Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37208/0241984

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	08/06/2015			Time in	10:20	Out	11:10
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, Operaotr & Jayne Surcliffe TCM						
Officer's name	Julie Hughes, Leon Williams			Date issued	22/06/2015		

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	A	
	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	C3	6.2
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	C3	6.4
	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	C3	**7**
	3. Maintenance records	N	
	4. Reporting & notification	C4	**7.2.2**
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	7	**Total compliance score** (see section 5 for scoring scheme)	51.1

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 site visit took place on Monday 8th June, 2015. Weather at time of visit was dry and sunny. Attending Officers were Julie Hughes and Leon Williams.

Officer singed in on arrival and met Patricia (Tish) Gaffey Operator and Jayne Sutcliffe TCM. Jayne accompanied the officers on the site visit.

Observations

A skip containing wood waste was located next to the garage / ELV building. Jayne was unable to confirm when this skip had come on to site however it was not present during the previous visit on the 15th May, 2015.

Waste wood continued to be stored next to the weighbridge on permeable ground. The waste wood had increased in size.
Inert waste continued to be stored for longer than the 31 days allowed in the permit, with quantities exceeding the 110 tonnes allowed.

A number of plasterboard skips are being stored on site for longer than permitted. One skip had been overfilled with plasterboard falling on to the permeable ground all around the skip.

Plastic was being baled but there were no signs that this was being removed from site as the bales had been in situ the previous month.

The haul road was heavily rutted by vehicles, although the weather was dry, and had been for some days, there were still pools of standing water and deep mud on site. However, the areas near to the entrance of the site had dried out and showed evidence of deep rutting where the vehicles had been entering and leaving the site. The light breeze was causing dust clouds within the site.

The degradable waste continued to spill outside of the transfer building and was being stored on permeable ground. Most of this waste had now been on site for over 12 months. The degradable waste was attracting flies and there was some odour detectable due to the dry sunny weather.

There was some activity on site with the staff working in the transfer building stripping mattresses into their component parts.

Some of the wood waste stored to the rear of the site had been moved to create fire breaks. Jayne was asked if there was a written procedure regarding monitoring of the wood pile for heat, if there was trigger point before action needed to be taken, and what action would be taken by staff if there was any indication that the wood piles had rising temperatures in them. Jayne said that the site didn't have any written procedures and would look into getting some written up.

Some of the tyres stored to the rear of the site belonging to Snowdonia Recycling have now been moved to the front of the yard to await collection these were stored in a 40cu yard skip. There are still approximately 1,500 tyres stored on the concrete pad.

Mixed hard plastics stored to the rear of the site had recently had more plastic added to it. A small quantity of plastics were being baled however the plastic and the bales had been stored on site for some considerable time and exceeded the time allowed for storage within the permit.

The area of the site next to the main entrance contained skips awaiting to be sorted. Some of these skips had been observed during the previous visit on 15th May, 2015. The permit states that unsorted waste shall not be stored for more than 5 days. It was also noted that a number of these skips contained wood which was a breach of the Regulation 37 Notice.

On returning to the site office the breaches were discussed with the Operator, Tish Gaffey.

Officer requested to see the staff training records concerning the inspecting of the skips on collection to ensure that compliance with the Regulation 37 Notice. Jayne said that all training was done verbally, there were no records kept to show that this was carried out although there were forms within the EMS specifically for recording staff training.

The Environmental Management System (EMS) was requested which was made available. The EMS, written by the site or their representative to comply with their permit, contain documentation relating to site procedures and the forms to be completed. Form QA/3 Individual Training Record was shown to the TCM and Operator who confirmed that these are not being completed. Form QA/05 of the EMS is a Complaints Record Form, Julie Hughes asked if one of the forms had been completed following the complaint received from the Community Council – a form had not been completed. Form QA/08 load rejection form was shown from the EMS, these had not been completed for rejected loads. Form QA/04 Check list for Site Supervisor was discussed, this list is to be completed on a daily/weekly/when operational/or on an as and when basis of various activities on site which may have an impact such as dust, litter, odour, pests vermin etc. There ae no completed forms to show that these checks have been carried out. The non-completion of these forms are recorded as permit breaches.

On returning to NRW Offices checks made have shown that waste returns for October – December, 2014 and January – March 2015 have not been received. Waste returns need to be submitted electronically and I have enclosed the correct waste return forms with this Compliance Assessment Report form. Please submit your completed forms to waste.returns@cyfoethnaturiolcymru.gov.uk or Natural Resources Wales, Customer Care Centre, 29 Newport Rd, Cardiff, CF24 0TP.

Additionally, please use the permit EPR number **VP3194FS** not the EAWML number on the permit number tab and your facility type to be entered in box 2.2 is **A11 – Household, commercial & Industrial waste transfer station.**

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

B3 Infrastructure – Site drainage, engineering – **CCS3 breach of permit condition 2.1.3**
Areas of haul road with pools of standing water and mud, deep rutting of haul road by vehicles entering and exiting the site. Permit condition 2.1.3 has been breached, this condition states: the area of hard standing shall be constructed of granular material (eg crushed aggregates, road planning or other similar material) such that 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 General Management, 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.

C4 General Management, Storage, segregation and labelling – **CCS2 breach of the following permit conditions:**
1.1.1 Table 1.1 physical treatment – separation and sorting of waste. Degradable waste continues to be stored on permeable ground exterior 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 and Operating Procedure No 04 of your Environmental management System (EMS) or within sheeted skips stored on impermeable pavement with intercepted drainage.

1.1.1 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 12 months.

- 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 of first entry onto

site.

A number of skips had been brought onto site and photographs during previous visits these were still waiting to be sorted.
Plasterboard is being stored in skips which have been on site since the 30th January, 2015 if not before.
Inert waste has been on site for over 12 months
All waste streams including wood, plastics and degradable waste is being stored on site this has been in situ since June 2014 if not sooner.

F1 Amenity, Odour – **CCS3 breach of permit condition 6.2**
The degradable waste sitting outside of the transfer building had been on site for over 12 months and is likely to be degrading. Odours were detected in this area and is likelihood is that it will become worse during periods of dry sunny weather.

F4 Amenity, pests, birds and scavengers – **CCS3 breach of permit condition 6.4**
The degradable waste was attracting flies, these are likely to increase during fine weather, there is a potential for the flies to impact on neighbouring businesses such as the Travel Lodge which is located next to the site.

G2 Monitoring and records, maintenance and reporting – records of activity. Site diary, journal & events – **CCS3 breach of permit condition 7 (Site Records).**
No records were being kept of staff training, waste quarantine /rejection, complaints nor site inspections. Forms covering these activities had been produced within the EMS which was written in January 2014. The Operator and TCM were not aware that these forms were contained within the EMS.

G4 Monitoring and records, maintenance and reporting – Reporting and notification **CCS4 breach of permit condition 7.2.2**
The condition states that a summary of the information, including nil returns, shall be submitted to the Agency, in the format specified by the Agency in Annexe 1 to this licence. Summaries shall be for each quarter of the financial year and shall be submitted to the Agency one month of the end of each quarter.

NRW have no record of waste returns for October – December 2014 and January – March 2015 having been submitted. Reminders regarding the submission of waste returns have been highlighted previously.

The Operators are reminded that the Regulation 37 notice partially suspending your Permit was upheld by the Planning Inspectorate following the appeal. You are therefore reminded of the notices requirements to not accept wood and degradable waste, and to remove these waste types from site. Natural Resources Wales are considering further enforcement action for non-compliance with the notice.

Photographs taken during the site visit are attached 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	reduce combined total of waste on site to bring back to regulatory control	N/A
C4	C2	comply with regulation 37 notice	N/A
F1	C3	comply with regulation 37 notice	N/A
F4	C3	take action to eradicate infestation of flies	immediately
G2	C3	comply with requirements of permit and EMS	immediately
G4	C4	submit missing waste returns immediately and ensure that any future retunes are submitted to NRW one month following the end of the quarter.	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
Monday 8th June, 2015



Skip containing wood next to the garage/shed



Wood waste stored next to weighbridge

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Inert waste which has been on site longer than allowed in the permit



Waste in skips stored longer than allowed in the permit

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Baled plastic observed the previous month during a site visit.



Plasterboard on site longer than permitted in permit

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Haul road covered in mud and standing water with clear signs of rutting.



Areas of dry mud with deep rutting caused by vehicle movement.

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Degradable waste still sitting outside of the transfer building which has been in situ for over 12 months.



Signs of leachate coming from the degradable waste.

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Wood waste stored to the rear of the yard



Fire breaks have been created between some of the wood waste

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Containment of stored materials – plasterboard spilling out of overfilled skip



All areas of the wood waste can't be accessed to check for rising temperatures within the stacks

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015

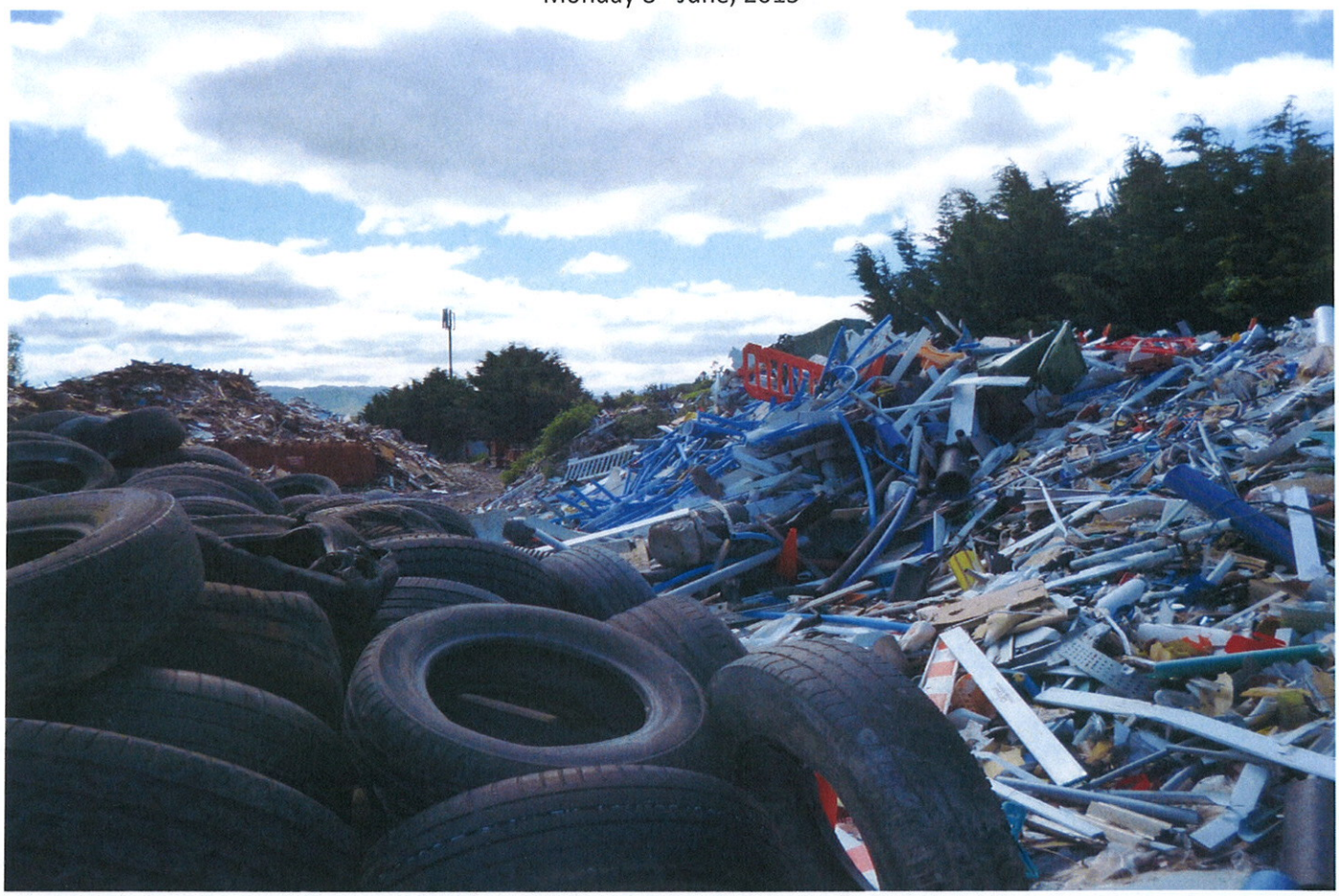


Wood waste is still sored against the perimeter fence that runs along a public footpath.



Plastic stored to the rear of the site

Photographs taken at Porthmadog Skip Hire
Monday 8th June, 2015



Tyres (belonging to Snowdonia Recycling), plastics and wood all stored within close proximity to each other.



Wood stored next to perimeter fence