

Compliance Assessment Report

Report ID:
CAR_NRW0020622

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

Site	Thorncliffe Building Supplies Limited	Permit Ref	JP3894FM		
Operator/Permit holder	Thorncliffe Building Supplies Ltd				
Regime	Waste Operations				
Date of assessment	27/05/2016	Time in	11:25	Out	11:50
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted Area				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by					
Recipient's name/position	Jim Morgan/ TCM	Date issued	08/06/2016		

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
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KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Met Steve Harper on site. No issues highlighted during the walk around site. The site appeared to be in good order.

During the walk around site we looked at some of the trommel fines, in particular the fines that are diverted for use in the inert aggregate processing.

I have looked into this issue since the inspection. The "WRAP Quality Protocol for Aggregates from Inert Waste" lists the acceptable inert waste input materials in Appendix C as referred to from section 2.3.1.

From information provided and as detailed in my last inspection form, the fines produced are separated into 19 12 09 (minerals), 19 12 12 (landfill waste), 19 12 10 (rdf waste), metals (17 04 07, 19 12 02 or 19 12 03) and finally some waste which has been categorised as inert and is added to other inert wastes to produce aggregate. This final waste type is currently the one of most concern as a visual inspection of it, prior to it being mixed with other inert waste on site, revealed it to be heavily contaminated with plastics and metals. I therefore do not consider this waste to be inert and believe that the most appropriate EWC code for it is 19 12 12. As this waste type is not listed in the aggregate quality protocol it should not be used in the manufacture of any non-waste aggregate.

There are a number of different acceptable inert waste input materials listed in the aggregate protocol, however, for waste from mechanical treatment of waste (chapter 19 list of waste codes) the only codes allowed are: 19 12 05 (glass) and 19 12 09 (minerals, for example sand, stones that do not contain contaminated concrete, bricks, tiles, sand, stone or gypsum from recovered plasterboard).

This concern was raised during an inspection undertaken in January 2014. You now need to decide how these fines will be dealt with. They must not be added to the inert wastes destined for the production of non-waste aggregates. **Please inform me by the 8th July of your intentions regarding these fines.**

Whilst looking into this matter I discovered that I could not find a copy of the "Factory Production Control" system/manual. This is the management system that you are required to have to help comply with the aggregate protocol. Please provide a copy of the FPC system so that I can ensure you are complying with the aggregate protocol. Failure to have this FPC management system would result in the aggregate you produce remaining as waste despite any testing done to it. **Please provide a copy of the Factory Production Control system by the 8th July 2016.**

If you have any questions please contact me.

EPR Compliance Assessment Report

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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.

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			

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.