

Compliance Assessment Report

Report ID:
CAR_NRW0033433

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

Site	Riverside Garage	Permit Ref	EB3433RE		
Operator/Permit holder	Grant Haines				
Regime	Waste Operations				
Date of assessment	10/05/2018	Time in	10:30	Out	11:45
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Sherratt, Kelly				
Accompanied by	Bowder, Alex				
Recipient's name/position	Tony Haines / OPs manager	Date issued	31/05/2018		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	2.1.2
C4 - General Management - Storage, handling labelling and Segregation	C2	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	1.10 (1)

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	3	Total compliance score (see section 5 for scoring scheme)	62.1
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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

Officers Alex BOWDER and Kelly SHERRATT attended NAG Recycling Ltd, Riverside Garage, Newtown Industrial Estate, Cross Keys, Gwent, NP11 7PZ at 10:30 on Thursday 10th May 2018 to carry out a site handover of the permit **EPR-EB3433RE**. The weather was warm and dry at the time of visit. Met with business Manager Mr Tony Haines who accompanied us around the yard and explained the site processes.

ACTIONS FROM LAST CAR FORM

- Move the waste material deposited against the fence perimeter
- Total waste volumes under 80 cubic metres across entire site
- Implement Noise Prevention Plan on site

WASTE RETURN DOCUMENTS

Category 4 - Breach

G) Monitoring and records, maintenance and reporting – Reporting

Paragraph 7.2.2:

"A summary of the information, including nil returns, shall be submitted to the Agency, in the format specified by the Agency in Annex 1 which forms part of this condition. Summaries shall be for each quarter of the financial year and shall be submitted to the Agency within one month of the end of each quarter".

Waste Returns

The business has failed to submit its waste return document for Quarter 1 of 2018 within the grace period. It is your duty under your permit conditions to ensure that the document is submitted to NRW on time.

NRW are unable to verify the waste input and output of the site for the past few months without this document.

This has scored a **Category 4** breach against permit condition **4.2.2** as a result. Measures should be put in place to ensure returns are submitted diligently and that this does not re-occur in the future.

Action: Submit Quarter 1 return document immediately and submit future spread sheets within the grace period.

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Category 2 - Breach

C4 - Management - Storage, Handling, Labelling & Segregation;

Condition 1.1.1:

"No waste management operations shall be authorised by this licence unless: a) specified in and undertaken in accordance with the limitations in the following table [...]"

Waste volumes

It was noted that there was a large amount of waste stored in all of the bays at the time of inspection, and across the entire site. Skip lorries were parked waiting on the road to tip off their loads.

Please note, total site volume of waste to be stored across ENTIRE site is 80m3

Most significantly the waste wood bay was raised as an issue on the site visit, this material poses a significant fire risk due the amount of waste present and the lack of access to the rear of the pile. Your site EMS states that maximum duration of storage for waste for recycling is 2 working days. Page 5 of 15 Working plan Version 1.2 (5th November 2012)

Officer Sherratt verbally agreed with the business manager Director Mr Tony Haines that the wood waste would be cleared within five weeks from the inspection. *(Due to officer Sherratt being off work on with a family bereavement, this CAR form has been delayed in being sent, therefore a further 2 weeks has been granted to reduce wood waste pile).

ACTION: Please see clear the volume of wood waste discussed is cleared by the agreed date and reduce the overall volume of waste on site to less than 80m3 to comply with your EPR permit.

Deadline: Now 28th June originally 14th June 2018

TYRE STORAGE

There were stacks of waste tyres stored at various places across the yard and up against buildings, again in summer periods this poses a significant fire risk, also the poor house keeping is adding to the pressure of very little space within the site boundary to sort and store waste.

Waste to the rear of the building stored in plastic boxes appears to be waste car parts, electrical and gas cylinders, these again look as if they have been stored for prolonged periods of time and do need to be removed from site promptly.

Discussed land ownership, and the site is leased. If Mr Tony Haines can send me details of the landlord, I will need to contact them with regard to their liabilities if the company were to cease trading.

The waste transfer station is so full of waste that the weigh bridge cannot be used, and skip lorries have to reverse in, to tip loads.

Work is expected to increase as the summer months approach and so it is paramount that waste management on site executed well. It was queried how the site intends to keep waste piles managed as the work picks up.

WAMITAB

Tony is currently completing his WAMITAB qualification and will be acting as the sole TCM taking over from Craig Williams, once the course is finished. There has been no TCM on site for some time. If Mr Tony Haines does not gain this accreditation within the next 28 days, another TCM will need to be appointed in the interim position, as the site is not performing well in line with their permit.

INFRASTRUCTURE AND DRAINAGE

It was evident that the drainage slots were all blocked during the visit. Material was deposited on top of the interceptor manhole at the time of inspection making it difficult to assess drainage channels. Drainage across the site needs to be improved and working.

NOISE REPORTING

The business has been following their written Noise Prevention Plan on site. No reports of the business operating outside of working hours. The site has been issuing feedback to any noise reports being issued. Thank you to the site for addressing these notifications.

If you have any issues with this report please contact Kelly Sherratt at
kelly.sherratt@cyfoethnaturiolcymru.gov.uk or
0300 065 3080

Thank you.

EPR Compliance Assessment Report

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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	C2	Reduce volumes of waste accepted, stored and processed.	28/06/2018
G4	C4	all missed waste returns need to be submitted and all future waste returns should be submitted within the specified times. Reason so that NRW can oversee volume through put of site	28/06/2018
B3	C2	Drains need to be cleared	05/07/2018

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.