

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0034191**

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

Site	Mobile Plant	Permit Ref	NP3990VA		
Operator/Permit holder	Bryn Compost Limited				
Regime	Waste Operations				
Date of assessment	08/11/2018	Time in	N/A	Out	N/A
Assessment type	Site Inspection				
Parts of the permit assessed	EMS, TCM, Waste Returns				
Lead officer's name	Lee, Jonathan				
Accompanied by					
Recipient's name/position	Alun Price/ Director	Date issued	08/11/2018		

### 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
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	X	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

**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>1</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0.1</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

This is a desk-based compliance check carried out by Natural Resources Wales on the standard rules permit **EPR-NP3990VA**. This permits the operation of a waste mobile plant as described in standard rules **SR2010 No4 – mobile plant for land-spreading**. This permit is registered under Bryn Compost Limited.

The most recent deployment under this permit was in June of 2016.

### Environmental Management System (EMS)

Permit condition 1.1.1 of the permit requires the operator to 'manage and operate activities in accordance with a written management system that identifies and minimises 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 operator was able to confirm that site specific risk assessments and management procedures were submitted to NRW as part of individual deployment applications. Whilst this ensures partial compliance, there is no overarching Environmental Management System document on file.

**Action:** Please submit an Environmental Management System to ensure compliance with permit condition 1.1.1. A deadline for this has been set for the 31st December 2018.

Please see link below for guidance on the content of an EMS:

<https://naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf>

### Technically Competent Manager (TCM)

Permit condition 1.1.4 requires that 'the operator shall comply with the requirements of an approved competence scheme'. The listed Technically Competent Manager (TCM) for the permit is Mr Paul Colley. Thank you for submitting evidence of technical competency.

### Waste Returns

Permit condition 4.2.2 requires that 'within one month of the end of each quarter, the operator shall submit to Natural Resources Wales, using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter'.

You have been scored a **Category 4** breach for failure to submit accurate waste return information. In periods where no waste has been accepted or removed a nil return should still be submitted.

**Action:** Please submit outstanding waste return documents by the 30<sup>th</sup> November 2018

Please see our website for further information on waste returns:

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

#### Permit Surrender – Advice and Guidance

At time of writing, the operator sought advice and guidance regarding a potential surrender of the permit.

There is currently no charge for surrendering a mobile plant permit. A surrender application would still need to be completed but the form of surrender would be a 'notification'. Application forms Part A, E2 and F1 still need to be completed.

Full guidance on permit surrenders and application forms can be found at the link below:-

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-waste-permit/?lang=en>

If you have any issues with this report please contact Jonathan Lee on 0300 065 3908 or [jonathan.lee@naturalresourceswales.gov.uk](mailto:jonathan.lee@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\_NRW0034191**

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Site	Mobile Plant	Permit Ref	NP3990VA
Operator/Permit holder	Bryn Compost Limited	Date	08/11/2018

### 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			
G4	C4	Submit outstanding waste returns.	30/11/2018
C2	X	Submit overarching Environmental Management System document.	31/12/2018

## 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.