

EPR Compliance Assessment Report

Report ID: 103384/0231250

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

Site	T J's Skip Hire Ltd			Permit Ref	103384		
Operator/ Permit holder	T J's Skip Hire Ltd						
Date	19/01/2015			Time in	10:45	Out	11:45
What parts of the permit were assessed	All below						
Assessment	Site Inspection	EPR Activity:	Installation		Waste Op	X	Water Discharge
Recipient's name/position	Brendan Furness						
Officer's name	Rhys Ellis, Matthew Buckley-Rees			Date issued		13/02/2015	

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	C3	2.4.3
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	C3	1.1.1
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	C3	1.1.1
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	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

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

3

Total compliance score
(see section 5 for scoring scheme)

12

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (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.

Today's visit was a handover visit. Matthew Buckley-Rees explained that Rhys Ellis will now be the regulating officer for this site.

The following breaches and observations were noted.

A1- Permitted activities

Skips containing mix waste were being stored outside the permitted area. It was explained that some of these skips were stored here to block the access road to site for security reason and to help discourage fly tipping. Please ensure that only virgin material/non waste material is stored within these skips as Permit condition 2.4.3 stipulates that that the activities shall not extend beyond the site, being the land shown edged green on the site plan attached to the permit.

This breach has been scored as a Category 3 score under sub-criteria A1.

C4 – Storage, Handling, Labelling and segregation.

The volume of tipped waste stored at the rear of the site does not appear to have reduced since the previous visit on the 8th October 2014. This waste has been on site for a long period of time now.

Please could you confirm the actual tonnage of material currently stored at the rear of the site. Please supply this information no later than 17th February 2015.

The audit undertaken on your site on the 8th of October 2014 stipulated that the amount of waste stored on site must be brought to the levels indicated in the Environment Management System by end of January, as a corrective measure to comply with both the permit and associated management system. This deadline as now been extended to end of February in order to give you more time to comply.

You stated on site that you will be able to meet this deadline of **28th February 2015** as there are plans to install the trommel immanently and staffing issue on site has improved. Please note it was emphasised on site that failure to become compliant with the above may result in a Regulation 36 notice being served on the operator.

A breach of condition 1.1.1 of the permit is noted, scored as a category 3 under sub criteria C4.

C1.- Staff competency and Training.

The root cause for today's breaches are that relevant site personnel have not complied with and not fully aware of both management system and permit conditions. (Skips stored outside permitted area and waste stored for long period of time)

Permit condition 1.1.1 stipulates that the operator shall manage and operate the activities in accordance with a written management system. Your management system defines where all waste operations should take place.

Your management system also states that unsorted general waste and inert waste will be stored within the waste transfer building for a maximum of 6 months. It is evident that some of the tipped waste stored at the rear of the building has been there for more than 6 months.

This is therefore considered to be a permit breach of condition 1.1.1, scored as a category 3 for sub-criteria C1

In this document 'Natural Resources Wales' means the Natural Body for Wales established in Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

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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.	☐	
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.	☒	X
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			
A1	C3	Ensure that only virgin material/non waste material is stored within the skips located in the unpermitted area. Remove skips containing waste from unpermitted area.	immediately
C1	C3	Ensure that permit conditions and associated management system is followed.	immediately
C4	C3	Remove waste located at the rear of the site to comply with Environmental Management system	28/02/2015

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.