

Compliance Assessment Report

Report ID:
CAR_NRW0033768

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

Site	The Old Foundry Yard	Permit Ref	AB3898HB			
Operator/Permit holder	A P Waters Building Contractors Limited					
Regime	Waste Operations					
Date of assessment	07/08/2018	Time in	10:30	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Various					
Lead officer's name	Lee, Jonathan					
Accompanied by	Bowder, Alex					
Recipient's name/position	Luke Styles/ SHEQ Manager	Date issued	08/08/2018			

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
A1 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	X	
D1 - Incident Management - Site security	A	
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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Introduction

Officers Jonathan LEE and Alex BOWDER visited AP Waters Building Contractors Limited, Old Foundry Yard, Rockhill Road, Pontypool, NP4 8AN on Tuesday 7th August 2018 to complete an inspection of the standard rules permit **EPR-AB3898HB**. Weather was mild and dry. Met with Safety, Health, Environment and Quality Manager, Luke Styles.

The visit was made to complete the first inspection of the permit granted to AP Waters on the 3rd July 2018. The inspection comprised of a visual site inspection and an office discussion with Luke Styles regarding the rules of the permit and the regulatory role of Natural Resources Wales (NRW).

Compliance

The SHEQ Manager, Luke Styles, was in the process of completing a certificate of technical competency. Please provide evidence of technical competency when certification has been completed.

No issues with drainage or condition of the impermeable surface at the time of the inspection, the yard benefits from a fully sealed drainage system and profiled concrete surface. The outfall from the site enters an interceptor before entering a combined sewer.

Operating Techniques

Permit rule 2.3.1 states that 'Activities shall be operated using the techniques and in the manner described in Table 2.3 below'.

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste³:
 - a) all bulking, transfer or treatment of non-hazardous waste shall be carried out inside a building;
 - b) all non-hazardous waste shall be stored in a building or within a secure container.
 - c) all non-hazardous waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.
3. Asbestos waste shall be double bagged and stored within clearly identified, segregated, secure, lockable containers on an impermeable surface with sealed drainage system.

The above requires the operator to carry out activities detailed within a building. The operator has submitted planning permission for the construction of a building on site to complete waste activities within. The operator had taken the decision not to carry out activities (under 1a) until the construction of a building has been completed. In addition, the operator had taken the decision not to bring any asbestos waste onto site given the lack of a building and appropriate containers at time of inspection.

Please adhere to this until a building has been constructed and inform the site officer Jonathan Lee if/when building work is completed so that the site can be inspected when the waste transfer station is operational.

Waste activities on site at the time of inspection were limited to the storage and treatment of construction and demolition waste. The operator treats this waste using a crusher to reduce the size of inert construction waste into standardised smaller fragments.

Environmental Management System/ Fire Prevention Plan

The permit requires the operator to manage the site in accordance with a written management system. The operator has submitted an initial version of a comprehensive Environmental Management System (EMS) document, thank you for submitting this to NRW. It was reminded to the operator that an EMS document is a 'live' document and should be updated in response to any changes on site and be reviewed on a regular basis.

Permit rule 3.4.1 requires the operator to manage activities in accordance with a written fire prevention plan (FPP). The operator has submitted an initial version of this document, thank you for submitting this to NRW.

Waste Returns

It was outlined to the operator the requirement to submit non-hazardous and hazardous waste return

data on a quarterly basis. Further comprehensive information and an email address for the submission of these returns can be found in the two links below:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en>

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/hazardous-waste-returns-1/?lang=en>

Other comments

If you have any issues with this report or have any further queries, please contact Jonathan Lee on 0300 065 3908 or via email at jonathan.lee@cyfoethnaturiolcymru.gov.uk

Thank you for taking the time to show us around the site.

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.

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			
C1	X	Please submit evidence of technical competency when completed	01/01/2019

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.