

Compliance Assessment Report

Report ID:
CAR_NRW0026474

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

Site	Greenfield Recycling Park	Permit Ref	BP3298VK			
Operator/Permit holder	Flintshire County Council					
Regime	Waste Operations					
Date of assessment	22/09/2016	Time in	13:25	Out	13:55	
Assessment type	Site Inspection					
Parts of the permit assessed	Part only					
Lead officer's name	Hughes, Julie					
Accompanied by						
Recipient's name/position	Ruth Cartwright/ TCM	Date issued	14/10/2016			

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 site infrastructure, table 2.1
C1 - General Management - Staff competency/training	C3	1.4.4
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C4	6.3.1 Site Diary
	C4	6.3.2

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	4	Total compliance score (see section 5 for scoring scheme)	8.2
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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

A site inspection took place on Thursday 22nd September, 2016. Weather at time of visit was dry and sunny.

The TCM was not available to accompany the Regulating Officer Julie Hughes on the day.

The Regulating Officer was therefore accompanied by John Evans on the CA site and joined by Barry an Operative who works on the composting operation.

Observations

The site office

The daily inspection sheets had not been completed for Monday and Tuesday.

No record in diary as to when the TCM was last on site. John thought it may have been approximately 2 months ago.

No records available to show that the sump (composting area) is checked on a daily basis/ after heavy rainfall.

Documentation is removed from site on a weekly basis and sent to the Local Authority Alltami Office.

CA Site

The site was very busy during the visit. There were no issues noted within this area, all was clean and tidy and within skips as per requirement of the permit.

Composting Site

A large amount of green waste was waiting to be shredded. Barry informed me that the belt on the shredder was broken since the previous week and that it was waiting repair.

There was some standing water on the composting site next to the un-shredded green waste. The lid was off the sump and it could clearly be seen that the tank was full to the brim. Barry agreed to telephone the contractor immediately to empty the tank. There was no record that the sump was checked on a daily basis nor after heavy rainfall. There was a contract to empty the tank on a regular basis, but this did not take into account periods of heavy rain nor the daily checks required.

The above Observations have resulted in the following breaches being recorded

C1 Staff Competence and Training – Category 3 permit breach

1.4.4 Attendance of Technically Competent Persons – Attendance of the Technically Competent Person(s) at site shall be recorded in the site diary on arrival and departure

There was no record in the site diary as to when the TCM was last on site. Just to aid clarification of why they are being scored.

B3 Infrastructure – Site drainage engineering – category 3 permit breach

2 Site engineering – Table 2.1

d) Sealed drainage systems for the composting facility and areas for compost maturation

- i. The minimum capacity The sump or lagoon shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 90% of its capacity using a dipstick or equivalent gauge or in the case of a lagoon some other identifiable marker, ...
- ii. Inspections and emptying of the sealed sumps or lagoon shall be recorded in the site diary

The sump was full to the brim and had not been inspected.

G2 Monitoring and Records, Maintenance and reporting – Category 4 permit breach

6.3.1 Site Diary – A site diary shall be kept secure and shall be available for inspection at the site when

required by an authorised officer of the Agency. This shall include a record of the following events, in accordance with the other conditions of this licence:

- a. Construction work
- b. Maintenance
- c. Breakdowns
- d. Emergencies
- e. Problems with waste received and action taken
- f. Site inspections and consequent actions carried out by the operator
- g. Technically competent management attendance on site: the date and the time onto site and the time left site.
- h. Despatch of records to the Agency
- i. Severe weather conditions
- j. Complaints about site operations and action taken
- k. Environmental problems and remedial action

G2 Monitoring and Records, Maintenance and reporting – Category 4 permit breach

6.3.2 Each record shall be completed within 24 hours of the relevant event.

Records relating to the sump and the attendance of the TCM were not logged in the site diary as is the requirement of the Permit. The site daily inspections had not been carried out and completed for the earlier part of the week

Advice & Guidance

Recently there have been a number of changes to the Technically Competent Persons on site and it is only by chance that the Regulating Officer has discovered that these changes have taken place. Please note that **Section 1.5** of the permit states that you must notify any changes of technically competent person to NRW in writing within 5 days of the change of Management.

Green waste Table 1.1 ii) a maximum weight of 100 tonnes shall be stored on site prior to composting. Unless managed as agreed in the working plan section 4.3 and 4.4 to a maximum storage weight of 400 tonnes. (Also see section 4.3.2 of the working plan.)

Please Note:

The CAR form issued on the 20th January, 2016 showed permit breaches in relation to standing water and the sump being full. The requirement for daily inspections and the recording of the information was also highlighted. Failure to comply with this permit condition again during this visit has resulted in a site

WARNING being issued.

Regulating Officer's contact details

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Environment Officer – Waste Regulation

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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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026474**

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

Site	Greenfield Recycling Park	Permit Ref	BP3298VK
Operator/Permit holder	Flintshire County Council	Date	22/09/2016

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.

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.

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			
G2	C4	staff training - please ensure that staff are conversant with section 6.3.1 of permit conditions	31/10/2016
G2	C4	ensure staff are trained in the requirements of permit condition 6.3.2	31/10/2016
B3	C3	ensure staff training is improved to ensure that checks are made and recorded regarding the inspection and emptying of the sump	31/10/2016
C1	C3	TCM to ensure that all attendances at site are recorded in site diary as specified in permit	31/10/2016

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.