

Compliance Assessment Report

Report ID:
CAR_NRW0026775

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	14/11/2016	Time in	09:45	Out	10:50	
Assessment type	Site Inspection					
Parts of the permit assessed	Infrastructure; Materials storage, labelling, handling and segregation; Site Security; Amenity					
Lead officer's name	White, Steven					
Accompanied by	Briscoe, Ross					
Recipient's name/position	Rhodri Roberts/ Director	Date issued	23/03/2018			

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
B4 - Infrastructure - Containment of stored materials	C3	E.13.1
C4 - General Management - Storage, handling labelling and Segregation	C2	A12, D6.1, D6.2, D8.2
D1 - Incident Management - Site security	C3	B3.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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	3	Total compliance score (see section 5 for scoring scheme)	39
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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 inspection arranged approximately 6 weeks after an interview with Rhodri Roberts following the non-compliance with an enforcement notice issued on 03/08/2016. Rhodri Roberts was on site and accompanied Environment Officers Steven White and Ross Briscoe during the inspection. Weather conditions were overcast and the site was damp after a recent rain shower. The site was operational with incoming waste being deposited in a pile at the rear of the site for further processing, no sorting of waste was being carried out whilst officers were on site. Outgoing waste is loaded into 40-yard skips supplied by a third party and removed to landfill, inert waste is currently taken to Breedon Aggregates, Maes Mynnan.

On site all the waste was deposited in one pile at the rear of the site with wood separated from this into a pile near the entrance. There are no gaps between the waste piles on site and waste is piled close to the fence bordering neighbouring businesses. 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. If a fire were to break out then it could spread with ease from one waste pile to the other potentially having a serious effect on the neighbouring businesses, homes and infrastructure. The A55 is a major route in North Wales that runs 30m from the site boundary, the amount of waste on site poses a genuine, severe risk that if it caught fire it could have a major impact on the functionality of the road and the safety of those using it.

Waste volumes on site

It was observed that, although efforts had been made to reduce the amount of waste, the volumes of wastes on site looked similar to the previous visit on 02/09/2016.



The quantities of waste on site exceeded the volume and retention limits set within condition A12 of the permit: 76m³ of inert waste (31 days); 25m³ biodegradable waste (7 days); 5m³ putrescible waste (1 working day). There was also a substantial amount of wood waste present near the entrance to the site.

Storage of skips outside the permitted boundary

Nearly all of the skips observed stored outside the permitted boundary on the previous visit on 02/09/16 were empty, however there was one skip full of waste still stored outside which was full of household/construction waste; this needs to be removed

from outside the permitted boundary.



Site Security

As shown within the photographs below the gate to the site was damaged and broken and there was a panel missing from the front perimeter fencing, leaving the site open to access. There was also no fencing along the site boundary adjacent to A55, on the previous inspection on 02/09/2016 this fencing was damaged but was still standing. This meant that there was little or no site security to the site – anyone could access the site from the A55 road sidings or the front gate/panel.



Pictures of broken panel and gate



Missing perimeter fencing adjacent to the A55

Section B3.4 of the permit states: All site fences and gates shall be inspected at intervals of no more than 7 days. Any damage which impairs their effectiveness found during the course of these inspections or at any other time shall be repaired within 10 working days. It is advised that inspections of the site perimeter fences and gates are carried out as part of the daily checks and are recorded in the site diary

These issues were brought to the attention of Rhodri Roberts whilst we were on site and fixes were being put in place as we were leaving site (the gate and panel was being fixed and new fence posts were being ordered, with the mesh netting already on site).

Waste was observed outside the permitted boundary on the A55 road siding, pushed against the rear fence next to livestock market and against the palisade fencing adjacent to the neighbouring business, there was also waste observed in the gap between City Skips and the livestock market. This represents a severe risk that if a fire were to break out in the waste piles that there are no fire-gaps between them and the fire could easily spread to adjacent businesses and impact on householders and the A55.



Waste pushed against the site boundary fences (with livestock market and neighbouring business)



Litter/waste leaving site boundary

Hazardous Waste (Asbestos)

City Skips is not permitted to accept any hazardous waste, any waste that is not allowed on site should be set aside in a lockable, sealed quarantine skip until it is removed off site by a suitable contractor. Asbestos must be stored in sealed bags whilst on site.

The quarantine/asbestos skip was damaged and was not sealed (see pictures below) and the asbestos inside the skips was not in sealed bags. This needs to be fixed immediately and the hazardous waste removed off site.



Quarantine (Asbestos) skip that was not sealed and un-bagged asbestos visible inside

Permit Breaches

The following permit conditions were observed to have been breached during this inspection:

B4 Infrastructure - Containment of stored materials

Condition E.13.5 of the site permit states that the skips and bay areas shall be kept clear of any loose waste, which shall be collected and disposed of as the skips are emptied. At the end of each working day the site shall be cleared of any loose or discarded waste. As loose wastes were observed a category 3 non-compliance has been recorded against this permit condition.

C4 Management - Storage, Handling, Labelling and Segregation

Condition A12 specifies the permitted waste volume and retention limits - namely: 76m³ of inert waste (31 days); 25m³ biodegradable waste (7 days); 5m³ putrescible waste (1 working day). Due to the quantity of waste currently being stored on the site and the length of time that it has been stored on site a category 2 non-compliance breach has been recorded. This is because there is the potential for a severe risk to infrastructure (A55), neighbouring businesses, residential properties, local amenities and the Livestock Market from fire/smoke; businesses; odour; vermin; litter blowing off site; waste piled against, and higher than, perimeter fences; and the potential for notifiable disease transmission from vermin to the livestock market.

Condition D6.1 specifies that Permitted wastes arriving on site shall be deposited immediately in the appropriate skip or bay. As outlined, wastes were not being deposited within an appropriate skip or bay on site. Incoming waste material was all being deposited onto a large pile of existing waste on site without the use of skips or bays. This breach of permit condition has been recorded as a category 3 non-compliance.

Condition D6.2 specifies that all putrescible waste with the exception of wood, paper and card shall be removed from the facility within three working days. Upon the inspection it was evident that due to the quantity of waste on site, putrescible waste had not been removed within the last 3 working days. Due to the risk posed by this waste stream this breach of permit condition has been recorded as a category 3 non-compliance.

Condition D8. 2. Specifies 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. As the waste quantities have been exceeded further waste should not have been accepted onto the site, however whilst on site more waste was observed to be brought onto the site and deposited into the existing waste deposits. This therefore is increasing the risk posed by the site, for example as a fire risk, amenity risk and a health and safety risk. As a result this breach has been recorded as a category 3 non-compliance.

The above permit condition breaches have been brought to the attention of the site manager upon previous inspections and within subsequent Compliance Assessment Report forms and have not been addressed.

Due to multiple breaches being identified under this CAR sub-criteria heading (C4 Management – storage, handling, labelling and segregation) the most serious of the breaches (Category 2 non-compliance) has been recorded.

D1: Site Security

Condition B3.1 of the site permit specifies that fences shall be erected along the perimeter of the site... This fencing shall be constructed as detailed in paragraph 2.3.2 of the Working Plan. As outlined above the fences on site were damaged and in places non-existent. As a result of this breach a category 3 non-compliance has been recorded against this permit condition.

As outlined above, previous discussion have taken place with the site manager with regards to the breaches identified. Action must be taken to return the site to compliance as soon as possible. For further details of action to be taken please see section 4 of this CAR form. Should you need any of the above clarifying or would like further advice and guidance please do not hesitate to contact me.

A summary of the compliance classification scheme scoring is shown below

B4	E.13.5	C3	4 CCS points
C4	A12	C2	31 CCS points
C4	D6.1	C3 (Consolidated)	-
C4	D6.2	C3 (Consolidated)	-
C4	D8.2	C3 (Consolidated)	-
D1	B3.1	C3	4 CCS points
			39 CCS points

Thank you for your time. Please find my contact details below

Steven White – Environment officer
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

**Report ID:
CAR_NRW0026775**

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Site	City Skips Transfer Station	Permit Ref	NP3997EE
Operator/Permit holder	City Skips (N W) Limited	Date	14/11/2016

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.

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			
D1	C3	Front gate and panel must be fixed immediately, perimeter fence must be erected immediately	15/12/2016
B4	C3	Site must be cleared of waste and taken to a suitable landfill as soon as possible. Daily checks/litter picks of site perimeter must be carried out and recorded in the site diary	15/12/2016
C4	C2	All wastes must be stored within the site permitted boundary. Waste must be removed from the site as soon as possible to bring the site back into compliance with its permit.	15/12/2016

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.