

Compliance Assessment Report

Report ID:
CAR_NRW0034882

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

Site	C T Skip Hire	Permit Ref	DB3332RH			
Operator/Permit holder	Carl Thompson					
Regime	Waste Operations					
Date of assessment	19/03/2019	Time in	09:31	Out	10:17	
Assessment type	Site Inspection					
Parts of the permit assessed	See below					
Lead officer's name	Challender, Paul					
Accompanied by	Williams, Carys					
Recipient's name/position	Mr Carl Thompson/ Operator	Date issued	29/03/2019			

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	
B4 - Infrastructure - Containment of stored materials	C3	Permit Condition 2.3.1, Table 2.3. CCS Score C3.
C2 - General Management - Management system and operating procedures	C3	Permit Condition 1.1.1, EMS 6.7.3. CCS Score C3.
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 1.1.1, EMS 4.4.4. CCS Score C3.
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	A	
E2 - Emissions - Land and groundwater	A	
E3 - Emissions - Surface water	A	
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	X	
F5 - Amenity - Deposits on road	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	3	Total compliance score (see section 5 for scoring scheme)	12
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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 pre-arranged site inspection of the C T Skip Hire permitted site by Environment Officers (EOs) Paul Challender and Carys Williams. Mr Carl Thompson was present to assist the officers for the duration of the inspection visit. During the inspection the weather was cool, still and overcast following a recent storm event.

Prior to the inspection, the regulating officer Paul Challender had received from Mr Thompson's appointed consultant the latest version of the Fire Prevention and Mitigation Plan (FPMP). This version of the FPMP addressed the points raised in the previous CAR form and had been placed in the external fire box. Thank you for implementing the remedial actions. **Your FPMP should be kept under constant review to ensure measures remain effective. You must also ensure that the plan is fully implemented on site at all times. The plan should be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.**

Despite the recent storm event the hardstanding was in reasonable condition, having been recently maintained in areas of the yard with only minor pooling in some areas. In addition, the sump had recently been inspected and still had capacity despite the recent heavy rain.

The waste transfer building however, was in poor condition. Several panels are missing from the building which, impedes the structure's ability to perform as a building as defined in the Standard Rules permit. This is a breach of permit conditions and is discussed below.



Mixed unsorted skip waste was overflowing from the building. The permit conditions require that all non-specified waste is both stored within a building and on an impermeable surface with sealed drainage. The current quantity of mixed waste stored on the site prohibits the ability to store the waste as per permit conditions. This breach has attracted a CCS score and is discussed below.



The mixed waste pile has again attracted rats. Rats were observed making use of the waste pile during the inspection. There was no evidence during the inspection of the rats impacting on neighbouring receptors. Therefore, their presence has not attracted a score at this time. The operator should take steps to lower the quantity of waste on site and implement controls on vermin to lower their numbers.

The construction and demolition waste stockpiles are still present on site however, Mr Thompson had re-profiled the stockpile nearest to the gate to maintain the availability of the quarantined area as detailed by his FPMP. This stockpile nearest the gate is in excess of 4 metres high which, exceeds the storage height allowable under his planning consent. Although the operator is working on this waste stream, volumes are still as high as reported during previous inspections and it is now displaying mixed waste contamination. This is a breach of permit conditions and is discussed below.



The following breaches to the permit have been recorded:

(B4) Containment of stored materials. Permit Condition 2.3.1, Table 2.3. CCS Score C3.

Permit Condition 2.3.1 requires the operator to conduct their activities in line with the parameters listed in Table 2.3 Operating techniques. Unless stored or treated outside as specified waste: all bulking, transfer or treatment of waste shall be carried out inside a building and all waste shall be stored in a building or within a secure container. Currently the building does not conform to the definition of a building as detailed in Permit Condition 4.4 of Standard Rules 2008 No3 namely that a building means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter. Currently, the building in its current state of repair does not conform to this definition as multiple panels are missing allowing ingress of water and egress of particulate matter, odour and litter.

(C2) Management System and operating procedures. Permit Condition 1.1.1, EMS 6.7.3. CCS Score C3.

The Environmental Management System (EMS) Section 6.7 refers to site inspection and maintenance procedures. EMS condition 6.7.3 states areas of hardstanding impermeable pavement, sealed drainage system etc., will be inspected monthly. Since the transfer building has been full of mixed waste for over 12 months, it would not have been possible to carry out a full inspection of the impermeable pavement and sealed drainage system. The volume of mixed waste has increase since my last inspection and is spilling out of the building. Mixed skip waste is stored at such a volume that it is no longer able to store it on the impermeable surface and therefore the impermeable surface cannot be seen. Although the sealed sump can be inspected the quantity of waste within the bulking/deposit area of

the building has been stored at a quantity which prevents the operator from conducting a full inspection by rotation of the waste stockpile or otherwise.

(C4) Storage, handling, labelling and segregation - Permit Condition 1.1.1, EMS 4.4.4. CCS Score C3.

Inert waste is stored in excessive volumes and for excessive periods of time. The inert waste stockpile is essentially a permanent feature of the site. Although it is noted that the operator is now working on multiple areas of the inert stockpile. Frequency of removal of inert waste from the site is not sufficient to comply with the 6-month limit stated in the EMS the frequency of the removal of waste should be increased. The high volumes of both stored inert waste and mixed household waste is causing inert waste to become incorporated into the mixed waste and similarly mixed waste to contaminate the inert waste stockpile. Lower volumes of correctly stored waste streams would mitigate against this cross-contamination of waste streams.

Enforcement action

Prolonged non-compliant activities on site poses a risk of pollution of the environment and harm to human health. It is recognised that Mr Thompson has suffered recently from the arson attack on a skip wagon and that this has impacted the business financially along with other external issues which currently affect his circumstances and he is considering surrendering the permit. Improvements witnessed during the last inspection have not been maintained and levels of stored waste have again breached the permit conditions. As a result of this inspection a notice will be served to reduce volumes of stored waste and to effect repairs to the waste transfer building.

EPR Compliance Assessment Report

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Operator/Permit holder	Carl Thompson	Date	19/03/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
F4	X	Implement control measures to reduce the number of rats.	03/05/2019
B4	C3	Effect repairs to the building as detailed in the served Regulation 36 notice. Ensure all non-specified waste is stored within the confines of the building as detailed in the served Regulation 36 notice.	03/05/2019
C4	C3	Reduce volume of stored inert waste.	03/05/2019
C2	C3	Reduce stored waste quantities to allow the monthly inspection of the impermeable surface and sealed drainage system.	03/05/2019

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.