

	EPR Compliance Assessment Report	Report ID: 900085/0255290			
This form will report compliance with your permit as determined by an NRW officer					
Site	Land Off Heol Y Glyn		Permit Ref	900085	
Operator/ Permit holder	Cuddy Demolition And Dismantling Limited				
Date	18/12/2015		Time in	14:45	Out 15:15
What parts of the permit were assessed	Site operations				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge
Recipient's name/position	Leighton Hughes - Technical Competent Person				
Officer's name	Gareth M Davies		Date issued	06/01/2016	

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	C3	1.1.1
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	NA	
	2. Land & Groundwater	NA	
	3. Surface water	NA	
	4. Sewer	NA	
	5. Waste	NA	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	C3	3.1.1
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	2	Total compliance score (see section 5 for scoring scheme)	8
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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.

Present

Gareth Davies - Senior Environment Officer, Natural Resources Wales

The purpose of the inspection was in response to an incident received of mud and debris getting onto the A4109 from operations being carried out by Cuddy Demolition & Dismantling Limited at Land of heol Y Glyn.

On the road from the traffic lights on the A4109 from Glynneath there was mud on the road. There were also 2 road sweepers operating. I parked up on site and spoke to one of the machinery operators who explained that one of the drivers of the road sweepers was the site foreman.

There was a large amount of mud across the site due to the rainfall that has fallen in recent weeks. This is evident in the photographs below.



I spoke to Alan who was driving one of the road sweepers and explained that I had attended due to a report of mud and debris getting on the A4109. I explained that the mud and debris should be prevented from getting onto the highway rather than cleaning it up after it got onto the highway. Alan was aware that a tarmac road was due to be constructed, but wasn't sure when it was likely to be constructed. Alan explained that Darren Evans would have more information.

The photographs below show the mud and debris that had got onto the highway. This has the potential to enter the highway drainage and subsequently enter the nearby watercourse.



This is a breach of condition 3.1.1 in that the mud and debris is an emission not controlled by emissions limits causing a pollution. Appropriate measures were not being taken to prevent the mud and debris from getting onto the highway. This has been scored a C3 under F5 Amenity - Deposits on road.

This is also a breach of condition 1.1.1 in that the written management system has failed to minimise the risk of pollution from occurring on site. This has been scored a C3 under C2 General Management - Management system & operating procedures.

Under Condition 3.1.2 a) the operator shall if notified by Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales for approval within the period specified an emissions management plan.

Cuddy Demolition & Dismantling Limited shall submit an emissions management plan to Natural Resources Wales for approval within a timescale to be agreed by 15 January 2016. The emissions management plan should include the steps and actions that are going to be taken to prevent mud and debris from getting on to the highway.

Condition 4.2.2 - There are currently no records of waste returns having been received for waste accepted on site. Please ensure that waste returns are submitted for all quarters that waste is accepted on site.

This Compliance Assessment Report has been sent via e-mail to Leighton Hughes as the technically competent person nominated for the operations at Heol Y Glyn. It has also been copied to Darren Evans and Meyrick Williams who have previously been involved with the site.

END

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Operator/ Permit	Cuddy Demolition And Dismantling Limited	Date 18/12/2015

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			
C2	C3	An emissions management plan shall be submitted to Natural Resources Wales for approval. A timescales for submission of an emissions management plans shall be agreed by 15 January 2016.	15/01/2016
F5	C3	An emissions management plan shall be submitted to Natural Resources Wales for approval. A timescales for submission of an emissions management plans shall be agreed by 15 January 2016.	15/01/2016

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.