Compliance Assessment Report

Report ID: CAR_NRW0032500

This form will report compliance with your permit as determined by an NRW officer					
Site	Porthmadog Skip Hire	Permit Ref	VP3194FS		
Operator/Permit holder	J Gaffey, P Gaffey & M Gaffey				
Regime	Waste Operations				
Date of assessment	16/10/2017	Time in	14:00	Out	15:15
Assessment type	Site Inspection				
Parts of the permit assessed	see below				
Lead officer's name	Hughes, Julie				
Accompanied by	Williams, Leon,Clarke, Rachel				
Recipient's name/position	P Gaffey/ Operator	Date issued	24/11/2017		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.3
C4 - General Management - Storage, handling labelling and Segregation	C2	1.1.1

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	2	Total compliance score (see section 5 for scoring scheme)	35

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

A site visit took place on the 19th October, 2017. Present were Regulating Officer Julie Hughes, Environmental Crime Officers Rachel Clarke and Leon Williams.

Access on to the site was not possible as the gates were locked. Visually I could see that the some of the vehicles had moved on site with possibly one or two having been removed.

Waste appeared to be the same, however the main degradable waste pile stored outside of the transfer building has settled / degraded so that the top of the building can now be seen again.

Permit breaches previously recorded will again be logged as no waste had been removed from site.

B3 Infrastructure – site drainage Permit condition 2.1.3 category 3 breach

No works had been carried out to improve the surface of the site. Pools of mud and standing water could be seen. Permit condition 2.1.3 has been breached, this condition states that the area of hard standing should be constructed of granular material (e.g. crushed aggregates, road planning or other similar material) such that the work surface shall:

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

C4 General Management, storage, segregation and labelling – Category 2 breach of the following permit conditions:

There appeared to have been no movement of waste off site since September 2016, although a quantity of skips has been brought onto site before the business closed.

1. Table 1.1 physical treatment – separation and sorting of waste. Degradable waste has increased in quantity since September 2016 and continued to be stored on permeable ground exterior to the waste 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 working plan and Operating Procedure No04 of your Environmental Management System (EMS) or within sheeted skips stored on impermeable pavement with intercepted drainage.

1. Table 1.1 Keeping – storage prior to disposal. The 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 both of these wastes exceeds that allowed in the permit. The permit also specifies time limits for the storage of waste on site, this condition is being breached with some of the waste being stored and not being sorted on site for over 2 years.

- 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 for more than 7 days from the day they first enter onto site.

Further assessment of the site was not possible due access issues.

Please note that permit number EAWML 37208 (VP3194FS) and waste carriers licence number CBDU5339 have now been revoked.

Contact Details of Regulating Officer:

Julie Hughes
Environment Officer – Waste Regulation
Natural Resources Wales
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In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032500**

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Operator/Permit holder	J Gaffey, P Gaffey & M Gaffey	Date	16/10/2017

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.

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

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	C2	permit revoked	24/11/2017
B3	C3	permit revoked	24/11/2017

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. 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.