

Compliance Assessment Report

Report ID:
CAR_NRW0031152

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	01/02/2017	Time in	09:40	Out	10:40
Assessment type	Site Inspection				
Parts of the permit assessed	Materials acceptance; Storage, handling, segregation; Staff competency/training;				
Lead officer's name	White, Steven				
Accompanied by	Sowerby, Andrew R.				
Recipient's name/position	Roger Price & Paul Reynard/ Director/Manager	Date issued	07/03/2017		

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
C1 - General Management - Staff competency/training	C4	1.1.1a
C3 - General Management - Materials acceptance	C3	2.3.2

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

This visit was unannounced and was carried out as a routine site inspection and as a handover from previous regulating officer Andrew Sowerby to the new regulating officer Steven White, officers met with Site Manager Paul Reynard who accompanied them around the site during the inspection

There was a lot of waste on site - according to Site Manager Paul Reynard this was due to a downturn in the metal market - you must ensure that the limits set out in Schedule 1 of your permit and section 1.1.2 of the EMS are adhered to i.e. no more than: 50T per day of haz waste; 3T of tyres; 15,000T per year of suitable waste (Schedule 2 of the permit).

There were a number of items of WEEE observed during the inspection including: milling machinery, cookers and other items of electrical equipment; You can register an S2 exemption for storage only, but you must comply with the requirements in paragraph 1 of Annex III to the WEEE Directive; storage on an impermeable surface and with weatherproof covering where you are storing the WEEE containing hazardous materials or fluids and where storing whole appliances that are to be reused. If you are unable to comply with the rules of the S2 exemption and if you want to store and treat WEEE e.g. dismantle, crush etc, then you would need to apply for a permit variation. WEEE is not listed under Table S2.1 of the permit as a waste that can be accepted on site; subsequently a category 3 CCS breach has been recorded under condition 2.3.2 of the permit



Items of WEEE observed on site

There were a number of waste tyres observed during the inspection, the site is allowed to store up to 3 tonnes of intact waste vehicle tyres at the site in designated areas; it was estimated that the number of tyres on site could be close to reaching that 3T limit. The tyres were stored in a number of different areas on site; you must ensure that all the tyres are stored in a designated area, this ensures that you will be able to accurately estimate how many tyres are on site and would make it easier for the collection of the waste tyres from your contractor (at present this is 'Bri-Chez')

There were a couple of skips full of swarf and fines observed on site (see photos below), it was unknown how long these had been on site for and these will need to be removed off site as soon as possible.



Skips of swarf and fines

During the inspection it was observed that there were some oils on floor and notably around the crusher, some of these oils were from the waste ovens that were observed on site (see above photo). You must ensure that any spills are dealt with in accordance with Section 5.2.2 of your EMS. The diesel store (in the outbuilding adjacent to the office) was banded but open to rainfall from the roof, you must ensure that the bund is emptied at same time as the oil interceptor; records of this must be kept in your site diary.

I have checked with WAMITAB and the Technically Competent Management qualification for the site has run out; this needs to be re-applied for immediately as the site is currently without a TCM. Condition 2.3.5 of the site Environment Management System states that 'The site manager is a Technically Competent Person, holds the appropriate WAMITAB certification....' 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. This has subsequently been scored as a category 4 CCS breach against the permit. Can you inform me once the WAMITAB qualification has been re-applied for and subsequently once it has been passed.

During the visit the site permit couldn't be found in the office, a copy of the permit and EMS for the site needs to be readily available for both site managers and operatives to ensure that the site operates within the parameters set out within the permit.

Thank you for your time during the inspection, please find my contact details below

Steven White

Tel: 03000 653 913

email: steven.white@naturalresourceswales.gov.uk

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.

EPR Compliance Assessment Report

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Operator/Permit holder	P Dobbins Chester Limited	Date	01/02/2017

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.

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

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			
C3	C3	WEEE must not be accepted at site and the items observed on site during the inspection must be removed. You can register an S2 exemption for storage only, but you must comply with the requirements in paragraph 1 of Annex III to the WEEE Directive; storage on an impermeable surface and with weatherproof covering where you are storing the WEEE containing hazardous materials or fluids and where storing whole appliances that are to be reused. If you are unable to comply with the rules of the S2 exemption and if you want to store and treat WEEE e.g. dismantle, crush etc, then you would need to apply for a permit variation.	03/04/2017
C1	C4	TCM qualification needs to be re-applied for immediately as the site is currently without a TCM. Or a suitable person will need to be contracted to act as TCM for the site.	27/03/2017

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.