

Compliance Assessment Report

Report ID:
CAR_NRW0026414

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

Site	East Bank Road Facility EPR/XP3833UB	Permit Ref	XP3833UB			
Operator/Permit holder	G D Environmental Services Ltd					
Regime	Installations					
Date of assessment	22/09/2016	Time in	10:00	Out	15:30	
Assessment type	Audit					
Parts of the permit assessed	Waste acceptance, treatment and discharge					
Lead officer's name	Green, Rebecca					
Accompanied by	Bruten, Anthony					
Recipient's name/position	Ian Lynass/ CEO	Date issued	04/10/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	X	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E4 - Emissions - Sewer	X	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	X	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	X	

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

The purpose of this visit was to audit G D Environmental's (GDE) waste management procedures. The audit was carried out by Tony Bruten, who audited procedures relating to asbestos waste and Rebecca Green who audited procedures relating to hazardous waste.

The findings can be found in the Audit Report.

Agenda

1. Business update.
2. Audit objectives and format.
3. Audit
 - a. Pre-acceptance procedures;
 - b. Acceptance/rejection procedures;
 - c. Storage methods pre and post-treatment;
 - d. Treatment methods;
 - e. Discharge procedures, including data logger;
 - f. Traceability, including waste transfer/consignment notes.
4. Brief overview of audit findings.
5. A.O.B.

Present for all or part of the meeting:-

Ian Lynass, CEO, GDE;
Christina Lloyd, Compliance Manager, GDE;
Fiona Lynass, Compliance Manager, GDE;
Julie Taylor, Operations Manager, GDE;
Gary Gray, Liquid Waste Installation Manager, GDE;
Mark Pendleton, ISO Consultant (external);
Tony Bruten (TB), Regulatory Officer Industry and Waste, Natural Resources Wales (NRW);
Rebecca Green (RVG), Compliance Officer PPC, NRW.

1). Business Update

The new document/management system is being updated;
The waste management site has a new manager;
GDE are entering into joint ventures for some of their activities;
Control of incoming materials and treatment processes is improving;
The financial outlook is encouraging.

2). Audit Objectives and Format

The objectives are described in the Audit Report.
The audit was office-based at the Nash Road site and site-based at East Bank Road.

3). Audit

GDE had prepared a comprehensive file for RVG & TB's reference during the audit; this was a very useful document.

Procedures concerning asbestos waste and hazardous waste were examined. The full findings are given in the Audit Report.

4). Brief Overview of Audit Findings

The management system and operating procedures are still obviously under development and need extra detail in some places and tidying in others. GDE should be careful with their terminology and should ensure that only the correct, relevant legislative instruments are referenced.

Considering that GDE have not requested any help or guidance from NRW the system they are developing is very good. Any non-compliant areas have not been scored at the moment because the system is not fully developed. As long as this momentum of change is maintained, shortcomings in the management system will not be scored as non-compliances. NRW would expect a compliant system to be in place and running by the end of December 2016.

Three actions were requested and six recommendations made. Full details can be found in the Audit report. Timescales for completion are given in Section 4 of this Compliance Assessment Report (CAR). Failure to meet these timescales will result in the issuing of scored non-compliances.

5). A.O.B.

No other business was raised in the meeting.

The site was inspected during the audit. The tank farm has been cleaned and the tanks are being repainted. I have never seen the bunds so clean and all who contributed to the cleaning should be congratulated for their efforts.

Further encouragement and congratulation should go to Gary Gray who tried to operate and control a difficult treatment process with very little help or support from the previous owners. He has done his best to comply with the permit requirements and consent limits in very difficult times. I am glad to see that he now has proper support and has been able to improve the analysis methods and control of the treatment process. This has been an excellent example of what can be achieved by team working and lateral thinking and clearly shows how different the management philosophy of the new owners is.

END.

EPR Compliance Assessment Report

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Operator/Permit holder	G D Environmental Services Ltd	Date	22/09/2016

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
G2	X	Submit proposals for development & implementation of waste tracking system.	04/11/2016
G1	X	Issue sampling & testing procedures.	02/12/2016
E4	X	Write sampling & testing procedures where missing.	02/12/2016
C2	X	Add missing procedures or add narrative to flow charts.	02/12/2016
C1	X	Train deputy for Liquid Waste Installation Manager	28/10/2016
C2	X	Write & implement change procedure	02/12/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.

