

	EPR Compliance Assessment Report	Report ID: 34157/0241745			
This form will report compliance with your permit as determined by an NRW officer					
Site	G Davies Skip Hire		Permit Ref	34157	
Operator/ Permit holder	Davies Glenville				
Date	15/06/2015		Time in	10:00	Out 12:00
What parts of the permit were assessed	Noise				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Mark Davies, TCM				
Officer's name	Eleanor L Davies, Nick Jenkins		Date issued	18/06/2015	

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	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	C3	2.3.1 Schedule 1 Table 2.1
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	NA	
	5. Waste	NA	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Attended site for meeting regarding production of noise management plan. NRW Officers Eleanor Davies and Nick Jenkins met with Mark Davies, Andrea Davies (Davies Skips) and Dan Simons (ExCAL). Also present was Glenville Davies but he was not present for all of the meeting.

Review of Noise Impacts

We discussed the information that required updating in Excal's Noise Monitoring and Assessment Report and what we wish to see within the Noise Management Plan. Please see below for further information as per email sent on 1/6/15.

We were pleased to see that efforts have been made to reduce the impact of the noise being generated from site but it was clear that work has been completed without formal consideration of acoustic engineering and whether the work complies with planning or health and safety regulations, therefore we recommend that where appropriate the relevant authorities are informed of the work

A housing unit has been built around the generator (photos 1, 3 and 4) lined with insulation and the same material has been added to the boundary wall and an angled top has been placed at top of boundary wall to deflect sound back into site (photo 2 and 5). The insulation material had been salvaged from a housing development and its primary use is in heat insulation rather than sound absorption.



Photo 1



Photo 2

It was noted that there are some gaps in the insulating material in the housing around the generator (photos 1, 3 and 4) and sound was escaping from these areas particularly around the door. Unless they are for ventilation it would be advisable to cover these gaps to further reduce the sound being generated.



The operator explained that the trommel mesh was being replaced and in addition, to reduce the sound produced by the machinery, the fins on the inside would be removed to reduce the amount of waste that is picked up and dropped within the machine. While this maintenance is taking place the angled top along the boundary wall will be extended in an attempt to contain more of the sound generated from the trommel within the site boundary. There are likely to be issues around the operation of the trommel and its proximity to the boundary particularly with the proposal to extend the angled boundary wall toward the entrance of the site.



A subjective sound assessment was undertaken, adjacent to the generator housing and outside the site boundary close to Excal's N1 monitoring point and it was the opinion of the officers that the sound level have been reduced, however a further sound assessment needs to be carried out in order to validate the effectiveness of the works. Excal confirmed that this will take place once the boundary wall has been extended and the proposed work on the trommel has been completed. NRW stressed the requirement to ensure that same monitoring points are used and that the conditions are similar when undertaking the validation monitoring exercise.

NRW will review Excal's report once submitted and if necessary will request further action if Rating levels have not been reduced to where the impact has been significantly reduced. NRW may also consider undertaking its own monitoring in addition to Excal's assessment to compare the sound levels with our initial monitoring carried out in December 2014.

The noise management plan should reflect these changes made on site.

Email sent /01/06/15

Noise Management Plan

The noise management plan is insufficient and we would advise that it is redone with reference to our [H3 horizontal guidance for noise](#) - specifically Appendix 4. The NMP should be a working document explaining what actions are to be taken to prevent / minimise the impact of noise on sensitive receptors taking into consideration the Source-Pathway-Receptor relationship. Following assessment of all the available options (which does not need to be included in the NMP but should be available) the NMP should discuss not only the physical barriers but also any other available methods of noise reduction such as ensuring sufficient staff training, specific hours of use for certain machinery, ensuring material is loads into machines from a low height etc. With regards to physical barriers – the exact specifications on materials and dimensions should be provided. Information should also be provided on what monitoring will be carried out to ensure that the noise reduction measures are sufficient and if not what actions should be taken to rectify the situation. It should also include steps to be taken should further noise complaints be received.

In essence the NMP should be a working document that explains exactly what actions are to be taken to reduce the impact of noise from site on sensitive receptors, how their efficiency will be monitored and what steps will be taken should they prove insufficient.

Review of Noise Monitoring and Assessment Report

*Monitoring Point 2 – what was the rationale for choosing this point - Is the adjacent industrial estate a sensitive receptor? It may be worth considering whether this point should be included in the report, particularly due to concern regarding the calibration of the meter.

*Please forward a copy of the calibration certificate for SLM ref CR.831B.

*Excal state in section 3.1 that 'machinery [was] turned off to determine the residual sound level at these locations'. The Background level you suggested is significantly higher than NRW's findings – Excal has suggested why this could be i.e. traffic – please could you clarify what the sound was like during the background measurements and whether the site was operational apart from the 'machinery'.

*The background level at N2 was 5dB lower than the Residual noise which suggests that the sound at this point was reasonably constant. Again, what was the sound like at this location and was there a noticeable influence from the adjacent units?

*NRW disagree with your background level of 52dB and suggest that it would be more representative to be 50dB but by measuring for longer would provide better confidence that the level is representative.

*In section 3.3 Excal provide the formula for calculating the correction between ambient and residual. Excal state that the formula is not appropriate for use. The formula is merely a tool for assessing the difference. When the difference between ambient and residual levels is less than 3dB then the standard tells the assessor to look at alternative methods.

*In section 3.3.2 Excal advised that the crusher showed no signs of impulsivity therefore no penalty has been applied however, Excal do not mention the loading of the trommel as discussed in the conclusion i.e. drop zone as the predominant noise source for this piece of equipment. Did Excal assess for impulsivity from the trommel also? Graph 8 is the sound measurement at N3 trommel. What do the peaks in the graph represent and do they constitute impulsivity thus attracting a penalty?

*In section 3.5, Excal state that because the difference between the Rating level of the trommel and the Background level is large, that uncertainty doesn't have any significance. This is not right as dropping the Rating level by around 2dB would mean that the outcome is adverse effect rather than significant adverse effect.

*In the conclusion, Excal's penultimate paragraph states that ...'impact the trommel is having on the background'. This is not correct as it is the impact the trommel is having on the *ambient noise levels*.

*In the graphs it would have been beneficial to have L90 levels and see how these fluctuate across the whole monitoring period. For example in Graph 1, an indication of the noise levels prior to the start of the monitoring and following the end of the period would hopefully show the change in site operations.

*Graphs 3 and 7 need further explanation as the pattern of LAeqs are different to the previous graphs.

Any other business

It was noted that there were a number of fridge / freezers on site. Unless it can be proven otherwise, fridge / freezers are deemed hazardous WEEE and fall under the EWC code 20 01 23* - discarded equipment containing chlorofluorocarbons. You are not permitted to accept hazardous waste on site (Condition 2.3.1, Schedule 1, Table S1.2), however as they were being stored on the impermeable pavement away from moving machinery the likely environmental impact is low. CCS Score C3. Please ensure that these fridges / freezers are removed from site as soon as possible, accompanied by the appropriate duty of care paperwork and that no further fridges are accepted on site.

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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			
C3	C3	Please ensure that fridges / freezers are removed from site as soon as possible, accompanied by the appropriate duty of care paperwork and that no further fridges are accepted on site	16/07/15
F2	N/A	Please ensure that Noise management Plan is produced for site and that further noise assessment is carried out to assess reduction in noise caused by mitigating actions taken.	16/07/15

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.