

Compliance Assessment Report

Report ID:
CAR_NRW0032233

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

Site	City Skips Transfer Station	Permit Ref	NP3997EE		
Operator/Permit holder	City Skips (N W) Limited				
Regime	Waste Operations				
Date of assessment	22/09/2017	Time in	10:20	Out	10:55
Assessment type	Site Inspection				
Parts of the permit assessed	Storage, handling, labelling and segregation;				
Lead officer's name	White, Steven				
Accompanied by	Amy Henderson				
Recipient's name/position	Rhodri Owen Roberts/ Director	Date issued	31/10/2017		

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	C2	A9
C4 - General Management - Storage, handling labelling and Segregation	C2	A12, B8, D6.1, D6.2, D8.2

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)	62
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

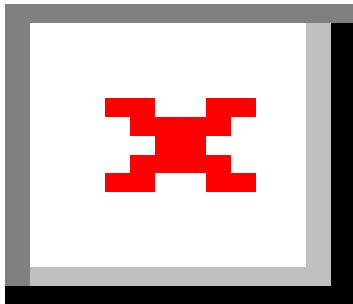
Section 2 – Compliance Assessment Report Detail

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

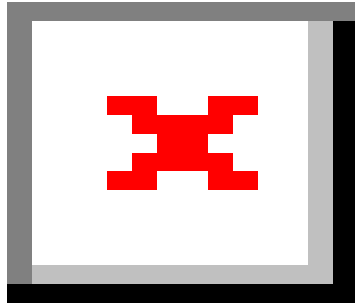
This was an unannounced inspection following a number of reports to NRW of large amounts of waste at City Skips, the visit was carried out by Regulating Officer Steven White and Environment Officer Amy Henderson. There were two operatives on site, Rhodri Roberts was not available at the time of inspection but was contacted by phone at the end of the visit and the inspection, reasons for non-compliance and potential enforcement action were discussed.

On arrival it was observed that there was a lot of waste being stored on site, more than the amounts allowed set out in the applicable permit conditions (covered in more detail below). The waste was three distinct types: Inert Construction and Demolition (C&D); wood; and mixed household - there was little or no separation between the different piles and very little room on site to move around. There was a 360-digger in the yard but there was little room for the machinery to move about on site. (see photo below)



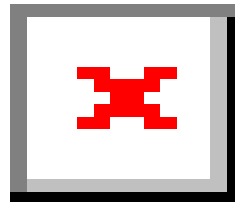
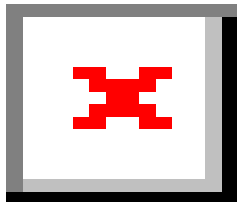
360-Digger with minimal room to move on site

The C&D waste was piled very high and gave cause for concern for the employees welfare, subsequently the Health and Safety Executive were informed of the conditions on site and conducted their own inspection a couple of weeks later.



Large amount of C&D waste on site

The wood waste was also stacked high and piled adjacent to neighbouring businesses (see photos below), this is an increased fire risk and a follow-up visit with a member of North Wales Fire and Rescue Service was carried out on 02/10/2017 by Steven White and Fire Officer Geraint Hughes who expressed concerns to Rhodri Roberts that a fire on site would have caused significant damage to infrastructure (namely the A55 which runs adjacent to the site), neighbouring businesses and the environment. Greens Industrial Estate is a small estate where businesses are situated in close proximity to each other, waste from City Skips was encroaching on a neighbouring business and the piles of waste were higher than the perimeter fence.

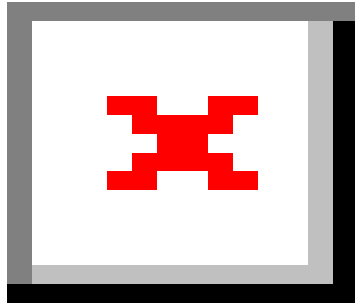


Wood waste on site higher than perimeter fence

At the rear of the site there was a large pile of mixed household waste which covered the entire floor space of approx. 1/2 of the site. The mixed household waste looked as though it had been on site for a long time and was beginning to give off an odour of decomposition indicating that putrescible and biodegradable waste in these piles had begun to break down. Adjacent to City Skips is the St Asaph Livestock Market, there is a risk that notifiable diseases (such as Foot and Mouth) could be passed from the putrescible waste on site to the livestock in the market via vermin (e.g. rats) and potentially over North Wales.

The wood waste and inert waste was well over the 76m³ volume set out in the Permit condition A12, and the mixed household waste was above the 5m³ volume set for putrescible waste.

There was a skip of waste stored outside the permitted boundary (see photo below), all waste brought onto site must be stored within the permitted boundary. This is a breach of permit condition B8 which states that no waste shall be stored at any location outside of the secure compound indicated on drawing CS/2/1.



Skip of waste stored outside permitted boundary

The following breaches of the permit were observed during the inspection:

A1 Permitted activities, as specified by the permit

Section A:9 of the permit states that the site operations shall be conducted in accordance with the working plan. The following breaches of the Working Plan were noted:

- 1.3.1 of the working plan outlines the permitted area according to drawing CS/2/1. Skips containing waste were stored outside of this permitted area,
- 4.3.1: Non inert waste in Bay A (drawing CS/2/1) is to be cleared by the end of the working day and the waste in the general waste skip is stored for a maximum of 7 days
- 4.3.2: Inert waste in Bay B is stored for a maximum of 31 days. Bay B is to be cleared at the end of the working week
- 4.3.3: If the maximum storage of the site is reached then no further waste is tipped until waste can be removed from the site and taken to a suitably licensed landfill.
- 4.6.3: Putrescible waste stored on site for no longer than 7 days

This has been scored as a CCS breach of C2 against this part of the Permit

C4 Storage, handling, labelling and segregation

- A12: Inert waste and wood (less than 76m³, stored for no more than 31 days) Biodegradable waste (less than 25m³, stored for no more than 7 days) Putrescible waste (less than 5m³, stored for no more than 1 working day). **C2**
- Section B8 of the permit states that no waste shall be stored at any location outside of the secure compound indicated on drawing CS/2/1. **C3**
- D6.1: Permitted wastes arriving on site shall be deposited immediately in the appropriate skip or bay **C2**
- D6.2: All putrescible waste with the exception of wood, paper and card shall be removed from the facility within 3 working days. **C2**
- D8. 2: No further waste shall be accepted once it is calculated that any of the limits on quantity imposed by condition A2 of this licence have been exceeded. **C2**

The above breaches in this section of the CAR form (C4 Management – storage, handling, labelling and segregation) have been consolidated and scored as a single CCS breach of **C2** against this part of the permit.

During a phone call to Rhodri Roberts whilst officers were on site Rhodri explained that an inability to find an outlet for the wood waste had meant that hauliers who normally take the other wastes off site were unable to gain access to the waste to remove it; this led to an increase of waste on site and subsequent breach of permit conditions. I explained my concerns with the amount of waste on site - that it was in breach of the permit and enforcement action by way of a Regulation 36 Notice to get the site back into compliance would be issued, failure to adhere to this Notice would very likely lead to prosecution. I also voiced my concerns about the health and safety of the workforce due to the large amount of waste and its stack heights, and that I had an obligation to report this to the HSE.

The amount of waste observed on site presents a significant risk to the environment, local businesses and residents

in its current state. If it was to catch fire there would be a significant impact on the Fire & Rescue Services resources tackling the fire, there would be a high chance that the A55 would need closing in both direction having a major impact on local infrastructure. My concerns have been echoed by Officers from The Fire Service and HSE who are compiling their own reports on the site.

The Regulation 36 Notice was issued on 06/10/2017 with a (subsequently extended) deadline of compliance by Friday 10th November 2017. Officers will revisit City Skips on this day to assess compliance with the Notice.

Thank you for your time during the visit and following investigations, please find my contact details below.

Regards

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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

**Report ID:
CAR_NRW0032233**

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

Site	City Skips Transfer Station	Permit Ref	NP3997EE
Operator/Permit holder	City Skips (N W) Limited	Date	22/09/2017

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			
C4	C2	Waste must be removed off site and taken to a suitably permitted site for recovery or disposal. All waste stored outside the permitted boundary must be brought in to the site.	10/11/2017
A1	C2	Waste must be removed off site and taken to a suitably permitted site for recovery/disposal. All waste stored outside the permitted boundary must be removed into the site	10/11/2017

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.