested asbestos had come into the site.

Mr Gill confirmed that this had recently happened, bagged asbestos had been discovered coming onto site, but that the waste had then been taken back to the customer and not accepted. Mr Gill explained that his onward disposal outlet would not accept the waste and so he would not be able to dispose hence does not accept the waste. Visual inspection of the surface of wastes stored on site did not identify any asbestos type wastes stored. As the report was anonymous, and due to the co-operation and explanations of recent activities was given by Mr Gill, no further investigations will be taken at this time.

Gill Office based paperwork inspection

Mr Gill provided a detailed talk of the policy and procedures that are in place at the site and for the business. Copies of the Environmental Policy were provided however Mr Gill confirmed that he had not been able to find a copy of the original working plan that he wished to review in line with the planned developments detailed above. A copy has now been retrieved from NRW archive and copy forwarded for your review attached to the email which contained this CAR form.

A section of the permit has been copied below:

- 1.1.1 The activities shall be managed and operated:
 - (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints; and
 - (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any persons having duties that are or may be affected by the matters set out in this licence shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

A whole copy of the permit has also been forwarded as only the transfer certificate was available on site. Please ensure the working plan and permit are stored on site for future reference by staff as required by condition 1.1.3 of the permit copied above. However staff training procedures were seen and toolbox talks are given to all staff.

Mr Dean Gill does have a WAMITAB certificate but is dated 2016, the continued competence of this certification is every 2 years. As the condition above has not detailed the requirement for obtaining a continued competence certificate this matter has not been scored, however please use the link below to book a WAMITAB continued competency test as soon as a possible.

<https://wamitab.org.uk/competence/continuing-competence/>

Site security. The site is secured on all sides by wall and fence. The entrance has lockable gates, closed when not in operation. The site also has CCTV camera, and the images are retained for 28 days. If required NRW may request to review this footage to help assess compliance and or

investigate any incidents reported.

Mr Gill was able to provide an extensive catalogue of waste documentation including duty of care notes for waste received and removed from site. However no waste returns as required by the permit conditions 4.2.2 copied below have been made to NRW.

4.2.2 A summary report of the waste types and quantities accepted and removed from the site shall be made for each quarter. It shall be submitted to the Agency within one month of the end of the quarter and shall be in the format required by the Agency.

Mr Gill claims to not having known there was a requirement to make the reports. As this matter has not previously been assessed by regulatory officers over the last 5 years, a decision at this stage has been taken to provide advice and guidance to come into compliance rather than score a breach.

It was agreed verbally that waste returns would be made, detailing all waste type and quantity received and removed from site, going forward with the first being made for the Q1 period Jan to March 2020 – and that this would be submitted before the end of April 2020. Returns would then be submitted for each quarter going forward.

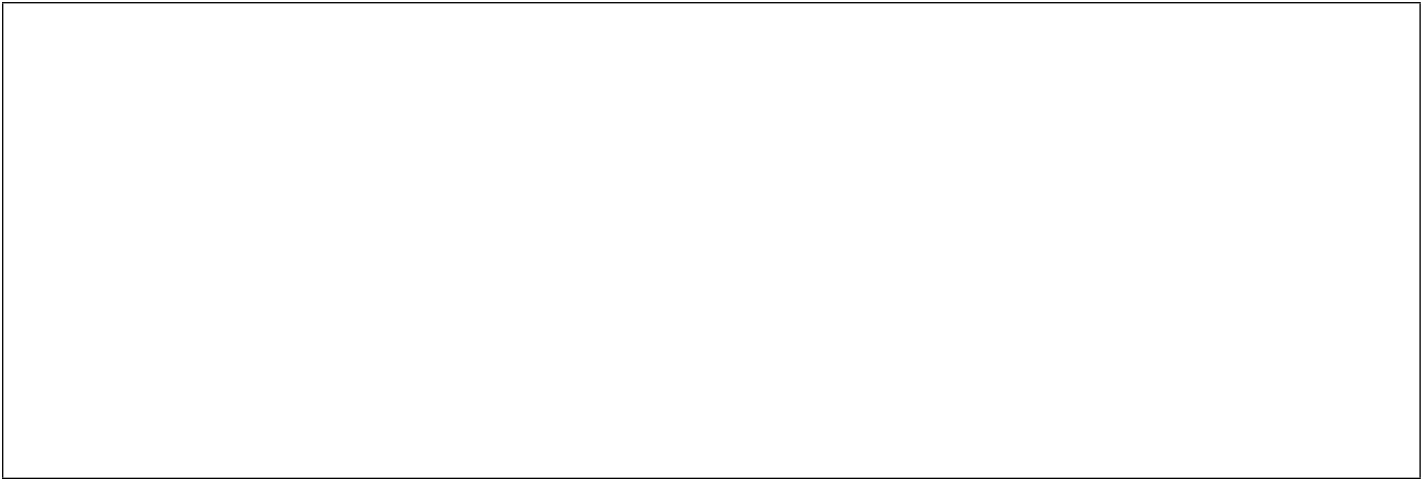
The below web link details how to undertake a waste return. You **need only complete the first sections in the three sheets in the spreadsheet workbook that are headed in blue found at the bottom of the linked page.**

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/operator-waste-return-and-deadlines-for-returns/?lang=en>

Please submit completed waste returns to waste.returns@cyfoethnaturiolcymru.gov.uk. If you have any waste return related queries, then please also send them to this address.

Any future failures to submit a waste return will be scored as breaches to the permit condition 4.2.2

Over all the site appears to be run efficiently. There was a seasonal increase of wastes on site at the time of this inspection but a revisit in the new year will help to track usual operations. The new site development planned for 2020 will not require a permit variation, as segregation within a building is included in the current permit. Please do keep us informed of progress and we look forward to revisiting and seeing the improved infrastructure. Thank you for your time.



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036110**

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Operator/Permit holder	Gill Waste Recycling Ltd	Date	17/12/2019

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			

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.