

	EPR Compliance Assessment Report	Report ID: 100343/0253348			
This form will report compliance with your permit as determined by an NRW officer					
Site	Hafod Yard		Permit Ref	100343	
Operator/ Permit holder	Enviroclear Site Services Limited				
Date	27/11/2015		Time in	11:20	Out 13:20
What parts of the permit were assessed	Permitted Area				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge
Recipient's name/position	Arthur Imrie				
Officer's name	Andrew Sowerby		Date issued	03/12/2015	

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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	C3	2.1.1
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	C4	2.2.1
	4. Storage handling, labelling, segregation	C3	1.1.1
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	N	
	5. Waste	NA	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	N	
	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)	8.1
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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.

Comments

The visit to site was not pre-arranged. The initial part of the inspection was unaccompanied. Approximately 15 minutes after arrival Arthur Imrie arrived on site. The weather was dry though there had been significant rainfall earlier in the day.

Breach

B3 - Infrastructure - Site drainage engineering (clean & foul) - Permit condition 2.1.1 - Cat 3

Permit Condition 2.1.1 refers to schedule 2, table 2.1. Within this table it states that "non-hazardous wastes must be kept in a building or within a secure container or in bays with an impermeable surface and a sealed drainage system". It also states that "hazardous and non-hazardous waste must be kept on an impermeable surface with sealed drainage". Only inert wastes are allowed to be stored on hardstanding.

During the inspection it was observed that some waste types were not being stored either in a building, within a secure container or on an impermeable surface with sealed drainage. These waste types included used/potentially contaminated containers, large WEEE including some fridge/freezers and general mixed waste (see below photos 1 to 3). As a result of this a Cat 3 CCS breach has been applied on this occasion. All hazardous and non hazardous wastes should be stored in the appropriate areas by the 15th January 2016.



Photo 1



Photo 2



Photo 3

A trial is currently being run to determine how versatile a resinous covering on the permeable ground will be. This resinous covering creates an impermeable surface that it is hoped will be an alternative to concreting the yard. Should this resin be successful then more of the yard will be covered. The trial is supposed to last 6 months. This trial period is now ending. During this inspection it was noticed that the treated surface had been damaged in a couple of places and that the original permeable surface was exposed. It was indicated on site that there are plans to trial another substance to see if this will be better. No waste was being stored on this impermeable surface at the time of the inspection.

C3 - General management - materials acceptance - permit condition 2.2.1 - Cat 4

Permit Condition 2.2.1 refers to schedule 2, table 2.2, which lists all the waste types that can be accepted onto site. During the inspection a large skip was observed to contain what looked to be silage (see below photo 4). I have reviewed the waste types listed in your permit and silage does not seem to be a waste type you are permitted to accept. As this waste is all contained within a large skip it is considered to be a Cat 4 breach on this occasion. Please ensure this waste is removed from site by the 15th January 2016 and not accepted again.

PTO



Photo 4

C4 - General Management - Storage handling, labelling, segregation - Permit Condition 1.1.1 - Cat 3

Permit Condition 1.1.1 refers to your Environment Management System (EMS). Section 2.8.4 of your EMS states "All wastes accepted at the site which have potential to pollute will be stored and treated on an impermeable surface with contained drainage system" and Section 5.3.2 states that "any wastes which would be classified as having the potential to cause polluting runoff are stored within the waste storage and processing buildings which have concrete hardstanding and sealed drainage."

During the inspection it was observed that a section of the yard was covered with the remains of what I was informed were burnt wood shavings (Photos 5 and 6 below). The runoff from this area appeared to be black in colour and had drained into the sites drainage system. I was informed on site that the drainage includes a silt trap and an interceptor before finally going to soakaway. I do not believe that this arrangement will treat the runoff to a degree whereby any discharge to the soakaway will comply with the limits set out in the environmental permit to discharge CG0411501. A silt trap would take out the larger suspended solids and the interceptor would remove any oils or grease in any runoff but the arrangement is unlikely to remove any further polluting substances or smaller suspended solids in the runoff. As a result this issue must be considered to be a CCS Cat 3 breach. The area where these burnt wood shavings are stored needs to be cleaned up as soon as possible and any further wastes that have the potential to cause polluting runoff should be stored within the waste storage and processing buildings or if there is no room in a manner whereby this runoff will be contained or limited.



Photo 5



Photo 6

PTO

Other

Wood and Green Waste

A T6 exemption is currently registered for the site which allows you to store waste wood and plant matter on site as long as the intention is to treat it in the manner detailed within the exemption. There is also a S2 exemption registered which allows you to store up to 100 tonnes of waste wood on site. During my next visit to site I will ask you to confirm to me whether waste wood on site is being stored under your permit or under an exemption.

Should waste wood be stored under the exemption then this will mean that the part of your permit that allows for the storage of the wood types listed in the exemption is no longer valid and therefore will be deemed to have been revoked. If the wood is being stored under the environmental permit then it will need to be stored on an impermeable surface with sealed drainage, within a building or within secure containers.

Drainage

Section 2.8.1 of your EMS states that the sites surface drainage is shown on Drawing No. 3225/1277/03. This plan does not provide much detail regarding the drainage. For example, the plan shows the location of the interceptor and soakaway but it does not show any of the individual drains or gulleys on site such as the one behind the industrial container storage or any silt traps that I have been told exist. Please provide a more detailed drainage plan detailing the drains and gulleys on site and how these feed into any silt traps or interceptors and then to the soakaway. You should also detail the locations which are routinely checked. I have concerns regarding the state of the drains on site especially the drain behind the industrial storage container as it does not seem to be able to cope with yard runoff. The yards drainage should eliminate the presence of standing water which was observed next to the drain. You may need to take action to improve the efficiency of the drainage system.

Some of the issues highlighted above were not apparent until the permit and EMS had been reviewed following the inspection. Should there be any questions regarding them please contact me either by email or phone. My phone number is 0300 065 3806.

During conversation at the site it was mentioned that there have recently been some large fires in the area. Should these fires produce black smoke and should you wish to report them to us you can call 0800 80 70 60 any day of the week 24 hours a day. Each report receives an incident number you can refer to should it ever be required.

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.

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Operator/ Permit	Enviroclear Site Services Limited	Date 27/11/2015

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

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	All hazardous and non-hazardous waste to be stored in the appropriate areas	15/01/2016
C3	C4	Large skip of silage to be removed from site	15/01/2016
C4	C3	Remnants of black burnt wood waste to be cleaned up off yard to prevent further discoloured runoff	asap

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.