

Compliance Assessment Report

Report ID:
CAR_NRW0034407

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

Site	Rhyl Depot	Permit Ref	AB3694ZG			
Operator/Permit holder	SP Manweb Plc					
Regime	Waste Operations					
Date of assessment	13/12/2018	Time in	12:00	Out	12:35	
Assessment type	Site Inspection					
Parts of the permit assessed	See below					
Lead officer's name	Challender, Paul					
Accompanied by	Brannan, Callum					
Recipient's name/position	Mr Steve Davies/ Team Leader	Date issued	08/01/2019			

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C4	Permit Condition 1.1.3
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C4	Permit Condition 1.1.3, EMS Section 11.8
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	2	Total compliance score (see section 5 for scoring scheme)	0.2
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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

This was a routine unannounced inspection visit of the permitted site at the Rhyl substation. The inspecting officers were Environment Officer (EO) Paul Challender and EO Callum Brannan. The weather was cold, still and overcast. SP Manweb PLC operatives were working in the wider compound during the inspection but the TCM Mr Steve Davies and the fitters who normally access the waste oil shed were not present. Mr Andy Williams of SP Power PLC was able to give the inspecting officers access to the oil shed and provide a selection of paperwork on request.

Waste Returns for this compliance year were checked prior to the on-site inspection and all required returns were present and no issues were observed.

At the site, the permitted area is a small portion of the overall substation site and benefits from the security arrangements of the whole site such a palisade fencing with a secondary layer of flat beam prison mesh fencing and 24 hour CCTV coverage with the ability to challenge intruders via a loud speaker system. The building in the permitted area in which the waste oil is stored is secured via a lockable roller shutter door.

The building contains two tanks one for clean oil and one for waste oil each being individually bunded to 110% of the total capacity of the tanks. The building and its small yard area benefit from a sealed drainage system which is connected to an interceptor and silt trap. It was previously proposed to position a secure lockable waste oils cabinet within the permitted area too to allow the secure storage of oils in low volume containers dependant on operational need but this has not occurred as of yet.



The Site Diary and other pertinent documents including consignment notes were available for inspection.

Steve Davies is the qualified Technically Competent Manager (TCM) for the permitted site and is responsible for a similar waste oil store controlled by the same operator and team. The inspecting officer was able to view the Environmental Management System (EMS), inspection records and already holds copies of Mr Davies Certificate of Technical Competence (CoTC).

Whilst reviewing the SP Energy Networks Oil Waste Transfer Station Site Inspection Form it became apparent that the monthly inspection had not been carried out since early October 2018 as per the procedure in the Environmental Management System (EMS). This represents a breach of the permit conditions and is discussed below.

It was also evident that although the issued permit that authorises the operation of the Waste Transfer Station under the Standard Rules 2012 Number 15 the Standard Rules themselves were not present for operatives to refer to if required. This represents a breach of the permit conditions and is discussed below.

The following breaches to the permit have been recorded:

(C2) Management System and Operating Procedures. Permit Condition 1.1.3. CCS Score C4.

Permit Condition 1.1.3 requires that *"Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of them kept at or near the place where those duties are carried out."* Although the issued permit and variation are retained in the document cupboard situated within the waste transfer building a copy of the Standard Rules 2012 Number 15 was not present. As with the EMS the Standard Rules should be present for waste operatives to refer to, to assist them in the commission of their duties as and when required. The Standard Rules are available for download in a PDF format from the NRW website which, should be printed off and stored as per the other operational documentation for this waste operation. As these rule sets are periodically reviewed and updated the operator should implement a 6 monthly check of the NRW website to ensure that the correct and most up to date version of SR2012 No15 is being adhered to.

(G2) Records of Activity, Site Diary/Journal/Events. Permit Condition 1.1.2, EMS 11.8. CCS Score C4.

Permit Condition 1.1.2 requires the maintenance of records demonstrating compliance with the procedures listed in the EMS. Section 11.8 of the EMS for the waste operation requires that the site will be inspected by the competent person in charge on at least a monthly basis. These documents are retained in the document cupboard within the waste transfer building. The last completed Site Inspection Form was completed on 12/10/18 meaning that at least one monthly inspection has not been recorded and/or conducted within the time frame required by the EMS for the operational site. This represents a breach of permit conditions as although no pollution was identified by the inspecting NRW officer; lack of maintenance and monitoring can lead to emissions of pollutants to the environment.

Thank you for your time during this inspection visit.

Paul Challender - Environment Officer (Waste Regulation)

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

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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.

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			
C2	C4	Print and store SR2012 No15 in the document cupboard.	31/01/2019
G2	C4	Ensure routine monthly site inspections are conducted and recorded as per EMS Section 11.8	28/02/2019

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.