

	EPR Compliance Assessment Report	Report ID: 103384/0254162			
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	08/12/2015	Time in	11:10	Out	12:35
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 / Kayleigh Burnham				
Officer's name	Rhys Ellis, Rachel Twiss		Date issued	21/12/2015	

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	2.4.1
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	C3	2.3
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C3	1.1.1
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	C3	1.1.1
d) Incident management	1. Site security	C3	1.1.1
	2. Accident, emergency & incident planning	A	
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	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	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	5	Total compliance score (see section 5 for scoring scheme)	20
-----------------------------	---	--	----

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.

Environment Officer Rhys Ellis and Rachel Twiss from Natural Resources Wales visited site where we met Brendan Furness. Kayleigh Burnham (Director) was unable to meet us on site today.

The purpose of today's visit was to check compliance against the permit conditions and checking progress in relation to the unprocessed mixed waste stored at the rear of the building on site which was covered by the expired Regulation 36 EPR 2010 notice served on TJ Skip Hire Ltd on the 20th March 2015.

It was noted today that the operator has moved the site office to the grassed area (where the old caravan used to be). This has made a difference and the site does look tidier.

C4 – Storage, Handling, Labelling and segregation.

Although it was noted during our last visit that a small section of the mixed waste leading right to the back of the hanger had been moved, it was evident that apart from some waste material removed from the top right hand side of the pile, the majority of the waste required to be treated and removed off site under the expired notice still remained on site. Environment Officer asked Brendan Furness to estimate the amount that has been removed and an estimation of between 5 – 10 % was given.

As previously highlighted to the operator failure to comply with an enforcement notice is an offence and will lead to further enforcement action.

Due to the fact that the site is not following the environmental management system due to the amount of time that the mixed waste has been stored on site a breach of condition 1.1.1 of the permit is noted, scored as a category 3 under sub criteria C4.

CODE B ref 0022 was issued to Brendan Furness during the visit.

This breach has been scored as a Category 3 score under sub-criteria C4.

B3- Site drainage engineering (clean and foul)

It was noted that skips containing mix waste were stored outside within the permitted area. These were stored in enclosed skips.

The enclosed skips must be secure and locked and undamaged and must be stored **within an impermeable sealed drainage**. From observations noted on site today I am doubtful if the area benefits from a sealed drainage system. For this reason the operator still breaches the above condition.

Permit condition 2.3 operating techniques stipulates that :

- a) all bulking, transfer, or treatment of waste shall be carried out inside a building

b) all waste shall be stored in a building or within a **secure container**

c) **all waste shall be stored and treated on an impermeable surface with sealed drainage system**

This breach has been scored as a Category 3 score under sub-criteria B3.

A1- Permitted activities

Only one skip containing waste was stored outside the permitted area today. This skip contained some cardboard. The operator advised that this skip is used for blocking site entrance during out of hours – however if this skip is used as a site security measure it must not contain any waste material.

Permit condition 2.4.1 stipulates 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. Please note that this issue has been previously raised although it has been acknowledged that the situation today was much better than previous visits.

D1 Site security

There was no site security around the skips containing mixed waste and the skips containing rubble stored outside within the permitted area.

Although condition 2.3.2 of your EMS stipulates that the site is bounded to the specification shown in drawing NO.TJS/002/A, comprising of steel mesh and fencing to the height of 2 metres, exterior walls topped with 3 strand – wire, there is no reference in the EMS to fencing around the skips stored outside.

Natural Resources Wales have previously requested in CAR forms for the operator to explain why this is not the case and for a response detailing how the operator intent to overcome this issue. Security is of concern particularly as the area experiences fly tipping problems and the site has experienced unauthorised entry to site. Permit condition 1.1.1 of the permit stipulates that The operator shall manage and operate the activities in accordance with a written management system.

Natural Resources Wales believe that your EMS is not adequate in dealing with site security and ensuring that operations on site are secure.

Action - Operator must update EMS and implement measure to ensure that all skips containing waste stored outside are secure and with perimeter fencing to prevent unauthorised access . Please note that any skips containing waste stored outside must meet the relevant permit requirements as discussed in B3 above.

This breach has been scored as a Category 3 score under sub-criteria D1.

C1.- Staff competency and Training.

Amongst some of the root causes for today's breaches are that relevant site personnel have not complied and not fully aware of both management system and permit conditions. (Site Security, Skips stored outside permitted area and skips containing non specified waste stored outside.

Permit condition 1.1.1 stipulates that the operator shall manage and operate the activities using sufficient competent persons and resource. It is evident that staff on site are not fully aware of permit conditions i.e. lack of understanding that storing skips outside the permitted area, storing non specified

waste in skips outside and depositing mixed waste outside a building would be a breach of permit condition.

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

Other observations

Site roofing

The condition of the building was discussed during the visit. There appears to be damage to the roofing and general signs of lack of maintenance. Some of the skylights were either damaged or missing, this resulting in a pathway for rainwater to enter the building which eventually could lead to breaches of permit conditions. The idea of raising this issue with your landowner was discussed during the visit.

Green waste

Green waste was also stored in a skip outside – This was covered by a tarpaulin and the operator stressed that the reason why this was stored outside was due to a problem with the haulier. Please arrange the removal of this off site with immediate effect as this material is not stored within a secure skip and also does not benefit from a sealed drainage and is stored outside.

Residual Waste

There still appeared to be a substantial pile of residual waste on site. Operator did advise that 2 recent artic loads of residual waste has been removed off site and that the receiver (Tudor Griffiths) site are currently unable to accept material due to a breakdown.

Carpet waste.

There also appeared to be still a substantial amount of carpet waste on site as seen in the photograph below. The operator advised that there is approximately 40 tonnes stored inside.

Wood waste

There appears to be a concerning level of wood waste stored on site. Brendan Furness advised that he is finding it hard to find an outlet for the wood. He did however advise that he is process of completing a contract with an outlet. It was agreed that Brendan Furness would contact Natural Resources Wales when they get the go ahead to cart wood waste to this location. It was also agreed that site would contact Natural Resources Wales when they begin carting wood off site.





Inert skips stored outside.
(although

Enclosed skips containing mixed waste and carpet
one damaged)



Enclosed skips containing mixed waste



Substantial amount of waste wood stored on site

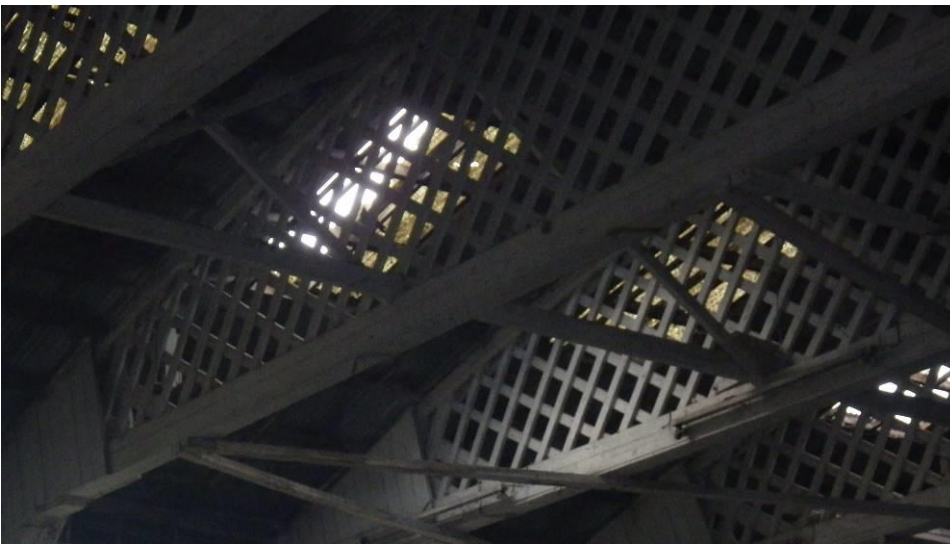




Mixed waste required to processed and removed off site



Substantial amount of carpet waste on site



Damage to roofing on site



Substantial amount of carpet waste on site



New location of the office building.

Natural Resources Wales' means the Natural Resources Body for Wales established in Article 3 of the Natural Resources Body for Wales (Establishment) order 2012

	EPR Compliance Assessment Report	Report ID: 103384/0254162	
This form will report compliance with your permit as determined by an NRW officer			
Site	T J's Skip Hire Ltd	Permit	103384
Operator/ Permit	T J's Skip Hire Ltd	Date	08/12/2015

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

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	Empty skip containing waste stored on unpermitted boundary. Only store empty skips on non-permitted area	immediately
B3	C3	If area does not benefit from sealed drainage system , operator should stop storing skips containing non specified waste (even if enclosed)	immediately
C1	C3	Relevant staff to be fully aware of permit conditions.	immediately
C4	C3	Treat and remove from site all unprocessed mixed waste stored at rear of building	immediately
D1	C3	Improve EMS to reflect adequate security measures for waste stored in skips outside and undertake necessary infrastructure works. Please provide written response detailing timescales for this action no later than 20th January 2015.	20/01/2016

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.