

Compliance Assessment Report

Report ID:
CAR_NRW0018552

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

Site	S R 2010 No 4	Permit Ref	JB3533RJ		
Operator/Permit holder	Simon Jones				
Regime	Waste Operations				
Date of assessment	11/03/2016	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	as below				
Lead officer's name	Thomas, Rhys				
Accompanied by					
Recipient's name/position	Simon Jones/ Operator	Date issued	07/06/2016		

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	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

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

Deployment JB3533RJ/X005 Sarn Fadog

Audit of records relating to Mobile Plant deployment JB3533RJ/X005 Sarn Fadog, Llannerch y Medd. Deployment was approved on 9th January 2015 and expired on 8th January 2016.

The requested documents were received by operator Simon Jones on 29th January 2016, and the audit was carried out by Environment Officer Rhys Thomas.

The Mobile Plant landspreading deployment relates to the application of treated effluent from Glambia Creamery Llangefni, onto land at Sarn Fadog, Llannerch y Medd and Glan Rafon Penysarn. The information approved in the deployment application and supporting agricultural benefit statement noted that the land to be treated at both locations comprised of 48.3 hectares. The waste was to be spread at 250 tonne/ha and the maximum total quantity to be spread would be 12075. The wastes to be applied and approved under the deployment was EWC 020501 and 020502.

The documents received from the operator and used to carry out the audit were:

- Spreadsheet showing daily quantities of waste applied to each notified field.
- Copies of all duty of care waste transfer notes relating to the deployment.
- Copies of field check sheets maintained during course of deployment.

Data from the quantities spreadsheet show that a total of 9098 tonnes of waste was applied under this deployment, which is within the maximum permitted. The spreadsheet demonstrates total quantities spread onto each notified field. This indicates that total quantities spread on each field was within the limit approved in the deployment.

All duty of care waste transfer notes submitted appear to be in good order and correspond with the information recorded on the total quantities spreadsheet. All notes contain clear records of waste types, quantities transferred, date, and which notified field the waste has been applied. Information from the waste transfer notes indicate that only EWC 020502 (sludges from on-site effluent treatment) was applied throughout the deployment, demonstrating that waste acceptance complies with the approved deployment application.

It is noted that some information is missing from the waste transfer notes, which need to be included. The

Waste (England and Wales) Regulations 2011 require transfer notes to have a declaration that the waste hierarchy has been applied, and also need to contain the SIC Code (Standard Industrial Classification 2007) of the person transferring the waste. Further information on these requirements can be found on the website: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice/waste-duty-of-care-code-of-practice-read-online> Failure to include this information is a breach of Directly Applied Legislation.

The field check sheets submitted appear to be in good order with appropriate records maintained and daily checks carried out. The field check sheet records correspond with information on the quantities spreadsheet and are fully completed for the duration of the deployment. Records on the check sheets also indicate whether the waste was applied through shallow injection or by top spreading.

Records from the duty of care transfer notes and total quantities spreadsheet shows that some materials were stored in a storage lagoon on site before being spread. There is a slight disparity in the total quantities that were recorded as going into the lagoon than what was subsequently spread from the lagoon. This is due to the material going in being accurately weighed when leaving Glambia and being stored in lagoon, whilst best estimate is used when recording the waste spread from the lagoon.

Overall the audit demonstrates compliance with the approved deployment and mobile plant permit. Good record keeping and documentation is being demonstrated with all information required in good order and complete.

If you would like to discuss anything mentioned in this report please contact Rhys Thomas on 03000 65 3765, rhys.thomas@cyfoethnaturiolcymru.gov.uk

EPR Compliance Assessment Report

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Operator/Permit holder	Simon Jones	Date	11/03/2016

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			

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.