

Compliance Assessment Report

Report ID:
CAR_NRW0032532

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

Site	Biodegradable Waste Transfer Station		Permit Ref	VP3298FC		
Operator/Permit holder	T Richard Jones Betws Ltd					
Regime	Waste Operations					
Date of assessment	11/11/2017	Time in	14:15	Out	15:00	
Assessment type	Audit					
Parts of the permit assessed	See below					
Lead officer's name	Ellar, David					
Accompanied by	Phillips, Laura E.					
Recipient's name/position	Dafydd Jones/ Director		Date issued	01/12/2017		

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	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	1.1.1
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	2.3
D1 - Incident Management - Site security	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	2	Total compliance score (see section 5 for scoring scheme)	8
------------------------------------	----------	---	----------

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

During the visit we met with Steffan Davies. Steffan informed me that the previous site manager and COTC holder Anthony Evans had now left the company. This has since been confirmed by Chris Pritchard (HS & Environment Officer) who confirmed that Steffan Davies started WAMITAB with Brightwater in September.

Previous non-compliances and outstanding actions:

TCM. Evidence of Continued Competence (CC): CC certification has now been provided for Dafydd Jones.

Unpermitted wastes (Gas Bottles): I was pleased to see that the gas cylinders noted in the last two CAR forms have now been removed from site.

Waste storage (trammel fines): Previously the trommel fines had been stored (on made ground) outside of the designated waste storage area. They have now been moved and are now stored in a bay on the impermeable surface. This however is still a permit breach, please see detail below.

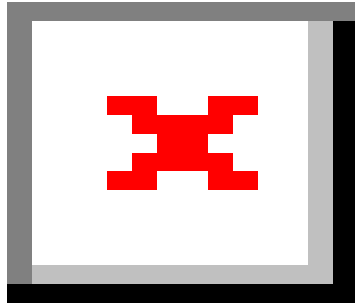
Impermeable surface (concrete pad): it was highlighted during previous inspections that the surfaced area was not being maintained as per the requirements of the permit and EMS. No improvements had been made since our last inspection.

TCM

Dafydd Jones is the TCM for the site. We have received a current continued competence certificate which expires in 20/07/2019. Steffan Davies has recently started with the company and was working towards WAMITAB qualification.

Surface Area

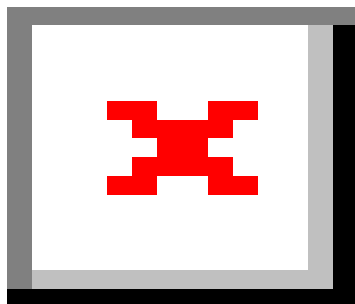
Site surfaces are not being maintained as detailed in section 5.1.1 of the EMS. There were several sections of the concreted area that were showing significant wear and tear (an issue we raised in our previous two visits). **This has been marked down as a Category 3 non compliance under B1 in the table above.** Please ensure that the different site surfaces are inspected, maintained and repaired as detailed in your EMS.



Since the inspection we have been informed that some surface repairs have been carried out. These will be looked at during our next inspection.

Trommel fines

Trommel fines are being stored in a bay on your impermeable surface. Your permit requires them to be stored within a building or container (please see condition 2.3 and table 2.3 of your permit) **This has been marked down as a Category 3 non compliance under C2 in the table above.** The fines must either be stored in a building, in a container on an impermeable surface or removed of site to a suitably authorised facility for disposal.



Fire Prevention and Mitigation Plan (FPMP)

Following the site visit Chris Pritchard emailed us a copy of the sites FPMP.

Ends.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032532**

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

Site	Biodegradable Waste Transfer Station	Permit Ref	VP3298FC
Operator/Permit holder	T Richard Jones Betws Ltd	Date	11/11/2017

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
B1	C3	Inspect, maintain and repair the various sections of the site surface in accordance with section 5.1.1 of the EMS	31/01/2018
C2	C3	The fines must either be stored in a building, in a container on an impermeable surface or removed of site to a suitably authorised facility for disposal	31/01/2018

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.