Compliance Assessment Report

Report ID: CAR_NRW0033034

This form will report compliance with your permit as determined by an NRW officer					
Site	The Windmill Site	Permit Ref	JP3894FM		
Operator/Permit holder	Thorncliffe Building Supplies Ltd				
Regime	Installations				
Date of assessment	23/01/2018	Time in	10:00	Out	13:30
Assessment type	Audit				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by	Peel, Louise				
Recipient's name/position	Jim Morgan/ Site Manager	Date issued	17/08/2018		

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**
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
C4 - General Management - Storage, handling labelling and Segregation	X	
D2 - Incident Management - Accidents, emergency and incident planning	X	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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** (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

The main aim of the visit was to discuss the Fire Prevention and Response Plan dated June 2017. This was a joint visit between Natural Resources Wales and North Wales Fire Rescue Service. Present in the meeting was Louise Peel and Rhys Ellis (Natural Resources Wales) and Geraint Hughes (North Wales Fire Rescue Service – Currently seconded with NRW) and Toby Cook North Wales Fire rescue Service.
Whilst on site a general site inspection was carried out and discussion were held regarding exports of waste and future plans on site.

Fire Prevention and Response Plan
Thank you for submitting Fire Prevention and Response Plan dated June 2017 as part of the Improvement condition schedule 1 table S1.3 of the permit.

The fire prevention plan refers to Environment Agency 'Fire Prevention Plan' Version 3 (Nov 16) and Reducing Fire Risk at Waste Management Sites, Waste industry Safety and Health Forum, October 2014.

As discussed the plan should reference the NRW version 2 Fire Prevention and Mitigation Plan guidance compiled by Natural Resources Wales (NRW) in collaboration with the Fire and Rescue Services in Wales. It was agreed that the site would review their plan to reflect the requirements and recommendations of this guidance.
Examples were given during the meeting of areas that require more information and amendments which the operator made note of.

Below are examples (not limited to) provided by Geraint Hughes of the types of discussions held and improvements required :
The two paragraphs below are taken from the Fire Prevention Plan and say a very similar thing, however there is no detail as to how this will be achieved or monitored.

3.4.6 In addition adequate freeboard within any bays or containers will be maintained to prevent overtopping of waste material. This will prevent the material overtopping bay walls/containers.

3.5.6 Stockpiles within the building are maintained such that they do not exceed 350m3 and be no higher than 4m.

For example this could be captured simply as:

Stockpiles within the building are maintained such that they do not exceed 350m3 and be no higher than 4m. This will be ensured by having either 5m bay walls and/or a yellow line 1m below the top of the wall ensuring a 1m freeboard.
The following sub-sections contain the same information in relation to FRS response – this should only need to be captured once – especially if it is clear.

3.10 Firefighting Techniques

3.11 Water supplies

It is suggested that firefighting techniques should initially identify how the site would deal with an incident then highlight how and with what the site could assist should the FRS be required.
FRS response to such sites will be proportional to the nature of the incident etc. There is no guarantee that it will be nearest station.

With regards to water supplies any available open water sources should be identified on the site plan as should the location of any known Fire Hydrants in the vicinity. If water supplies are not under the control of the operator confirmation of their availability may be required together with indications if these are seasonal.

It is suggested that site plan drawing should be on three plans:

1. Site location with 1km radius shown identifying key receptors and potential water sources
2. Site plan showing buildings and all other relevant information e.g. stock piles, quarantine area, FRS access, assembly point, hazardous materials, hydrants, PPE/pollution control equipment and fire water containment.
3. Site drainage plans – foul, surface including direction of flow and any pollution control features.

In relation to receptors, these are identified in section 2 Site Location and on submitted plan. It is noted that there are no contact details for the locations however there should be a plan in place to provide advice and guidance to these sites in the event of an emergency should the need arise.

It is also recommended that the Fire Prevention plan references the correct maps and plan(s). Some discrepancies were noted where plans were either missing or referenced incorrectly

Your Fire Prevention and mitigation plan must be a separate document within your accident plan which forms part of your written management system.

If you are referencing relevant sections of the EMS please ensure that it references the correct document/procedure.

Site infrastructure improvements.

It was encouraging to see that the site were taking proactive measures to ensure compliance with Table S1.1 of the permit to improve the concreate surface on site. It was that 2 areas within the waste transfer station and 1 area outside the waste reception building was in the process of being concreated. The pouring of concrete was expected to occur tomorrow.

It was agreed that site would confirm when this would be done and send details of plans of other areas that were planned to be repaired.

Inert material
It was noted that there was substantial amount of inert material on site today. You advised that this material is currently being processed to produce material under the aggregate protocol. Please could you provide an update on this matter.

Export Inspection Checklist and Fines discussion

An export inspection checklist was completed during the visit. We also had a brief discussion on fines. Please note if coding any waste fines as 12 12 09 (minerals (for example sand, stones)) you should, at least, be able to confirm the following information:

* Confirmation that the waste inputs are predominantly inert and mineral in nature.

* Confirmation that the waste outputs are predominantly inert and mineral in nature

* Waste transfer notes to confirm the source of the waste inputs

* Details of all the processing the waste undergoes at the treatment facility

* WTN's for all residues and outputs from the processing

* Records of any sampling and testing undertaken on the waste inputs and outputs.

Please note that dates for actions in section 4 are to reflect 'as soon as possible'.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033034**

This form will report compliance with your permit as determined by an NRW officer			
Site	The Windmill Site	Permit Ref	JP3894FM
Operator/Permit holder	Thorncliffe Building Supplies Ltd	Date	23/01/2018

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.

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			
C4	X	See CAR from under Inert Material comments	24/01/2018
D2	X	See CAR form	24/01/2018

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.