

	EPR Compliance Assessment Report	Report ID: 37283/0216431			
This form will report compliance with your permit as determined by an NRW officer					
Site	Thornccliffe Building Supplies Limited		Permit Ref	37283	
Operator/ Permit holder	Thornccliffe Building Supplies Ltd				
Date	24/07/2014	Time in	13:15	Out	14:20
What parts of the permit were assessed	Part - see below				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Tim Harper				
Officer's name	Mefty Haider		Date issued	08/08/2014	

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	N	
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	C3	1.1.1a, WP 1.1.3
	3. Materials acceptance	C3	Table 1.1
	4. Storage handling, labelling, segregation	C3	Table 5.2 c)
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
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	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
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	3	Total compliance score (see section 5 for scoring scheme)	12
-----------------------------	---	--	----

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.

Site manager Jim Morgan and technically competent person for the site Steve Harper present on site. Site was notified of the reported incidents regarding odour from the site at the beginning. An accompanied site inspection with Steve Harper was carried out. During the inspection the following non-compliance with permit and working plan conditions were witnessed, which are detailed below:

C2/ Management - Management Systems & Operating Procedures (1.1.1, WP 1.1.3 - Operating procedures not being followed)

Permit condition 1.1.1a briefly states that waste management operations will be undertaken in accordance with the limitations in section 1.1 of the working plan. Working plan (version 3, 25 Feb 2005) condition 1.1.3 briefly states that mixed waste will be deposited inside the transfer buildings. Operator not following the agreed working plan as mixed waste was deposited and stored in the open for several days.

Site has received a CCS category 3 score for the non-compliance with working plan conditions.

C3/ Management - Materials Acceptance (Table 1.1 - maximum storage capacity 1100 tonnes)

Permit condition Table 1.1 states that maximum storage capacity (for waste) is 1100 tonnes within the permitted area. At the time of the visit regulating officer believes operator was in breach of this permit condition as the total waste stored on site was estimated to be greater than 1100 tonnes. Bulk of the waste appears to be untreated inert waste.

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

C4/ Management - Storage, Handling, Labelling & Segregation (permit condition Table 5.2 (c) Degradable waste deposited and stored outside)

Permit condition Table 5.2 c) briefly states that degradable wastes only permitted if stored in sealed containers; covered shelters or roofed areas or stored in bays. Site is in breach of this permit condition as degradable wastes were stored inappropriately (stored in the open).

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

It was explained to the regulating officer that the site was replacing the baling unit with a new, faster machine. Due to the upgrade site was unable to process waste and a backlog was created. As the transfer building became full some of the degradable waste was deposited and stored outside of the building, contrary to permit condition (Table 5.2 c.II) and WP condition 2.3.1. Waste been stored out in the open for at least four days and likely to be stored in that manner for another three days.

The upgrade/change of plant equipment was a planned operation and it should have been foreseen that there will be limited waste processing capabilities available on site. As such waste should have been diverted away from the site. When the transfer building became full no further waste should have been accepted on site. This incident was both foreseeable and avoidable.

Site is stockpiling inert waste at present, which will be used in the near future (estimated in four weeks time) for construction purposes when the operator carries out proposed extension of the site. The stockpiling of the inert waste is likely to be leading to the breach of permitted quantity of waste allowed on site.

Please inform us in the future of any potential issues that may lead to breach of permit conditions. This will allow us the opportunity to discuss and identify ways to resolve issues where possible.

Non-compliance with permit conditions are an offence and NRW may take further enforcement action against operator and or permit holder in the future if site continues to breach permit conditions.

Reported incidents

Site was investigated for reported odour incidents against the site. At the time of the visit the incidents could not be substantiated due to lack of evidence. Up until recently site was accepting food waste, which may have given rise to odour due to the nature of the waste and the recent hot weather. However, since Monday 21 August 2014 site has stopped accepting food waste.

Should you need to discuss the findings on this report or any other matters please contact Mefty Haider the regulating officer on 01248 484168.

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

	EPR Compliance Assessment Report	Report ID: 37283/0216431
This form will report compliance with your permit as determined by an NRW officer		
Site	Thorncliffe Building Supplies Limited	Permit 37283
Operator/ Permit	Thorncliffe Building Supplies Ltd	Date 24/07/2014

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.	X
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			
C2	C3	Please adhere to the agreed working plan at all times	Immediately
C3	C3	Ensure site is compliant with maximum storage capacity.	31/08/2014
C4	C3	Ensure mixed waste is removed from the open and stored appropriately.	27/07/2014

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.