

Compliance Assessment Report CAR_NRW0038675

Permit being assessed: GP3094LE.

For: Viv Williams Skips, held by Vivian P Williams

At: Unit 3 Parc Piliau, Pentood Ind Est, Cardigan, Ceredigion, SA43 3AD.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 24/08/2021 between 11:30 and 12:00.

Parts of permit assessed: See criteria listed below

NRW Lead Officer: Ffion Quan, accompanied by Jeremy Goddard.

Report sent to: Mr. Vivian Williams, Permit Holder on 18/10/2021.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1, Schedule 1, Table S1.1
D1 - Incident Management - Site security	C4 No impact	2.3.1
C4 - General Management - Storage, handling labelling and Segregation	C4 No impact	2.3.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	1.1.1(a)
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
5	12.2

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C4	All activities will take place on an impermeable surface, within buildings. Please ensure that all wastes activities are undertaken within buildings.	17/12/2021
D1	Please ensure you have an Identification Board near the main	17/12/2021

Criteria	Action needed	Complete by
	entrance of the site. See below	
C4	Ensure that you quarantine unacceptable waste once received. Please also ensure that the quarantine container is placed in the correct location, within the designated building	17/12/2021
B3	According to your working plan, the drainage sump is supposed to be checked daily. The drainage sump is inaccessible underneath a pile of waste.	17/12/2021
C2	Due to the breaches recorded, this indicates that your working plan is not followed. Please ensure that you follow your working plan	18/10/2021

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

A routine unannounced site inspection was undertaken by Natural Resources Wales officer Ffion Quan accompanied by Jeremy Goddard. Officers on site were met by Mr Vivian P Williams the permit holder.

The weather throughout the visit was dry and sunny. The site was operational at the time of the visit.

A general yard and building inspection was undertaken. The site was quite full, with waste segregated into piles of different waste types in the designated building and skips waiting to be unloaded outside (see photographs below).



(C4) Storage, handling labelling and Segregation - CCS Cat 3; Permit Condition 2.3.1, Schedule 1, Table S1.1

On the yard there was a significant pile of hardcore material (see photographs below).



As per permit condition 2.3.1, Schedule 1, Table S1.1, all activities will take place on an impermeable surface, within buildings.

The hardcore waste as seen in the photograph above was intruding on to the yard not in the containment of a building and therefore this is a breach of Permit Condition 2.3.1, Schedule 1, Table S1.1. We do recognise that this is stored on a concrete base and therefore only has a minor potential environmental harm at this time.

Although NRW acknowledges that the build up of this material is due to the ill health of the

operator over the last year, all activities must take place within buildings. As noted in your working plan ref VW/WP 1 dated Feb 2010, 'waste arriving for segregation is deposited inside the building and on the impermeable surface', please can you ensure that you adhere to your working plan arrangements and the permit requirement, as the hardcore material is stored outside.

ACTION - Please ensure that the hardcore waste and other wastes stored outside are moved within a building or are placed under a substantial cover by the deadline of 17/12/2021. Waste volumes within the main building will need to be decreased to ensure enough space for all wastes to be stored within.

The hardcore material on site was also contaminated with wastes including but not limited to gypsum, plastic and wood. NRW encourages the operator to firmly inform his customers not to contaminate hardcore skips that will be accepted on site and to ensure that the skips are segregated before the waste gets crushed on site.

You explained during the site inspection that this hardcore waste under the U1 exemption is for an extension of a yard at a builders merchants at Croes Y Llan, Llangoedmor. As seen on the public register, the U1 exemption NRW-WME039319 expiry 30/04/2022 is under your name, Viv Williams for Croesyllan, Llangoedmor. In this case, the U1 exemption holder needs to be under the owner / occupiers name of the site and not under your name. Duty of care transfer notes should also be issued.

Waste Wood

Within the designated building there was a significant stockpile of waste wood. You explained that your previous wood outlet no longer accept your wood from due to contamination.

Your previous wood outlet are no longer accepting waste for the time being due to fire risk issues, therefore you need a contingency in the event your usual supplier is not available. You have explained to us that your waste wood now gets shredded on site and sent to landfill.

Action - Please can you email ffion.quan@cyfoethnaturiolcymru.gov.uk to confirm what other options you have looked at to find alternative outlets?

Within the wood waste industry we are also aware that there are pressures for outlets of waste wood, both getting available slots and with disposal prices increasing.

(D1) Site Security - CCS Cat 4; Permit Condition 2.3.1 - Identification Board

During the site visit it was noted that there was no ID board located near the main entrance and in clear view of visitors and members of the public.

Permit condition 2.3.1 (a) "The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2" Table S1.2 lists the document "How to comply with your Environmental Permit". To rectify this breach please update your sign to the latest details as stated in the document "How to comply with your environmental permit" on page 36.

The ID board needs to be at or near the entrance of the site telling people nature of the site, who they can contact for further information and who to notify if they have any concerns. This ID board needs to be clear and easily readable including (at least):

- the permit holder's name (company name at least)
- the operator's name if different (company name at least)
- an emergency contact name and the operator's telephone number
- a statement that the site is permitted by Natural Resources Wales
- the permit number
- Natural Resources Wales national numbers, 0300 0653000 (incident hotline), or any other number we subsequently notify you about in writing.

ACTION - Please arrange for a ID board to be installed near the main entrance of the site by 17/12/2021.

(C4) Storage, handling, labelling and segregation - CCS Cat 4; Permit Condition 2.3.1 - Quarantine Area

During the visit, you were asked regarding your quarantine container, as a non permitted waste type, tyres, was seen on site which should be stored within the quarantine container. You stated that the quarantine container was the yellow skip placed outside near the main entrance of the site.

This is a breach of permit condition 2.3.1, Schedule 1, Table S1.1, as all activities must be done within the main building and as noted in the working plan 'Quarantine container/s are stored on an impermeable surface within the main building within the permit area'. As seen on Plan VW/Drg/1, the quarantine skip is located on the right hand side after the access doors of the main building.

ACTION - Please ensure that your quarantine container is placed in the area noted in the working plan and ensure that all non permitted wastes are stored within the container for no longer than 7 days by a deadline of 17/12/2021.

(B3) Site drainage engineering (clean and foul) - CCS Cat 3; Permit Condition 1.1.1(a) - Sealed Drainage System

Permit Condition 1.1.1(a) specifies that the operators shall manage and operate the activities in accordance with a written management system.

The drainage sump within the main building as located on Plan VW/Drg/1 was inaccessible with no evidence that it is being checked daily in accordance with your working plan. This is a breach of permit condition 1.1.1(a) and the failure to ensure that the drainage system is operating as designed increases the likelihood of environmental pollution.

ACTION - Please ensure that wastes are moved from this area by 17/12/2021 to ensure compliance with your working plan.

(C2) Management system and operating procedures - CCS Cat 3 - Permit Condition**1.1.1****Working Plan**

As specified in Condition 1.1.1, the operator shall manage and operate the activities: (a) in accordance with a written management system that minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

The several breaches recorded above indicate that some areas of the management of the site is not followed. Please ensure that you run your activities according to it.

NRW will conduct a follow up site inspection at the end of the year.

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.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.