

## Compliance Assessment Report

Report ID:  
CAR\_NRW0032375

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

Site	The Old Forge	Permit Ref	MB3333DG		
Operator/Permit holder	Jonathan Mark Rees				
Regime	Waste Operations				
Date of assessment	25/10/2017	Time in	10:00	Out	10:45
Assessment type	Report/Data Review				
Parts of the permit assessed	Condition 3.4.1 - Fire Prevention and Mitigation Plan				
Lead officer's name	Medcraft, Jodie				
Accompanied by					
Recipient's name/position	Jonathan Mark Rees/ Owner and Permit Holder	Date issued	01/11/2017		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
D2 - Incident Management - Accidents, emergency and incident planning	X	

**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	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

### **Present**

Jonathan Mark Rees – Owner and Permit Holder

Trevor Davies – Consultant to Jonathan Rees

Jodie Medcraft – Natural Resources Wales

Following a recent consultation, some amendments were made to several Standard Rule Sets. As an existing permit holder of SR2011 No. 2 – Metal Recycling Site, one of the amendments means you are now required to manage and operate your activities in accordance with a Fire Prevention and Mitigation Plan (FPMP). This comes into effect on the 1<sup>st</sup> November 2017.

A copy of the FPMP for the site was received by Natural Resources Wales on Friday 20<sup>th</sup> October 2016. Following review, *I am satisfied that the submitted document complies with the new condition and the site is operating in line with the new rule set by the required deadline of 1<sup>st</sup> November 2017.*

The purpose of the visit was to provide feedback in relation to the Fire Prevention and Mitigation Plan submitted by Rees Metals.

A brief walkaround the site was followed by a chat in the site office.

It was pleasing to see that there was no waste being stored on the impermeable pad and it was solely being used for the storage of empty skips.

Whilst improvements to tidy and reduce the amount of scrap metal being stored on the site have been made, it would be beneficial to further clear any excess waste being stored.

A discussion was had in relation to the submitted FPMP. I am happy that the document meets the required criteria, but offered a few suggestions on how it could be amended and improved. It was mutually agreed that a timescale of 3 months was appropriate, by which time the document would be amended and re-submitted to Natural Resources Wales. A copy of the FPMP with the amendments/improvements required has been provided to Jonathan Mark Rees and a copy included with this Compliance Assessment Report.

**Action – Please ensure all recommendations made by Natural Resources Wales in relation to the Fire Prevention and Mitigation Plan are implemented and the document re-submitted by Friday 23<sup>rd</sup> February 2018.**

*Many thanks for your time during my visit.*



## EPR Compliance Assessment Report

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Operator/Permit holder	Jonathan Mark Rees	Date	25/10/2017

### 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.

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.

### 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			
D2	X	Please ensure all recommendations made by Natural Resources Wales in relation to the Fire Prevention and Mitigation Plan are implemented and the document resubmitted to Natural Resources Wales.	23/02/2018

## 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 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 fifteen 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](mailto: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.