

Compliance Assessment Report

Report ID:
CAR_NRW0036099

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

Site	Sp Power Systems	Permit Ref	JP3794FS			
Operator/Permit holder	S P Power Systems Ltd					
Regime	Waste Operations					
Date of assessment	10/12/2019	Time in	10:00	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	see below					
Lead officer's name	Grant, Daniel					
Accompanied by	Willey, David					
Recipient's name/position	Steve Davies/ TCM	Date issued	18/12/2019			

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	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
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	C4	5.2.2

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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 site inspection was carried out at 10:00 am on Tuesday 10 December 2019 by Natural Resources Wales officers Daniel Grant (Hazardous waste regulation officer and David Wilby (Senior Officer, Industry & Waste Regulation).

Present was Steve Davies from SPEN (Field Operations Substation Team Leader and Site Technically Competent Manager)

The visit consisted of a general overview and inspection of the permitted area and a brief discussion of operations and documentation within the site office.

Safety briefs were given by Mr Davies and officers signed into the site.

Weather conditions throughout the inspection were heavy winds, slight drizzle and wet conditions underfoot.

Although no waste activities were taking place on the site while officers were present, the site was busy with several contractors including civil engineers and Gwynedd Skip Hire Ltd. Works were being carried out within the permitted site. During the inspection it was evident that the works were not impeding on site operations and waste activity.

In addition, the ramp accessing the permitted site compound was being improved, although not all of it was being rebuilt, therefore access to the waste oil tanks was retained (Photograph 1).

At the southern end of the permitted site the fence had been removed and a new building had been built (Photograph 2). Mr Davies confirmed that this building was outside the permitted area and the fence was removed to allow access to this new build.

Mr Davies confirmed that removed fences will be reinstated once works have been completed. Please ensure that you notify NRW when this occurs to ensure you are compliant with permit condition 3.2.1 Mr Davies provided a general overview of the site operations within the different compounds to explain the operations of SP Power Systems. The oil storage tank in the permitted compound was in good order

with an appropriate bund and contained within a physically secure and weather proof building. The tank had only recently been empty and the visual measuring device on the outside of the tank confirmed this. The waste vehicle which transports the waste oil on to site was available to view and the location of emergency spill kits was also shown.

Mr Davies proceeded to show us the sites documentation including some consignment notes and the sites inspection checklist. All paperwork appeared to be up to date with comments from operatives and the TCM.

I have attached the "How to comply with your environmental permit" document for advice and guidance which outlines site attendance expectations for the TCM. Page 37 refers to a minimum attendance of 1 hour a week, but this depends on site operational hours.

Breach of condition 5.2.2. Records of waste movements Compliance Classification Scheme Category score 4.

Prior to the site-meeting waste returns were assessed. The last submission was in Quarterly 1 (12/04/19). Therefore, as submissions are over 1 month late, as per this condition, this will be recorded as a breach. During on-site discussions Mr Davies explained that this delay occurred because a colleague who organised the waste return documents to NRW had been off on long-term sick. The TCM should have oversight and responsibility over waste returns Please ensure that quarter 2,3 and 4 2019 waste returns are submitted by 31 January 2020 to waste.returns@cyfoethnaturiolcymru.gov.uk.

The waste return quarters and reporting deadlines are as follows –

Quarter 1 (01 January – 31 March) submission deadline 30 April

Quarter 2 (01 April – 30 June) submission deadline 31 July

Quarter 3 (01 July – 30 September) submission deadline 31 October

Quarter 4 (01 October – 31 December) submission deadline 31 January

Please ensure that appropriate action is taken in order to return the above detailed non-compliance back into compliance.

Officers left site at 11:00.

Thank you for your time. If you would like to discuss anything mentioned in this report, please contact Daniel Grant using the below details.

Regards,

Daniel Grant, Hazardous Waste Regulation Officer

daniel.grant@cyfoethnaturiolcymru.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 2012.



photograph 1.



photograph 2.

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EPR Compliance Assessment Report

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Operator/Permit holder	S P Power Systems Ltd	Date	10/12/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
G4	C4	Submit waste returns from Q2,3 and 4	31/01/2020

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.