

Compliance Assessment Report

Report ID:
CAR_NRW0031234

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	20/02/2017	Time in	10:50	Out	11:20
Assessment type	Site Inspection				
Parts of the permit assessed	Materials acceptance; Storage, handling, labelling and segregation				
Lead officer's name	White, Steven				
Accompanied by	Sowerby, Andrew R.				
Recipient's name/position	Rhodri Roberts/ Director	Date issued	06/03/2017		

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
B4 - Infrastructure - Containment of stored materials	C3	E 13.5
C4 - General Management - Storage, handling labelling and Segregation	C2	A12; 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)	35
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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

The inspection was unannounced and was carried out following concerns raised by the Local Authority and North Wales Fire and Rescue Service regarding the amount of waste on site, its potential for combustion and the subsequent effects on neighbouring businesses and the A55, and health and safety concerns with the waste pushing against the adjoining palisade fence.

On arrival it was observed that there was more waste on site than in the previous site inspection on 14/11/2016, more waste has been coming into the site than has been leaving resulting in very large piles of mixed waste and waste wood that are pushing against the perimeter fences adjoining neighbouring businesses. There are serious concerns that if the waste catches fire that the A55 would be severely affected by smoke and could cause serious visibility issues. The lack of fire-breaks between the waste piles and the close proximity of the waste to neighbouring businesses is also a concern to Natural Resources Wales, Denbighshire County Council and North Wales Fire Service



Comparison of waste on site between 14/11/2016 and 20/02/2017

The quantities of waste on site were in excess of the amounts observed in previous inspections and subsequently have again exceeded the volumes and retention limits set within Condition A12 of the permit: 76m³ of inert waste (31 days); 25m³ of biodegradable waste (7 days); 5m³ of putrescible waste (1 working day). This breach of permit condition has been brought to the attention of the site manager on the previous four site inspections and is yet to be addressed. The same non-compliances recorded on previous inspections have therefore been scored against the permit again for this breach with the most serious (a category 2 non-compliance) being recorded.

Conveyance receipts for the removal of two articulated wagons worth of waste (one for waste wood and one for mixed waste) have been forwarded to the regulating officer and more waste is to be removed over the forthcoming weeks.

The amount of waste on site has begun to affect the adjoining palisade fencing, Denbighshire County Council Environmental Health Department have advised that an area of the neighbouring businesses yard be cordoned off under health and safety concerns. (see photos below)



Damaged fence and cordoned off area in neighbouring business

Due to the concerns raised by officers in this and previous inspections that are yet to be addressed (fire risk to A55, risks to local businesses, potential disease transfer from vermin to adjacent livestock market) and the increased concerns raised by the Local Authority and North Wales Fire Service Natural Resources Wales are considering the suspension of the permit at City Skips (NW) Ltd until a time when the waste on site is removed and the site is back into compliance.

Permit Breaches

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

B4 Infrastructure - Containment of stored materials

There was a considerable amount of waste observed on site, the bays which were previously used for storage of the treated waste had spilled over resulting in a lot of loose, untreated waste on site. 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 a large amount of loose untreated wastes were observed not within the respective bays 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 significant 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 same non-compliances recorded on previous inspections have therefore been scored against the permit again for these breaches with the most serious (a category 2 non-compliance) being recorded

As outlined above, previous discussions 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 scoring is set out 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)

35 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_NRW0031234**

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	20/02/2017

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			
C4	C2	Excess waste must be removed from the site as soon as possible to bring the site back into compliance with its permit.	31/03/2017
B4	C3	Site must be cleared of excess waste and taken to a suitably permitted facility as soon as possible. Daily checks/litter picks of site perimeter must be carried out and recorded in the site diary	31/03/2017

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.