

Compliance Assessment Report

Report ID:
CAR_NRW0034123

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

Site	Hafod Garage Waste Transfer Station		Permit Ref	AP3399FR		
Operator/Permit holder	Thomas Waste Management Ltd					
Regime	Waste Operations					
Date of assessment	23/10/2018		Time in	11:15	Out	12:00
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by	Moggridge, Lara					
Recipient's name/position	Gareth Thomas, Howard Thomas/ Operations Manager, Accounts Manager		Date issued	06/11/2018		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	A5 & Working Plan 2.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	C3	B.2.1
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

Officer Alex BOWDER and Senior Environment Officer Lara MOGGRIDGE attended Thomas Waste Management Ltd, NP23 4GU at 11:00 on Tuesday 23rd October 2018 to carry out an introductory inspection of permit **EPR-AP3399FR**. Weather conditions were mild and dry at the time of visit. Met with Site Manager Mr. Gareth Thomas who accompanied Officers around the yard and explained the business processes.

To remind the business following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment/people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

PERMIT HISTORY

- Permit issued in 1993
- Permit modification in 1993
- Permit transfer to Thomas Waste Management Ltd in 2003
- Permit variation in 2012 to add waste codes
- Further variation in 2015 to add waste codes

There were no outstanding actions from previous CAR Forms. Past visits have highlighted asbestos storage and updating the Environment Management System (EMS) document.

GENERAL OBSERVATIONS

The permit is for a Waste Transfer Station licenced with hazardous elements that has treatment options for disposal/recovery. Operations are carried out at The Hafod Garage, Old Abergavenny Road, Brynmawr, NP23 4GU which is also the principal office address. The site is run by Mr Gareth Thomas and Mr Howard Thomas.

The site was active at the time of inspection with the multiple concrete bay walls filled with the various waste streams across the yard. Officers questioned the destinations for the waste types and the storage times on site. It was apparent that that operator has a quick turnaround time of materials to prevent stockpiling.

CATEGORY 3 BREACH C3 - General Management - Materials Acceptance Condition B.2.1	At the time of the inspection there was a vehicle up on its side stored in the west part of the yard. It could be seen leaking oil onto the surface. This area was not concreted and so any polluting material would not be captured by the drainage system. As well as being poor storage practice, the business is not permitted to accept End of Life Vehicles (ELVs) under the Waste Codes in the permit. As a result, this has scored a <u>Category 3</u> breach against the permit in order to improve storage techniques and highlight that the site should not be accepting ELVs on site in future.
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CATEGORY 3 BREACH B1 - Infrastructure for the prevention and control of emissions: Condition A5 and Working Plan Section 2.1	During the site inspection infrastructure issues were discussed. It was stated that the flooring has recently been restored outside the vehicle repair unit and that the business repairs damaged patches on an ad hoc basis. Officers pointed out that there was rutting of the concrete surface at the top end of the yard. It is important to keep on top of infrastructure maintenance to ensure it remains its impermeable status. If not, there is the risk that potentially polluting run-off can escape the drainage system and percolate through the ground layers. Improvement works should be carried out to ensure surface remains fully impermeable and sealed.
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It was stated that the drainage system and slot drains are maintained daily with spot checks. Officers were shown the interceptor area and spoke about the different chambers of the facility. Please ensure the interceptor is accessible at all times for maintenance and spot inspections.



Picture 1 – showing mixed waste separated by concrete block walls in the yard

Officers asked about the asbestos management on site and the storage procedures in place. No issues apparent with storage methods or material handling at the time of inspection; none was witnessed stored outside of the permitted boundary. The unit for dedicated for vehicle and machinery repairs was also checked and staff were aware of spill kit locations.

Spoke about being aware of Fire Prevention and Mitigation Plans (FPMP) potentially being made part of the permit in the future.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The most current version of your Working Plan on file is from 2004. As this document is quite outdated, you should to update your current Working Plan into a comprehensive Environment Management System (EMS). This will involve expanding on areas and including maintenance checklists, storage times and site procedures.

One of the main purposes of an EMS is to identify all possible risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. As the operator, you are responsible for your EMS document. It is designed to be a live document that is consulted daily and updated with any operations changes.

We will look at this in more detail in 2019, where you will be required to re-write and update this document.

TECHNICALLY COMPETENT MANAGER (TCM)

A WAMITAB qualification was awarded to Mr. Howard Thomas on 08/01/18 with an expiry date of 05/01/20. Please remember to enrol on a continuing competency refresher course once expired.

WASTE RETURN DOCUMENTS

The site removed 2,109 tonnes of **19 12 12** mixed waste materials from mechanical treatment to Cardiff in Quarter 1 2018. It also sent 2,632 tonnes of **19 12 09** sand and stone material to Merthyr Tydfil for use in construction of roads on landfills.

In Quarter 3, submitted on 20th October 2018, 9540 tonnes were received by the site.

Please remember to submit your waste returns quarterly within the allocated grace period, it is your duty under your permit to ensure they are submitted on time:

QUARTERLY RETURN PERIOD	RETURN SUBMISSION DEADLINE
Q1 01 January - 31 March	30 April
Q2 01 April - 30 June	31 July
Q3 01 July - 30 September	31 October
Q4 01 October - 31 December	31 January

HAZARDOUS WASTE CONSIGNEE RETURNS are also required to be submitted - to inform us about the hazardous waste consignments that have been received, removed or disposed. Please ensure these are submitted in addition to the normal Waste Returns.

Thank you for your time and I look forward the working with the site in 2019.

If you have any questions or comments with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@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_NRW0034123**

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Site	Hafod Garage Waste Transfer Station	Permit Ref	AP3399FR
Operator/Permit holder	Thomas Waste Management Ltd	Date	23/10/2018

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			
C3	C3	- Improve storage techniques - Do not accept ELVs on site in future - Remove current ELVs on site	06/12/2018
B1	C3	Improve and repair the infrastructure to maintain impermeable status	06/02/2019

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.