

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

Site	Fred Lloyd & Sons Ltd	Permit Ref	FP3995FM		
Operator/Permit holder	Fred Lloyd and Sons Limited				
Regime	Waste Operations				
Date of assessment	25/10/2018	Time in	10:00	Out	15:00
Assessment type	Site Inspection				
Parts of the permit assessed	C3, C2, C1, E1, E4, F1, G2, G4				
Lead officer's name	James, Ian				
Accompanied by	Moggridge, Lara				
Recipient's name/position	Oliver Hazell/ Director/TCM	Date issued	01/11/2018		

### 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
C2 - General Management - Management system and operating procedures	C3	Permit Condition 1.1 - Specified waste management operations. Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan
C3 - General Management - Materials acceptance	C3	Permit Condition 1.1 – Specified waste management operations Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan

**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.

<b>Number of breaches recorded</b>	<b>2</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>8</b>
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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

### Compliance Assessment Report – Fred Lloyd – EPR/FP3995FM

#### Introduction

At 1000 on 25<sup>th</sup> October 2018 your site was inspected, and processes audited, as part of the routine assessments for compliance, your regulatory officer, Ian James, was in attendance along with officer Lara Moggridge. The weather was generally dry and cold with little wind.

Your operation at Pontypool consists of;

Waste Transfer Station – EPR/FP3995FM

Metal Recycling – EPR/UP3495FT

Those present;

<b>Fred Lloyd</b>	<b>Natural Resources Wales</b>
Oliver Hazell (TCM and Director)	Ian James (Environment Officer – Lead Auditor)
DG (Site Manager)	Lara Moggridge (Senior Environment Officer – Auditor/Technical specialist)
CH (Office Manager)	
LM (HSE & Compliance Manager)	

## Scope

The audit was pre-planned and carried out for assurance purposes following changes of management at Fred Lloyd over the past year and in-line with NRW policy.

The audit covered the whole site and management systems in place to support the compliance of the two Environmental Permits in operation.

## Schedule

An initial briefing discussed the schedule for the day and then reviewed the recent history of compliance and complaints.

This was followed by a deeper look at the management systems followed by a site inspection. The afternoon consisted of a review of waste transfer and duty of care paperwork followed by a debrief to management outlining key breaches, impact, correction expectations and observations.

## Waste Transfer Station – EPR/FP3995FM

The following report highlights the various sections of the permit that have been recorded as assessed according to the Compliance Classification System (CCS) sub-criterion and Compliance Assessment Report (CAR) heading. It then references the related permit specific condition with a 'Finding' and 'Action'. Where an 'Action' is identified this will have a required by date. There is no specific requirement to report completion progress to your regulator unless the date will be missed, or you question the proposed action, in either of these cases you should highlight this as soon as possible.

Breaches are highlighted in **bold** along with the level of breach based on environmental impact as assessed by the regulator. These are also highlighted on the main CAR form.

Photos of the area are also attached.

## Areas of the permit assessed, findings and actions

2 Breaches of permitted activities were identified as follows;

### 1. C3 – Materials acceptance

Permit Condition 1.1 – Specified waste management operations.

Table 1.1 D15 – i) Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan which comprises;

50 tonnes of degradable waste stored in the dedicated bays identified in section 3.4 of the working plan and shown on drawing FL/003;

And

100 tonnes of inert material stored in the dedicated bays identified in section 3.4 of the working plan and shown on drawing FL/003.

Finding

Materials being held on site were above the limits specified by the permit.

**This has been determined a category C3 breach – potential for minor environmental impact**

Also, some waste transfer notes found incorrectly printed with the wrong receiving details, GD Newport rather than Fred Lloyd Pontypool.

## Action

Reduce quantities to within permitted levels and ensure correct details are printed on transfer notes as soon as reasonably practicable and by 25<sup>th</sup> April 2019 at the latest.

## 1. C2 – Management Systems

Permit Condition 1.1 - Specified waste management operations.

Table 1.1 D15 – i) Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan which comprises...

## Finding

The working plan does not contain a section 1.6.5 and does not adequately outline measures to control the quantities of waste on site to within permitted levels. This is determined as the root cause of the previous breach and scored accordingly.

**This has been determined a category C3 breach – potential for minor environmental impact**

## Action

Improve Working Plan, or otherwise, to ensure adequate management systems are in place to comply with permit conditions. Complete as soon as reasonably practicable and by 25<sup>th</sup> April 2019 at the latest.

1. C1 – Staff competency and training

Permit condition 1.3 – Staffing and understanding of requirements of licence conditions

Finding

No breaches. Further details to follow in audit report.

Action

None

1. E1 – Emissions – Air

Permit condition 4.6.1 – Storage of wastes with specified hazardous properties of forms – Notwithstanding the specification of permitted waste types under condition 1.2, wastes displaying any of the hazardous properties of forms specified in Table 4.6 shall only be handled and/or stored on the site in accordance with the standards specified in accordance with table 4.6.

Table 4.6

Storage requirements	Specific standards
a) Solid wastes which when handled or stored are likely to generate significant quantities of dusts, fibres or particulates.	These wastes only permitted if they are handled and stored in; i) Buildings or containers providing containment of aerial emissions of dusts and particulates; or

	ii) Bays or roofed areas provided with a permanent water supply and water spraying or misting equipment, and with an impermeable pavement and a sealed drainage system; and the water spraying or misting equipment is used at all times when significant quantities of dusts, fibres or particulates are likely to be, or are being generated.
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Finding

No breaches. This was assessed due to previous complaints to NRW, unsubstantiated at the time. Basic systems are in place to mitigate ground-based dust.

Action

The operator may wish to review if current systems are suitable to meet requirements in relation to stock piles and waste tipping/sorting activities. Due 25<sup>th</sup> April 2019.

1. E4 – Emissions sewer

Permit condition 2.1.2 – The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in table 2.1 below.

Type of site surface and drainage	Minimum specified standards of design, construction and maintenance
c) Sealed drainage systems.	i) Drainage to areas of impermeable

	<p>pavement shall be provided by a three chamber oil interceptor, which shall have a minimum of six minutes retention time per chamber at its maximum flow rate, shall discharge to either a foul sewer or surface water or a soakaway, shall be inspected no less frequently than daily and after rain, and shall be maintained so as to intercept all liquids which run off the pavement.</p> <p>ii) Inspections and emptying of the interceptor shall be recorded in the site diary.</p>
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Finding

No breaches. Observation – inspection chamber obscured by old vehicle preventing easy access for inspection.

Action

None

1. F1 – Amenity – Odour

Permit condition 5.2.2 – All emissions to air from the specified waste management operations on the site shall be free from odours at levels as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency.

Finding

No breaches. No odour noted on the day.

Action

None

1. G2 – Records of activity, site diary/journal/events

Permit condition 6.3.1 – A site diary shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events, in accordance with the other conditions of this licence:

a construction work

b start and finish of daily waste management activities on site

c maintenance

d breakdowns

e emergencies

f problems with waste received and action taken

g site inspections and consequent actions carried out by the operator

h technically competent management attendance on site: the date and the time onto the site and the time left site

i despatch of records to the Environment Agency \*(NRW)

j severe weather conditions

k complaints about the site operations and actions taken

l environmental problems and remedial actions

#### Finding

No breaches. Observations - site diary available with checks completed, although not to the level of detail specified in the permit conditions. It was noted that complaints had been received and not recorded in the site diary. TCM attendance recorded somewhat 'ad-hoc'.

#### Action

The operator may wish to review if the current site diary could be updated to align it more accurately with the requirement of the permit, particularly in respect of TCM attendance, and to ensure the recording of complaints. Due 25<sup>th</sup> April 2019.

#### 1. G4 – Monitoring and records, maintenance and reporting: Reporting and notification

Permit Condition 6.2.2 - Records of waste movements – A summary record of the waste types and quantities accepted and removed from the site shall be made for each quarter of the financial and shall be submitted to the Agency within one month of the end of that quarter.

#### Finding

All returns are up to date.

Action

None

Notes;

1. It was appreciated that staff were available and open during the audit. Please pass on our thanks to non-core audit staff members who were able to deal with questions on Duty of Care paperwork in particular.

With thanks.

**If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on [ian.james@naturalresourceswales.gov.uk](mailto:ian.james@naturalresourceswales.gov.uk)**

**In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.**

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0034146**

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

Site	Fred Lloyd & Sons Ltd	Permit Ref	FP3995FM
Operator/Permit holder	Fred Lloyd and Sons Limited	Date	25/10/2018

### 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	C3	Improve Working Plan, or otherwise, to ensure adequate management systems are in place to comply with permit conditions	25/04/2019
C3	C3	Reduce quantities to within permitted levels	25/04/2019

## 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.