

Compliance Assessment Report

Report ID:
CAR_NRW0033818

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	17/07/2018	Time in	14:30	Out	16:25
Assessment type	Audit				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	Jim Morgan/ Skips Operations 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
C4 - General Management - Storage, handling labelling and Segregation	C3	1.1.1
D2 - Incident Management - Accidents, emergency and incident planning	X	
F4 - Amenity - Pests/birds and scavengers	X	

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
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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

The main purpose of today's visit was to discuss the large stockpiles of unprocessed inert waste currently stored on site. Present in the meeting was Martha Savage - Senior Minerals and Waste Planning Officer and her colleague Robin Williams. Mr Jim Morgan (operations manager) was present from Thorncliffe Building Supplies Ltd.

C4- Storage, Handling, labelling and segregation.

Regulatory officer confirmed that excessive amount of unprocessed inert waste was being stored at the rear of the site. Jim Morgan explained that there was in the order of 10,000 tonnes of this material currently on site (Photograph 1-3). Condition 1.5.5 of your EMS stipulates that at any one-time, storage will not exceed 5000 tonnes in total (this includes other waste types accepted, treated and stored on site). The site is currently storing in excess of double the storage quantities stipulated in the EMS

The EMS also stipulates that the max duration of storage time for unprocessed demolition waste is 6 months. The site is also contravening this condition as the material has been on site for longer than 6 months.

Condition 1.1.1 of the permit stipulates that the operator shall manage and operate the activities in accordance with a written management system. The operator is currently not managing the facility in accordance with the Environment Management Plan and therefore breaching this condition. On this occasion a **CCS 3 score** is applied.

It is also imperative that the operator brings the quantities back into compliance to avoid further operational issues or breaches of permit condition. For example, it was noted during the visit that some of this material is spilling outside the site permitted boundary into a nearby dry ditch. Please ensure that you remediate this as soon as possible.

It was explained by Jim Morgan that an outlet for this material has now been sourced, with vast majority of the material to be removed off site. He also explained that the work will commence in the next 4-6 weeks and should be completed within 3 months at the latest. This was confirmed in an email sent to NRW by the operator on the 24/07/2018.

ACTION 1.

Site to reduce quantities of inert waste stored on site to permitted levels within 3 months.

(Please note this report relates to the requirements of your permit condition. I understand Martha Savage has contacted you separately on planning related issues)

F4 -Amenity – Pests, birds and scavengers

Substantial number of seagulls were noticed around site during the visit (photograph 4). Please ensure that you review your pest management plan and ensure that adequate measures are taken to ensure the activities do not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.

Please ensure that waste awaiting processing is kept to a minimum and that so tipping of waste is occurring outside the reception building. It was advised by Jim Morgan that the belt on the RDF processing line was in the process of being repaired today and this was a contributing factor for some backlog of waste on site.

Fire prevention plan.

The operator advised that Caulmert are at this moment in time updating your fire prevention plan, taking into account the comments raised in the meeting with NRW and north wales fire service in January 2018 alongside with implementing additional measures on site such as the installation of fire hoses. Please can you provide an update on this no later than 28th September 2018.



Photograph 1

Excessive amount of unprocessed inert waste



Photograph 2

Excessive amount of unprocessed inert waste



Photograph 3

Inert waste over spilling into non-permitted area.



Photograph 4

Large numbers of seagulls on site

EPR Compliance Assessment Report

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Operator/Permit holder	Thornccliffe Building Supplies Ltd	Date	17/07/2018

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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	C3	Operator bring the quantities of inert material stored on site back into compliance to avoid further operational issues or breaches of permit condition.	17/10/2018
D2	X	See notes under Fire Prevention Plan.	28/09/2018
F4	X	Please refer to CAR form. (Actions to be undertaken with immediate effect)	18/07/2018

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. 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.