

Compliance Assessment Report

Report ID:
CAR_NRW0023712

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

Site	Biodegradeable Waste Transfer Station		Permit Ref	VP3298FC		
Operator/Permit holder	T Richard Jones Betws Ltd					
Regime	Waste Operations					
Date of assessment	24/06/2016	Time in	10:15	Out	10:40	
Assessment type	Audit					
Parts of the permit assessed	Waste Transfer operation					
Lead officer's name	Ellar, David					
Accompanied by	Chris Thomas					
Recipient's name/position	Dafydd Jones/ Director		Date issued	29/06/2016		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	1.1.1
B4 - Infrastructure - Containment of stored materials	C3	3.1.1
C1 - General Management - Staff competency/training	C4	1.1.4
C3 - General Management - Materials acceptance	C3	2.2.1
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	4	Total compliance score (see section 5 for scoring scheme)	12.1
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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

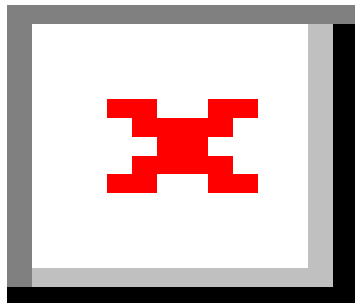
During the visit we were accompanied around the site by Anthony Evans the COTC holder for the site.

TCM:

I was unable to check TCM requirements are being met as Anthony Evans was unable to provide me with a copy of his continued competence certificate. This issue has also been highlighted in our last two visits and despite the copies of certificates and continued competence being request several times none have been sent. **This has now been marked down as a Category 4 non compliance under C1 in the table above.** Please can you send me copies of the COTC for Anthony Evans and Dafydd Jones and evidence of current continued competency.

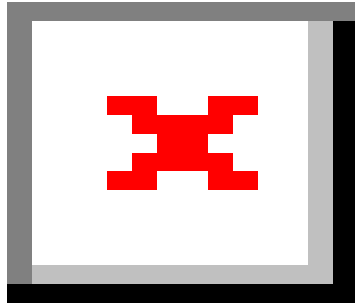
Unpermitted waste:

Whilst there were less waste gas cylinders on site than there were during the previous visit (August 2015) there were still approximately 20 empty gas cylinders present. Gas cylinders are an unpermitted waste type and should not have been accepted by the site. Section 5.1.8 of your EMS says 'unpermitted wastes must be placed in the quarantine area. This area is marked as area 10 on the site layout plan'. The gas bottles were next to empty skips near the 'Portacabin' end of the site, not in the designated quarantine area. **This has now been marked down as a Category 3 non compliance under C3 in the table above.** Please move the gas cylinder's to the quarantine area and then arrange for their removal off site.



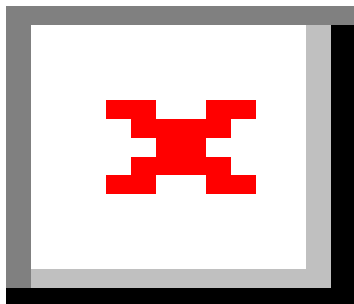
Waste Storage:

Trommel fines were being stored on made ground at the end of the site. The permit states that this type of waste should be stored on impermeable surface with sealed drainage. **This has now been marked down as a Category 3 non compliance under B4 in the table above. Please move the fines to a suitable storage area.**



Surfaced areas:

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 (again an issue we raised in our previous visit). **This has now 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.



ends.

EPR Compliance Assessment Report

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Site	Biodegradable Waste Transfer Station	Permit Ref	VP3298FC
Operator/Permit holder	T Richard Jones Betws Ltd	Date	24/06/2016

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.

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			
C1	C4	Please provide evidence of current WAMITAB COTC and continued competence for site TCM.	28/07/2016
C3	C3	Waste gas cylinders must be moved to waste quarantine area ASAP and then removed off site as stated in section 5.1.8 of your EMS.	19/08/2016
B4	C3	Trommel fines must be moved and stored in accordance with table 3.1 of the permit.	31/08/2016
B1	C3	Inspect, maintain and repair the various sections of the site surface in accordance with section 5.1.1 of the EMS	30/09/2016

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.