



EPR Compliance Assessment Report

Report ID: 100198/0226662

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

Site	Brookhill Transfer Station			Permit Ref	100198		
Operator/ Permit holder	Flintshire County Council						
Date	23/09/2014			Time in	10:57	Out	12:28
What parts of the permit were assessed	Waste movement records						
Assessment	Audit	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Flintshire County Council						
Officer's name	Mefty Haider, Alison Soper			Date issued	10/12/2014		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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

Condition(s) breached

a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded

0

Total compliance score

(see section 5 for scoring scheme)

0

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

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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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Waste stream approach audit meeting took place at Flintshire County Council offices. All waste transfer notes and site weigh bridge details are kept at the council office. Site is staffed but remotely monitored from the office. The site where waste management activities are carried out was not visited. Although the site is permitted to accept a number of different waste types the audit focussed primarily on wood based and gypsum based waste only.

Site activity

The site predominantly accepts garden and park wastes, gypsum based waste and other municipal wastes from council operated civic amenity sites and kerbside collection of domestic waste from within the Flintshire county. The site is used for temporary storage and bulking up of the wastes prior removal to other sites for either disposal or further treatment.

Waste received

The audit concentrated on the October to December 2013 period (Q4). During Q4 the site received biodegradable waste under the EWC 20 02 01 code. Examples of Duty of Care notes that were checked stated the same EWC code for the waste received on site.

Waste Returns data submitted for Q4 by the operator stated site received 1,417.86 tonnes of biodegradable waste (EWC 20 02 01) and removed 1,340.56 tonnes of the same waste from the site.

According to the waste returns data submitted by the operator between January 2013 and September 2014, the site received and removed the following amount of biodegradable and gypsum waste (EWC 17 08 02):

		Received (tonnes)	Removed (tonnes)	Left on site (tonnes)
Q1 2013	20 02 01	645.44	632.00	13.44
Q2 2013	20 02 01	2,345.34	2,328.34	17.00
Q3 2013	20 02 01	2826.35	2688.64	137.71
	17 08 02	66.04	10.4	55.64
Q4 2013	20 02 01	1417.86	1340.56	77.30
	17 08 02	57.38	0	57.38
Q1 2014	20 02 01	1056.66	883.62	173.04
	17 08 02	40.26	64.12	-23.86
Q2 2014	20 02 01	3213.74	3203.74	10.00
Q3 2014	20 02 01	2390.76	2390.76	0.00

The data appears to indicate that 428.49 tonnes of biodegradable waste and 89.16 tonnes of gypsum waste should still be present on site. However, the operator stated it is unlikely the wastes would be present on site and there is no indication what has happened to these wastes.

Duty of Care notes (DoC) and record keeping

A number of DoC notes for waste received and removed from the site were inspected. The DoC notes were completed properly. However, DoC notes for waste gypsum waste leaving the site for Q3 2013 and Q4 2013 could not be located for inspection. It was also not possible to check the weighbridge details against the submitted waste returns data due to technical issues.

Operator was to provide the weighbridge data for Q3 2013 to Q1 2014 period including copies of DoC notes for gypsum waste leaving the site on a later date. However, after repeated requests operator failed to provide the information or an explanation for the failure.

Summary

Based on the waste returns data submitted by the operator it appears approximately 500 tonnes of waste (biodegradable and gypsum waste) is unaccounted for. All waste arriving and leaving the site goes over the site weighbridge, which is remotely monitored.

The operator should ensure that the environmental management system for the site is updated to include appropriate procedures for recording incoming and outgoing waste and waste being stored on site.

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

 Cyfoeth Naturiol Cymru Natural Resources Wales	EPR Compliance Assessment Report	Report ID: 100198/0226662
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Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

X

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.

