

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

Site	Llanddulas Quarry Waste Treatment Centre	Permit Ref	EB3931AM	
Operator/Permit holder	Hogan Waste Limited			
Regime	Waste Operations			
Date of assessment	28/06/2019	Time in	10:40	Out
Assessment type	Site Inspection			
Parts of the permit assessed	The CAR Subcriteria listed below			
Lead officer's name	Briscoe, Ross			
Accompanied by	Harper, Philip			
Recipient's name/position	Mike Hogan/ Site Manager/Director	Date issued	24/07/2019	

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	C3	2.1
C1 - General Management - Staff competency/training	C3	1.1.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
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	2	Total compliance score (see section 5 for scoring scheme)	8
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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 unannounced site inspection was carried out on Friday 28 June 2019 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer) and Phillip Harper (Environment Officer).

Nobody was present from Hogan Waste Limited throughout the inspection.

Weather conditions throughout the visit were dry, sunny and mild.

On arrival, officers parked at the top of the access road directly next to the new site gates which had recently been installed. From the top of the access track, officers were able to see down towards the main permitted area of the site. Officers could see several skips positioned within the permitted area which appeared to contain waste material. Making these observations officers decided to proceed to take a closer look.

Within the main permitted area, a new weighbridge had been installed and further preparatory works had taken place including the installation of an interceptor and drainage channels.

Officers proceeded towards the far side of the permitted area where a number of skips were positioned. Skips of different sizes were found to contain varying types and quantities of waste material. This is discussed further within the non-compliances section of this Compliance Assessment Report.

No issues were noted relating to noise, odour or litter throughout the inspection.

A number of gulls were observed perched upon the roof of the main on-site building. These were not causing any concern or scavenging amongst the waste material contained within the skips. Please ensure that this situation is monitored.

Non-Compliances

A1 – Specified by Permit, Permit Condition 2.1, Compliance Classification Scheme Category 3 breach.

A number of skips containing waste material were observed on site stored in the open and not within a building. Your permit states that 'Waste must be stored and treated on an impermeable surface inside a building with a sealed drainage system'. Skips containing inert waste, metal waste, plastic waste, Waste Electrical & Electronic Equipment, wood waste and general building waste were all located on site. Some of the skips were only part full, however some of the skips such as the roll on roll off skip containing Waste Electrical & Electronic Equipment was completely full. As the permit states, all waste must be stored within a building. If this permit requirement cannot be met, then the waste should not be accepted onto site. You must ensure that all waste material that is not stored within a building is either removed from site immediately or placed inside a building. As during initial determination, the permit will have not been assessed to take into account waste being stored outside a building, therefore it is reasonable that impacts off site could occur as control measures are not in place. A Compliance Classification Scheme category 3 breach has been recorded.

C1 – Staff Competency & Training, Permit condition 1.1.1, Compliance Classification Scheme Category 3 breach.

It is evident that due to waste material being stored not in accordance with the site permit, staff and operational personnel are not fully aware of the permit conditions. Should staff have been aware, waste material would not have been placed in contravention of the site permit. You must ensure that all site staff and personnel with responsibilities

likely to impact upon the permit, are aware of the permit requirements and how to comply with them. As a result of the waste not being stored in accordance with the permit and staff training and understanding likely to be the root cause a Compliance Classification Scheme category 3 breach has been recorded. Please ensure that appropriate staff training is carried out.

To summarise the following non-compliances have been recorded.

A1 – Category 3 breach – 4 CCS points

C1 – Category 3 breach – 4 CCS points

Total number of CCS points recorded for site inspection on 28 June 2019 – 8.

Please keep the regulating officer aware of progress on site over the coming weeks.

Thank you for your time.

Regards

Ross Briscoe, Senior Environment Officer (Waste Regulation),

ross.briscoe@cyfoethnaturiolcymru.gov.uk

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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035453**

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Site	Llanddulas Quarry Waste Treatment Centre	Permit Ref	EB3931AM
Operator/Permit holder	Hogan Waste Limited	Date	28/06/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
A1	C3	Ensure that all waste is stored in accordance with permit conditions (Schedule 1).	31/08/2019
C1	C3	Ensure that all staff who are carrying out waste management duties are familiar with the site permit and the requirements contained within.	31/08/2019

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.