

Compliance Assessment Report

Report ID:
CAR_NRW0026795

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

Site	T J's Skip Hire Ltd	Permit Ref	CB3233AV		
Operator/Permit holder	T J's Skip Hire Ltd				
Regime	Waste Operations				
Date of assessment	16/12/2016	Time in	10:00	Out	10:15
Assessment type	Site Inspection				
Parts of the permit assessed	2.3, 2.4				
Lead officer's name	Haider, Mefty				
Accompanied by	Briscoe, Ross				
Recipient's name/position	Brendan Furness/ Director	Date issued	09/01/2017		

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	C3	2.4.1
C2 - General Management - Management system and operating procedures	C3	1.1.1, 2.3.1, 2.4.1, EMS 2.8.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.4.1. EMS 2.8.1
D1 - Incident Management - Site security	C3	1.1.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	16
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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

A routine site inspection was carried out. At the time of the inspection the site was closed and non-operational. During the inspection the following non-compliance with permit conditions were observed.

Non-compliance with permit condition

A1) Specified by permit - Permit condition 2.4.1

Permit condition 2.4.1 briefly states that activities shall not extend beyond the site. Site is in breach of this permit condition as a number of skips containing various waste types are stored outside of the permitted area.

Site has received a CCS score 3 for this non-compliance with permit condition.

C2) Management system and operating procedures - Permit condition 1.1.1, 2.3.1, 2.4.1. EMS 2.8.1

Management system and operating procedures either inadequate or not being followed, leading to breach of permit conditions. This is because:

- A number of insecure skip containers containing general waste has been stored outside and not within a building.
- A number of skips containing waste stored outside of the permitted areas.
- Site is not secure as the permitted areas do not benefit from boundary fencing.

Site has received a CCS score 3 for this non-compliance with permit condition.

C4) Storage, handling, labelling and segregation - Permit condition 2.4.1, EMS 2.8.1

Waste not being stored on site in compliance with both permit and EMS conditions. The reasons being operator is storing waste within skips outside of the permitted areas in breach of permit condition 2.4.1 and EMS condition 2.8.1.

Site has received a CCS score 3 for this non-compliance with permit condition.

D1) Site security - Permit condition 1.1.1

Not all permitted areas currently benefit from security fencing and insecure and open to abuse (e.g. fly-tipping, vandalism etc.). Please ensure all permitted areas benefit from adequate security at all times. Site EMS not adequate as it does not identify and minimises all potential risks of pollutions etc.

Site has received a CCS score 3 for this non-compliance with permit condition.

General comment

Non-compliance with permit condition is an offence and Natural Resources Wales may take enforcement action against offenders. Operator is benefitting from unfair business advantage by extending permitted operation beyond the permitted area by storing skips containing waste outside of the permitted area. As the site is currently non-operational, such inappropriate and non-compliant storage of waste will likely to encourage other illegal waste activities such as fly-tipping by third parties. The issues with fly-tipping, vandalism etc., are likely to be exacerbated due to site being insecure. Please ensure waste is stored appropriately, in accordance with permit condition and within the permitted area at all times.

Should you need to discuss the findings of this report or any other permit related matters please contact the regulating officer Mefty Haider on 03000 653696.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.



EPR Compliance Assessment Report

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Operator/Permit holder	T J's Skip Hire Ltd	Date	16/12/2016

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.

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.

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			
A1	C3	Store all waste appropriately within the permitted area.	31/01/2017
C4	C3	Ensure all non-specified waste is stored inside a building or within secure containers.	31/01/2017
D1	C3	Ensure site is secure.	31/01/2017
C2	C3	Ensure waste is stored in compliance with both permit and EMS conditions, ensure permitted areas are secure.	31/01/2017

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.