

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033932

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

|                              |                                                          |             |            |     |       |
|------------------------------|----------------------------------------------------------|-------------|------------|-----|-------|
| Site                         | A S H Bretton Recycling Centre                           | Permit Ref  | VP3794FN   |     |       |
| Operator/Permit holder       | Alan's Skip Hire Limited                                 |             |            |     |       |
| Regime                       | Waste Operations                                         |             |            |     |       |
| Date of assessment           | 07/08/2018                                               | Time in     | 14:45      | Out | 15:25 |
| Assessment type              | Site Inspection                                          |             |            |     |       |
| Parts of the permit assessed | Dust, fibres, particulates                               |             |            |     |       |
| Lead officer's name          | Moore, Paul                                              |             |            |     |       |
| Accompanied by               |                                                          |             |            |     |       |
| Recipient's name/position    | Neil Hassell, Steve Rymill/ Director, Compliance Manager | Date issued | 17/09/2018 |     |       |

### 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 |
|----------------------------------------------------|--------------|-----------------------|
| F3 - Amenity - Dust/fibres/particulates and litter | A            |                       |

**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<br>(see section 5 for scoring scheme) | 0 |
|-----------------------------|---|--------------------------------------------------------------|---|

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 was an unannounced visit following a complaint of dust coming from ASH Bretton and affecting neighbouring businesses on the estate, Environment Officer Paul Moore attended site and was accompanied by John Dennon and Steve Rymill.

After visiting a number of businesses on the estate Paul was able to confirm that there was dust affecting these sites with a layer of dust observed on parked cars (see photos below) at the establishments near ASH Bretton.



After verifying the complaint Paul went to ASH and met with John Dennon, there was dust being produced by the 'Blue Mac' machine whilst Paul was on site that caused him a degree of discomfort (getting in his eyes and throat). Even though there was dust being produced at the time of the visit from machinery on the ASH site and there was dust observed on cars outside of the permitted boundary Paul was unable to verify that the two were linked. Although it is suspected that the dust observed outside the ASH site was produced by the 'Blue Mac' machine we were unable to confirm that the dust had left the permitted boundary so there will not be a permit breach for the relevant condition(outlined below) for this inspection.

Permit condition 3.1.1: Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

This condition does include the provision that 'The operator shall not be taken to have breached this if appropriate measures, including, but not limited to, those in any approved emissions plan, have been taken to prevent or where it is not practical to minimise, those emissions'. There is currently no written, approved emissions management plan in place for ASH Bretton, the most recent EMS (Version 4.0) has a section on dust control (Section 4.4) but this concentrates on the cleaning up of the dust once it has been produced and not on measures to control the production of the dust.

Over the recent period of dry weather it was anticipated that waste transfer stations dealing with inert waste would produce more dust from their operations. ASH have put in place the following measures to hopefully mitigate the dust issues reported to NRW:

- As soon as site operatives notice that dust has become an issue the site operations giving rise to the dust are shut down; this is noted in the site diary
- Water suppression measures at the site entrance are in almost constant use during the summer months to ensure that dust from vehicles entering/exiting site is kept to a minimum. A water bowser is also in use for the rest of the site.
- ASH are increasing the amount of training to staff with regards to incident and emergency procedures
- ASH have also looked into procuring a water/mist cannon as an additional control measure to stop the dust produced from the machinery as well as adding modifications to the machinery to abate the dust produced.

Thank you for your time during the inspection, please find my contact details below.

Regards

**Steven White**

**Environment Officer (Waste Regulation Team)**

Direct dial 03000 653 913

Email: [steven.white@naturalresourceswales.gov.uk](mailto:steven.white@naturalresourceswales.gov.uk)

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

*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

**Report ID:  
CAR\_NRW0033932**

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|                        |                                |            |            |
|------------------------|--------------------------------|------------|------------|
| Site                   | A S H Bretton Recycling Centre | Permit Ref | VP3794FN   |
| Operator/Permit holder | Alan's Skip Hire Limited       | Date       | 07/08/2018 |

### 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 |              |                         |          |

## 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.