

Compliance Assessment Report

Report ID:
CAR_NRW0032453

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

Site	P Dobbins Chester Ltd	Permit Ref	EP3694FR		
Operator/Permit holder	P Dobbins Chester Limited				
Regime	Waste Operations				
Date of assessment	03/11/2017	Time in	10:40	Out	11:15
Assessment type	Site Inspection				
Parts of the permit assessed	Storage handling, labelling, segregation; Staff competency/training				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by	Starks, Madeleine				
Recipient's name/position	Roger Price/ Director	Date issued	17/11/2017		

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
A1 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	C4	1.1.1.a
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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

Andrew Sowerby and Madeleine Starks arrived on site at 10:40 on 03/11/2017. The weather conditions were dry, cool and cloudy. This site visit was unannounced and part of our routine inspection programme.

Since our last visit in February, conducted by Steve White and Andrew Sowerby, we are pleased to note the quantity of Waste Electrical and Electronic Equipment (WEEE) stored on site had reduced significantly, with only a small number of small WEEE items observed during the visit. Due to the small number observed, this will no longer be considered a compliance breach. Please remember WEEE is not listed as a waste that can be accepted to your site under Table S2.1 of your permit, however if you wish to store WEEE in the future it is still possible to register for an S2 exemption, provided you are able to comply with the storage conditions stated in the WEEE Directive.

Unfortunately there were still some oils noted on the floor of the site, notably around the crusher and below a skip of waste engines/propellers. A large puddle contaminated with oil on the surface was observed. Although there is a concrete, impermeable surface in this area, there is a risk that oil could run over onto unsealed surfaces during heavy rain. You must ensure that any oil spills are dealt with in accordance with Section 5.2.2. of your Environmental Management System (EMS).





There were a number of waste tyres still observed on site during the visit, with the quantity estimated to be approaching the 3 tonne limit, however Roger reported to us these were being stored until a large enough quantity was reached for economical removal. Since our previous inspection, waste tyres are now kept in a single location on the site for better quantity estimation, as recommended.



After checking with WAMITAB we can confirm that the Technically Competent Management qualification for the site is still expired. As mentioned during both our recent visits, it is important that this is re-applied for immediately as currently the site is operating without a TCM. Condition 2.3.5. of the site's Environmental Management System states that "The site manager is a Technically Competent Person, holds the appropriate WAMITAB certification...". Operating without a TCM is a breach of permit condition 1.1.1.a - The operator shall manage and operate the activities a) in accordance with a written management plan; and b) using sufficient competent persons and resources. Subsequently, we have issued a CCS Category 4 breach against the permit.

Please inform Andrew Sowerby once the WAMITAB qualification has been re-applied for and subsequently once it has been passed.

Before leaving the site we inspected the sites diary, which was easily accessible and well kept. However, Roger still had trouble locating the site permit and EMS for the site. A copy of both of these documents must be easily accessible for both site managers and operators at all times, in order to ensure the site is operating according to the requirements of the permit. Please ensure either these documents are located, or that new copies are printed and stored in an accessible location.

Thank-you for your time during the inspection. Please find the contact details for Andrew Sowerby below, and do not hesitate to contact us if you have any further issues or enquiries.

Andrew.R.Sowerby@cyfoethnaturiolcymru.gov.uk

03000 653806

EPR Compliance Assessment Report

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Site	P Dobbins Chester Ltd	Permit Ref	EP3694FR
Operator/Permit holder	P Dobbins Chester Limited	Date	03/11/2017

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.

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			
C1	C4	Technically Competent Management (TCM) qualification must be applied for immediately, as the site is currently operating without a TCM present. Alternatively, a contractor may be used to act as TCM for the site and their attendance noted in the site diary.	03/12/2017

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.