Cyfoeth Naturiol Cymru / Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37208/0240253

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

Site	Porthmadog Skip Hire			Permit Ref	37208		
Operator/ Permit holder	J Gaffey, P Gaffey & M Gaffey						
Date	15/05/2015			Time in	09:10	Out	09:50
What parts of the permit were assessed	see below						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Patricia Gaffey, Operator and Jayne Sutcliffe TCM						
Officer's name	Julie Hughes, Leon Wiliams			Date issued	01/06/2015		

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)	C3	2.1.3
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	**1.** Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	C3	1.2.1
	4. Storage handling, labelling, segregation	C2	1.1.1 table 1.1
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	A	
	3. Dust/fibres/particulates	C3	6.6.2
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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	NA	
	2. Energy	NA	

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	4	**Total compliance score** (see section 5 for scoring scheme)	43

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.

A routine visit took place at Porthmadog Skip Hire on the 15th May, 2015 by Regulating Officers Julie Hughes and Leon Williams. Weather at the time of the visit was dry.

Jayne Sutcliffe, TCM was present but unable to accompany Officers around site during the inspection.

OBSERVATIONS

Although there had been very little rain during the previous two weeks the haul road had pools of standing water and was muddy with clear signs of rutting from vehicles.

The metals skip next to the sheds was once again overflowing with metal being deposited on the ground.

'Clean' waste wood is stored next to the weigh bridge, this wood is said to be taken from the stockpile to the rear of the yard, however the wood to the rear of the site is of a poor quality and it has been exposed to the elements for over 12months and is wet and stained grey /black.

Skips containing plastic window frames were overflowing with their contents spilling on to the ground.

A number of skips containing plasterboard are still being stored on site, these have been noted on each inspection since January 2015 which exceeds the storage times set out in the permit.

Degradable waste spilling outside of the transfer building is still being deposited/stored on permeable ground. During the previous visit on the 26th March, 2015 some work had been done to move some of this waste to create access to the rear of the yard. Access is no longer possible as the stockpile of degradable waste again stretches across the yard, from the transfer building to the perimeter fence opposite the shed.

Inert waste has seen some movement of the waste off site, however more had been brought in. The inert waste exceeds the 110 tonnes and the 31 days storage period allowed in the permit.

A number of new skips had been brought onto site and deposited to the right of the entrance. It was noted that some of these skips contained wood. On returning to the Office Jayne Sutcliffe. TCM confirmed that the skips had been accepted since the last visit in March 2015. The acceptance of any wood or degradable waste onto site is a breach of the Regulation 37 Notice which was served on the 4th November, 2014.

The documentation relating to the monitoring of the wood temperature was requested. Jayne was only able to provide documentation for December 2014, January, 2015 and February 2015 with the most recent temperature recordings not on site as Jayne had taken them home. Jayne was asked if there was a temperature trigger point for action to be taken regarding the potential of the wood to catch fire, this information was not known. It is not possible to accurately monitor the stockpile of wood due to the size and volume of material on site, access to the back of the woodpile is not possible.

The public footpath running alongside the site was inspected and found to have a number of pieces of wood and litter along it which had fallen from the site. The quantity of waste pressing on the perimeter fence is having an adverse effect on the fence with sections bowing under the weight.

The above observations have resulted in the following permit breaches being recorded:

B3 Site drainage engineering – CCS3 breach of permit condition 2.1.3

Areas of deep rutting, mud and standing water observed on large areas of the site. Breach of permit condition 2.1.3 – the area of hard standing shall be constructed of granular material (eg crushed aggregate, road planning or other similar material)

such as the work surface shall:

- Remain even
- Not be subject to rutting by vehicles even when wet
- Have enough durability to allow cleaning for example by scraping
- Remain free of standing water.

C3 Materials acceptance – CCS3 breach of table 1.2.1
Combined total weight of waste brought onto site in any one year shall not exceed <5000. The total amount of waste stored on site far exceeds this total amount.
C4 Storage, segregation and labelling – CCS2 beach of the following permit conditions:
1.1.1 Table 1.1 physical treatment - separation and sorting of wastes. Degradable waste continues to be stored on permeable ground outside of the transfer building. Table 1.1 states that storage of waste prior to treatment is to be stored within the transfer building marked on drawing PS/04 on an impermeable pavement provided in accordance with section 2.8 of the working plan or within sheeted skips stored on impermeable pavement with intercepted drainage.

1.1.1 Table 1.1 Keeping – storage prior to disposal. Your permit states that no more than 41 tonnes of degradable waste shall be stored at any one time and that no more than 110 tonnes of inert waste shall be stored at any one time. Quantities of waste stored on site exceeds that allowed in the permit. The permit also specifies time limits for the storage of waste on site which again is being breached by some considerable time, in some instances by up to one year:

- Inert waste shall not be stored for more than 31 days
- Unsorted waste shall not be stored for more than 5 days
- Non-inert waste shall not be stored longer than 7 days from the day of first entry onto site.

A number of skips has been brought onto site and photographed on the 26th March, 2015 these were still awaiting to be sorted which breached the above conditions.
Plasterboard had been stored within skips since the 30th January 2015 if not before.
Inert waste has been stored on site for over 12 months.
All waste streams including wood, plastics and degradable waste had been stored on site since June 2014 if not sooner clearly breaching the above conditions.

F3 Amenity – Dust, Fibres particulates – CCS3 breach of permit condition 6.6.2
6.6.2 In the event that litter does escape from site, it shall be retrieved immediately. Wood and plastics had escaped from site onto the public footpath. Jayne Sutcliffe, TCM confirmed that the footpath had not been inspected for some weeks.

TCM was reminded that the Regulation 37 Notice was still in force and that Schedule 1 must be adhered to until the discharge of the notice.
It should also be noted that breaches of this notice have been recorded for the acceptance of wood onto site (on more than one occasion) and the failure to provide weekly updates on waste removed and accepted on to site until such time as the discharge of the notice. Information on the movement of waste has not been received since week ending the 19th February, 2015.

Photographs taken at time of viist are attched to this form.

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

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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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

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			
B3	C3	improvements to be carried out to all areas of hard standing to comply with permit condition 2.1.3	31/8/15
C3	C3	comply with Reg 37 notice until site is brought back in to regulatory control	N/A
C4	C2	comply with Regulation 37 notice until site is brought back in to regulatory control	N/A
F3	C3	carry out inspections of footpath and remove any litter	immediately

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.

Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015



Metals deposited on ground next to skip.

Mud on site and clear evidence of rutting caused by vehicles





Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015



'Clean' wood stored next to Weigh Bridge



Skips overflowing with contents falling onto permeable ground



Skips containing plasterboard have been on site since January 2015 if not sooner

Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015



Degradable waste sitting outside of the transfer building on permeable ground. Access to the rear of the site blocked

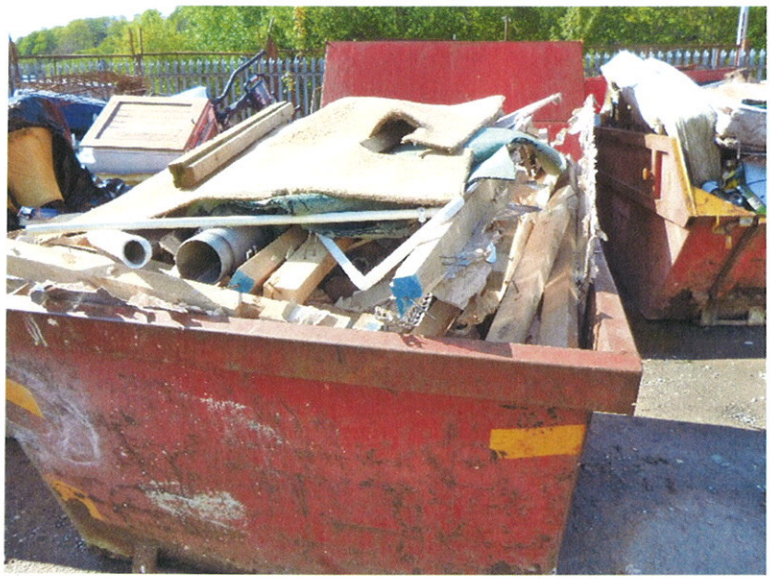
Inert waste stored on site exceeds tonnages and time period allowed on site



Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015

Skips brought onto site since 26th March, 2015 deposited to the right of the site entrance





Skips accepted containing wood



Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015



Litter/wood on public footpath





Perimeter fence sagging under weight of waste

Photographs Taken at Porthmadog Skip Hire
On 15th May, 2015



View of wood stockpile as seen from the Travel Lodge



