

Compliance Assessment Report

Report ID:
CAR_NRW0000110

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	31/03/2016	Time in	10:00	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by	Briscoe, Ross					
Recipient's name/position	Jim Morgan / Tim Harper/ TCM	Date issued	03/06/2016			

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
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1 (table S1.1)

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Environment Officer Ross Briscoe and I visited site. Met both Steve Harper and Jim Morgan on site.

At the time of the inspection the site was very busy.

Breach

C4 - Storage, handling, labelling and segregation - Permit Condition 2.1.1 (table S1.1) - CCS Cat 3

Permit Condition 2.1.1 refers to schedule 1 table S1.1. Within this table it refers activities A1 and A2. For both activities it clearly refers to all waste being stored and treated on an impermeable surface with sealed drainage as a minimum. The only exception to this rule is inert waste, which can be stored on either hardstanding or on an impermeable surface with sealed drainage. During the inspection we observed the material in the photos below being stored on permeable ground/hardstanding. The waste material seemed to be a mixture of inerts, plastics, metals etc. We were informed that this waste material was not inert and needed to be reprocessed through the fines treatment plant. The site has recently installed a new part to the fines treatment plant and initially it was not doing what it should. As a result they have some fines on site that need reprocessing in order to ensure they are treated adequately.

As waste material that was not inert waste was being stored on the permeable hardstanding there is a breach of the permit and as a result it is regarded as a CCS Cat 3.

Our concern regarding the way in which this waste was being stored was raised during the site inspection and we were told that the waste would be moved or treated as soon as possible.



Other

We also looked at how the fines produced on site were dealt with. We were shown waste transfer notes that indicated that fines were sent off as:

19 12 09 - minerals(for example sand, stones). These are sent to TG Waste in Ellesmere for soil remediation

19 12 12 - other wastes (including mixtures of materials) from mechanical treatment of waste other than those mentioned in 19 12 11. These are sent to Llandulas Landfill.

19 12 10 - combustible waste (refuse derived fuel). These are sent off as rdf to various destinations. A list of destinations has been

provided in the past.

17 04 07 - mixed metals. These are sent to WH Challoners in Llay.

Any inert wastes that are produced as part of the fines treatment process are further treated with other inert waste on site to produce 6F2 aggregate.

From the information provided it is believed that the code that is used for the metals (17 04 07) is incorrect and that a 19 code would be a more appropriate description of the waste metal produced on site, i.e. 19 12 02 (ferrous metal) or 19 12 03 (non-ferrous metal)

Should any further issues be observed concerning the fines we shall be in contact. We are looking into how trommel fines are being dealt with across North Wales to ensure there is a consistent approach between operators.

Recent work to improve the transfer building that accepts much of the commercial waste has been completed. At the same time work was carried out to improve the drainage on site.

Despite the site being busy it appeared to be relatively well organised and relatively tidy. No other issues observed at the time of the inspection.

EPR Compliance Assessment Report

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Operator/Permit holder	Thorncliffe Building Supplies Ltd	Date	31/03/2016

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.

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			
C4	C3	Only inert waste can be stored and treated on hardstanding. All other wastes need to be stored on an impermeable surface with sealed drainage as a minimum.	16/05/2016

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 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.