

Compliance Assessment Report

Report ID:
CAR_NRW0017545

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	15/02/2016	Time in	15:10	Out	16:00	
Assessment type	Site Inspection					
Parts of the permit assessed	as below					
Lead officer's name	Twiss, Rachel					
Accompanied by						
Recipient's name/position	Rhodri Roberts/ Manager	Date issued	09/05/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	A	
	A	
C3 - General Management - Materials acceptance	A	
	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	A:12
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Visit Report/Comments:

This was a routine site inspection carried out by Rachel Twiss and was not pre-arranged. The weather was dry and bright. Rhodri Roberts was not present upon my arrival, however a site operative was aware that I was there to conduct a site inspection and I proceeded. Rhodri arrived a short time afterwards & accompanied me throughout the inspection, photographs were taken.

Observations:

The site had more material present than during the last site inspection conducted in November 2015. Most waste streams were appropriately segregated and stored, however a large quantity of mixed waste was present at the rear of the yard which overflowed from the shed. The reason given for this was that the landfill used had been closed. The quantities exceeded the limits within the permit.

A substantial amount of wood was also still present which had been segregated. During this and the last inspection Rhodri was advised that any exemptions registered would override the site permit conditions relating to the same activity. Since looking into the guidance the S2 (storing waste in a secure place) exemption does not allow you to carry out the treatment of waste which includes sorting. One way of utilising an exemption would be to bring all waste into the permitted area for processing, then any resulting segregated wood could be moved over onto an exempt area for storage but this exempt area must be clearly segregated/separate from the permitted area. Exempt activities registered at Waste Operation sites automatically revoke the part of the permit that relates to that exempt activity. Before I left site Rhodri stated that he thought the area where wood was being stored was outside the permitted area after all. I requested a more recent site plan to outline this but have not yet received a copy. There is however, a version on our historic systems that appear to show that the permitted area does not cover the wood storage area. Please provide an up to date site plan for our records.

Two skips of waste were on the ground outside the permitted area, this issue was raised during the last inspection and yet skips containing waste are still situated outside the permitted area.

Breaches:

The following breach was observed during the site inspection:

C4 Management - Storage, Handling, Labelling and Segregation - CCS 3

The quantities of mixed waste and the duration it had been on site exceeded the limitations stated with section A:12 of your permit.

Skips containing waste were stored outside of the permitted area, this is a breach of condition A:9 which states that the site operations shall be conducted in accordance with the working plan. Section 1.3.1 of the working plan states the permitted area according to drawing no CS/2/1.

If you have any queries regarding this form please feel free to contact me on 0300 064 3894.

regards

Rachel Twiss

In this document, 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources for Wales (Establishment) Order 2012.





EPR Compliance Assessment Report

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Site	City Skips Transfer Station	Permit Ref	NP3997EE
Operator/Permit holder	City Skips (N W) Limited	Date	15/02/2016

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.

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.

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	C3	Adhere to limitations within A:12 of your permit and do not store waste outside of your permitted area.	31/05/2016

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 reports 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 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.