

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033607

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

Site	G F Potter, Household Waste Recycling Site	Permit Ref	UP3895CN		
Operator/Permit holder	James Edward Potter				
Regime	Waste Operations				
Date of assessment	10/07/2018	Time in	11:40	Out	11:50
Assessment type	Site Inspection				
Parts of the permit assessed	7.3 Site Diary				
Lead officer's name	Starks, Madeleine				
Accompanied by					
Recipient's name/position	Debbie Potter/ TCM	Date issued	10/07/2018		

### 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
C1 - General Management - Staff competency/training	C3	Permit Condition 1.4.4.

**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 Tuesday 10<sup>th</sup> July 2018 Environment Officer Madeleine Starks conducted a routine site inspection of Potters Household Waste Recycling Centre, Newtown. The focus of the inspection was Monitoring and Records, Maintenance and Reporting. The weather conditions were warm and partly cloudy. I arrived on site at 11:40, signed into the site diary and was met by one of the site's operators.

I checked the site diary and was pleased to find that following our previous site inspection, there were now regular checks being conducted of the interceptor. Staff on site were knowledgeable about these checks and procedures and all site inspection checklists were up-to-date and stored inside the site diary. While walking around the site I also noted the interceptor cover was now clean and accessible to staff, as shown in the image below.

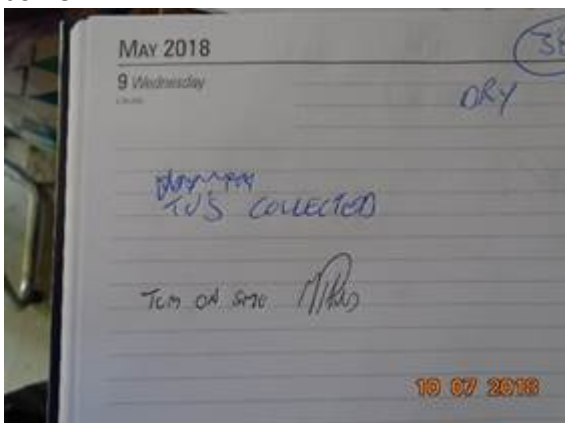


Overall the site was clean, tidy and well organised. Staff on site were proactive in dealing with issues on site, such as the implementation of a one-way system to prevent traffic. I was informed the fluorescent tube bank has been emptied recently, demonstrating good staff knowledge and communication of the previous inspection advice provided. We appreciate the work undertaken following our previous comments.



### **C1 – Staff Competency and Training – Permit Condition 1.4.4. – Attendance of Technically Competent Person – Cat 3**

You have been scored for inadequate Technically Competent Manager (TCM) attendance. As shown in the image below, upon inspecting the site diary it was noted that the last time a qualified TCM was on site was Mark Phillips on 9<sup>th</sup> May 2018. Though there was evidence of Kevin Pryce regularly attending site, we have not yet received confirmation that Kevin has completed his WAMITAB qualifications and as such cannot act as TCM.



Though this score was applied during our last visit in December, we have chosen not to escalate this

breach on this occasion as the site is currently well organised, tidy and otherwise compliant with all permit conditions. Please ensure that alternative TCM cover is provided until Kevin Pryce has completed the relevant qualifications and provided NRW with a copy of the certification. Failure to provide adequate TCM cover may result in an escalation of our scoring category for this breach if other non-compliances are observed during future inspections.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0033607**

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

Site	G F Potter, Household Waste Recycling Site	Permit Ref	UP3895CN
Operator/Permit holder	James Edward Potter	Date	10/07/2018

### 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			
C1	C3	Please provide adequate TCM attendance while Kevin Pryce completes his WAMITAB qualifications.	17/07/2018

## 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](mailto: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.