

Compliance Assessment Report

Report ID:
CAR_NRW0036771

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

Site	Building 2	Permit Ref	ZP3933NJ			
Operator/Permit holder	The Treatment Hub Limited					
Regime	Installations					
Date of assessment	02/07/2020	Time in	10:00	Out	12:00	
Assessment type	Audit					
Parts of the permit assessed	Waste storage					
Lead officer's name	Bacon-Weekes, Liane					
Accompanied by	Morgan, David					
Recipient's name/position	Simon Farr/ Director	Date issued	13/07/2020			

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
C3 - General Management - Materials acceptance	C2	2.3.1

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	1	Total compliance score (see section 5 for scoring scheme)	31
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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

A site compliance visit was undertaken on the 2nd July 2020. The purpose of inspection was to undertake a basic volumetric assessment of quantity of waste stored on site.

Person(s) Present

Simon Farr (SF) (Director)

Phillip Rees (PR) (Consultant and TCM to The Treatment Hub Ltd)

Liane Bacon-Weekes (LBW) (Natural Resources Wales).

David Morgan (DM) (Natural Resources Wales)

Permit Compliance Assessment

Condition 2.3.1 of your permit states:

"The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2 unless otherwise agreed in writing by Natural Resources Wales"

Table S1.2 Operating techniques

Description	Parts	Date Received
EPR 1 - How to Comply With Your Environmental Permit.	All	N/A
Application supporting document SOL0113ESP01 received as part of application EPR/ZP3933NJ/A001	All	14/03/13

During the inspection it was evident that the quantity of waste stored on site exceeded the 5,250 tonnes listed in document SOL0113ESP01. In your email to NRW on the 23rd June 2020, you estimated there to be approximately 9,000 to 9,500 tonnes of waste stored and our calculations concurred with this estimation.

Failure to operate the facility using the techniques and, in a manner, described in the document SOL0113ESP01 as listed in table S1.2 is considered a significant breach of permit condition 2.3.1. This has been scored a CCS2 under C3 Sub-criteria (Materials Acceptance).

For this inspection the focus was solely on the quantity of waste stored on site. NRW will be carrying out further inspections to assess compliance with the remaining permit conditions.

NRW deems that the current operation at The Treatment Hub poses a risk of pollution to the environment due to storing hazardous wastes in a manner not authorised by the permit.

Under Regulation 37(1) and (5) of the Environmental Permitting (England and Wales) Regulations 2016, Natural Resources Wales may fully or partially suspend an environmental permit if it considers that the way your facility is being operated contravenes an environmental permit condition and the contravention involves and poses a risk of pollution.

Natural Resources Wales has made the decision to partially suspend the Environmental Permit (EPR-ZP3933NJ) by ceasing the input of waste until a time when the volume stored is reduced to permitted limits.

All waste stored on site prior to removal must be correctly classified in accordance with Guidance on the classification and assessment of waste (1st Edition v 1.1) Technical Guidance WM3 and HWR06 Classifying and coding wastes from physio-chemical treatment facilities version 5.

In addition, prior to the removal of any waste from site, you are required to submit to Natural Resources Wales, for agreement, the determined waste classification and details on the intended destination of the waste.

END.

EPR Compliance Assessment Report

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Operator/Permit holder	The Treatment Hub Limited	Date	02/07/2020

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
C3	C2	Reduce quantity of waste on site to limits stipulated in the permit	31/01/2021

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.