Compliance Assessment Report

Report ID:
CAR_NRW0033581

This form will report compliance with your permit as determined by an NRW officer					
Site	Powys County Council	Permit Ref	UP3291ED		
Operator/Permit holder	Powys County Council				
Regime	Waste Operations				
Date of assessment	25/06/2018	Time in	10:00	Out	10:20
Assessment type	Site Inspection				
Parts of the permit assessed	1.1 General Management				
Lead officer's name	Starks, Madeleine				
Accompanied by					
Recipient's name/position	David Gardner/ TCM	Date issued	05/07/2018		

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
C2 - General Management - Management system and operating procedures	C3	1.1.1a

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)	4

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

On Monday 25th June 2018, Environment Officer Madeleine Starks undertook a site inspection of the Severn Farm Depot, Welshpool. The weather conditions were fine, dry and sunny.

I noted as I signed in that the site Technically Competent Manager, Dave Gardner, was frequently present on site and signed in. There was also evidence of monthly checks now being routinely conducted.

I was met on site by operator Dean Evans, who accompanied me whilst I inspected the street cleaning residue bays. The bays appeared to be in fine condition and all residues were confined within the walls. This was a significant improvement since our previous inspection. Dean enquired about the maximum height permitted to fill the bays to. I advised him that, whilst there was no set height limit, operators should ensure that all residues are kept within the confines of the bay and as such, this would impose a natural limit.



Since our previous site inspection several new bays had been constructed to store construction materials, as shown in the image below.



C2 – Management Systems – Permit Condition 1.1.1a – Category 3 Breach

You are receiving this breach because there is no Environmental Management System available to operators on site. When I asked to see the Environmental Management System (EMS) for the site, there was some confusion and operators on site did not seem to understand what this document was, or where it could be located. Upon finding the relevant files for the site, it was clear the documentation had not been updated since our last site inspection in December 2017 and the version held on site was still a draft. Please refer to our previous CAR form, issued 12/12/2017.

Since December we have received updated documents relating to all Powys County Council (PCC) sites submitted via email by Lee Price, however these appear not to have been distributed to staff on site. In addition, the documents submitted made mention of tailored "site plan" which we have not seen and would be required in order for the document to be considered a valid EMS for the site. Please ensure updated copies of the EMS and tailored site plans are distributed to all PCC sites, are accessible to staff and that staff are appropriately trained. I would also recommend that old documentation is removed from the files kept on site, to avoid further confusion.

Advice and Guidance

Although the issues surrounding drainage noted upon the previous site inspection were significantly improved, I would like to highlight the importance of keeping these drains clear and free of debris/sweepings build up. The drain cover, as shown in the image below, was partially blocked.



Though this had no current environmental impact due to the fine and dry weather experienced in recent weeks, there is the potential for this to lead to dirty water discharge pooling and over-spilling from the bay's front lip, as has noted in previous inspections. Dean informed me that the drainage interceptors were cleaned on a quarterly basis by an external contractor. Between these cleanings, I would suggest the area above and surrounding the drain was scraped to prevent temporary blockages.

Thank-you for your time and cooperation during this visit. If you have any further comments or questions regarding this inspection, please do not hesitate to contact me at madeleine.starks@cyfoethnaturiolcymru.gov.uk or 03000 655018.

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.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033581**

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Operator/Permit holder	Powys County Council	Date	25/06/2018

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			
C2	C3	Please see text below.	03/08/2018

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.