

Compliance Assessment Report

Report ID:
CAR_NRW0036158

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

Site	Pen-y-bont Highways Depot	Permit Ref	XP3199VX		
Operator/Permit holder	Powys County Council				
Regime	Waste Operations				
Date of assessment	17/12/2019	Time in	14:28	Out	14:40
Assessment type	Site Inspection				
Parts of the permit assessed	General Management, Permitted activities, Infrastructure				
Lead officer's name	Park, Liz				
Accompanied by	Dines, Malcolm				
Recipient's name/position	David Jones/ Operator	Date issued	09/01/2020		

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
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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

Liz Park (Waste Regulation Officer) and Malcolm Dines (Waste Regulation Officer) arrived to undertake an unannounced compliance visit. At the time of the visit the weather was cold and dry.

David Jones, the TCM was not on site at the time of the visit.

There was a small amount of road sweepings escaping the bay wall on the right hand side as shown in the photograph below. Please ensure that this overspill is tidied up and the waste managed so that no further road sweepings can escape.

It was also noticed that there appears to be a leak in the drainpipe from the salt barn which is potentially adding water to the dewatering bay. Please investigate whether this is the case and amend accordingly.

The area around the drain for the dewatering bay need to be cleared of road sweepings. This will then allow the drain to work correctly. At present, dewatering effluent is going into the drain for the salt barn loading and vehicle washdown area.

Effective regular inspections and maintenance actions would ensure that these minor issues would be addressed.



Slight over spillage of road sweepings and possible water infiltration from downpipe



Effluent unable to go into drainage system for the dewatering bay and going into drainage system for the salt barn. A small amount of street sweepings outside the bay.

Management System

Site plan - The site plan provided to NRW is a draft site plan. This was discussed at the NRW/ PCC liaison meeting on 21 November 2019. An action was taken by Pam Lloyd (Quality Officer) with the support of Clive Jones (HGSS Manager) to review the site plans for all PCC Permitted sites at depots.

ACTION Please provide a copy of the site plan as required for the management system by **31 January 2020**.

For Pen-y-bont, NRW have been provided with the overarching document for the Management System MS01 (for ISO 9001:2015; ISO 14001:2015 and OHSAS 18001:2007). As well as EP01 - EP06 for all Powys Country Council waste environmental permits. It is understood that further work is being undertaken to collate all the documents for the individual depots to make the management system more user friendly. This must include a site specific assessment of the risks at each site and mitigation measures.

ACTION Please provide copies of all the management system documents for the Pen-y-bont Depot. Liz Park will discuss this action with Pam Lloyd and Lee Price of PCC Quality Control.

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

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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.

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.