Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37208/0230349

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	10/12/2014			Time in	14:40	Out 15:30
What parts of the permit were assessed	see below					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Jayne Sutcliffe TCM and Tish Gaffey Operator					
Officer's name	Julie Hughes, Leon Williams			Date issued	29/01/2015	

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	N		
	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		Table 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	A		
	2. Noise	A		
	3. Dust/fibres/particulates	A		
	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	3	**Total compliance score** (see section 5 for scoring scheme)	39

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Site visit carried out on the 10th December, 2014. Officers present Julie Hughes and Leon Williams.

On this occasion the technically competent manager Jayne Sutcliffe and Patricia Gaffey Operator were not on site. Joseph (Joe) Gaffey, also a named Operator was in the site office.

Joe was unable to accompany the officers around the site as he was required to man the weighbridge from the office. Officers continued unaccompanied.

Observations:

The wood pile next to the weighbridge appeared larger than during the previous visit. Photographs were taken for comparison.

The wood located at the back of the site had now been on site for a number of months and was showing signs that it was rotting at the base and there was some vegetation growing in some areas of the wood pile.

There were 5 roll on roll off skips on site which contained wood. It was unclear if these were about to leave site.

The inert waste generally looked the same with the exception of one area which looked as if approximately one small to medium skip load had been removed. Photographs were taken for comparison.

The degradable waste remained outside of the transfer building on permeable ground. Some of the waste had now been in situ for 6 to 7 months if not longer.

The surface of the yard was still showing signs of rutting by vehicles with pools of mud and standing water in a number of areas.

Bales of plastic were not contained within skips as per requirement of the permit but were sitting on permeable ground.

Plasterboard was spilling out of overfilled skips on to the ground.

A number of skips were sited near the entrance. These contained a variety of contents and were waiting to be sorted.

The perimeter fence, running alongside of the footpath had been 'repaired' using a corrugated sheet and some barbed wire – see photograph. Further works will be required to the fence as sagging due to the weight of the waste contained within the site pressing against it.

There was no evidence of waste on the footpath during this visit.

The Operators were reminded that the second Regulation 36 Notice to reduce the amount of inert waste on site to bring back into regulatory control was still in effect and should be acted on by the 16th December, 2014.

You are also reminded that you must comply with the Schedule 2 – steps to remove the risk of serious pollution set out in the Regulation 37 Notice issued on the 4th November, 2014

The following Breaches have been recorded:

C4 Storage, segregation and labelling - The following has resulted in a CAT 2 breach.
1.1.1 Table 1.1 Physical Treatment – Separation and sorting of waste.
The deposit of waste (excluding scrap vehicles and scrap metals) for separation and sorting shall only take place within the transfer building

Degradable waste had been deposited and continued to sit outside the transfer building on permeable ground.

1.1.1 Table 1.1 Keeping – storage prior to treatment
Stored in transfer building on drawing PS/04 on impermeable pavement .... Or within sheeted skips stored on impermeable pavement with intercepted drainage.

Waste sitting on permeable ground outside of the transfer building and not on impermeable pavement or sheeted skips as specified in the permit.

In addition with the issue regarding the degradable waste some waste was seen not to be contained within skips namely plasterboard, metals and plastic wrapping.

1.1.1 Table 1.1 Keeping – storage prior to disposal.
No more than 41 tonnes of degradable waste shall be stored at any one time
No more than 110 tonnes of inert waste shall be stored at any one time
Inert waste shall not be stored longer than 31 days
Non inert waste shall not be stored for longer than 7 days from the day of first entry as mixed waste.

The inert and degradable waste had been on site since June 2014 if not sooner which breached the storage times specified in the permit. Also the quantity of inert and degradable waste exceeded that specified in the permit.

C3 Materials acceptance – CAT 3 breach.
Table 1.2.1
No waste other than those categorised in below, and listed in Appendix A of this licence shall be accepted. The quantities of waste accepted shall not exceed those listed below: Combined total of waste brought on to site <5000 tonnes per year

Total quantity of waste on site exceeds that allowed under the permit which stated that no more than 5000 tonnes per year should be accepted.

B3 Site drainage engineering – The following has resulted in a CAT 3 breach.
2 Site engineering for pollution prevention and control.
2.1.3 The area of hard standing shall be constructed of granular material (eg crushed aggregate, road planning or other similar material) such that the working surface:

- Shall remain even
- Shall not be subject to settlement or differential settlement
- Shall not be subject to rutting by vehicles even when wet
- Shall have enough durability to allow cleaning for example by scraping

- Shall remain free of standing water

The site continued to have large pools of standing water and mud with signs of rutting of the surface caused by vehicles entering and exciting the site.

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 2012

Photographs attached.

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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	carry out works to bring back to regulatory control	N/A
C3	C3	Comply with Notice	N/A
C4	C2	Comply with Notice	N/A

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 wh 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 on10th December, 2014





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