Compliance Assessment Report

Report ID: CAR_NRW0031655

This form will report compliance with your permit as determined by an NRW officer					
Site	Clyne Civic Amenity Site	Permit Ref	HB3397TK		
Operator/Permit holder	City And County Of Swansea				
Regime	Waste Operations				
Date of assessment	15/05/2017	Time in	09:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	6.3.1, 1.1.1				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Chris Fendre/ Waste Manager	Date issued	19/05/2017		

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
C2 - General Management - Management system and operating procedures	C3	2.1.2

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	1	Total compliance score (see section 5 for scoring scheme)	4

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 compliance assessment report form has been completed following the unannounced auditing of the Clyne HWRC site. The form covers 2 visits, the first being off site attendance to undertake noise monitoring as perceived by myself (regulatory officer) the second being an onsite inspection to assess permit compliance.

Unannounced off site noise monitoring.

The Clyne HWRC site has been subject to noise complaints in the past from residents of Warrick road that lead to the enforcement response in the form of a notice. The notice was issued following the assessment of significant impact off site of noise.

Compliance with the notice is yet to be achieved/finalised due to matters related to noise monitoring methodology. This enforcement matter has been the subject of email dialogue, and will now be subject of a face to face meeting to be held on the 23rd May 2017

The ongoing regulation of the site continues, and whilst no noise complaints for the site have been received since 4th November 2016, an unannounced offsite visit was undertaken on the 13th May 2017 to monitor noise outside of the permit boundary as perceived by a regulatory officer.

6.3	**Control of noise**
6.3.1	Measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section 6.3 of the working plan to control and minimise the levels of noise from operations on the site beyond the site boundary.

The visit was undertaken on Saturday 13 May 2017. The regulatory officer, Ffion Thomas, attended Warrick road between 11:40 and 13:00. (This is the location of the noise complaints and the location is already known to both NRW and CACOS, Warrick Road Residents Association are in dialogue with both NRW and CACOS)

Ffion Thomas chose to undertake the assessment on this day and time as it was considered to be a busy time, a weekend afternoon, and would therefore represent one of the busiest and potentially noises times.

The weather was dry, sunny with high scattered cloud, southerly breeze strong enough to move shrubs and small tree branches.

Ffion Thomas was healthy (no illness/cold that could impact on inner ear) She wore soft clothing, as not to impact on her ability to hear, and her hair was tucked back behind ears.

On initial arrival Ffion Thomas undertook to walk the length of the road, down and back. This allowed time to become accustomed to the noises in the area, and to help determine which location would be best to

undertake the monitoring.
2 locations were chosen. The first was on Derwen Fawr road at the entrance to Warrick Road. The second on Warrick road between numbers 19-20





Standing at these locations a log of all noises perceived by Ffion Thomas was kept, a stopwatch was used to record accurate times. Below are scan copies of the original logs.
Derwen Fawr location: Due to the high volume of vehicle movements Ffion Thomas did not record their associated noises. After 10 minutes of a listening at the Derwen fawr road location Ffion determined that the level of vehicle noise was possibly impacting on her ability to distinguish noises coming from the HWRC site. A decision was therefore taken to relocate onto Warrick road.
Warrick Road location: 30 minutes were spent at this location in total, with one move by the officer from between numbers 18/19 to 19/20 during the assessment due to overhanging shrubbery deemed to be reducing the officers ability to hear (as wind was rustling the leaves) All noises perceived by Ffion Thomas were recorded. Below are scan copies of the original logs.
Copy of the logs completed:

13/5/17 Noise Monitoring outside permit boundary Clyne HWRC.

Weather conditions: Dry, Sunny, Partly cloudy-high, breeze.

Location	Time	Noise description	Other Comments
Warrick rd	12:35:23	Car down rd.	
between 19+20	12:35:44	Curtain rd.	
	12:36:01	distant coup.	
	12:36:05	Family left street.	
	12:37:05	breeze through shrubs.	
	12:37:17	transit van up street.	
	12:37:32	strong gust of breeze - shrubs.	
	12:37:56	bang / clang	from direction of site.
	12:38:30	clink sound	from direction of site
	12:39:04	muffled voices - poss television in house	
	12:39:24	car pulled away from street - opp.	
	12:39:40	Car drove up street. x 3 passing.	
	12:40:27	car drove up street.	
	12:41:04	cling &	direction of site
	12:41:56	clink.	" "
	12:42:23	top of street -	trade man moving ladder from top of van
	12:42:35	bang - blue empty drum.	direction of site
	12:43:32	glass clang	direction of site.
	12:43:56	wood pigeon.	
	12:44:13	breeze - shrubs rustling.	
	12:44:27	car drove up street. x 2.	
	12:45:29	faint boom.	direction of site
	12:46:12	wood pigeon.	
	12:46:22	knock - from house.	
	12:46:37	bloom - from site - poss blue drum.	
	12:47:04	slam - from site - front.	
	12:47:23	car up street.	
	12:47:35	door closed on street.	
	12:47:51	car down street into drive.	
	12:48:15	car up street.	
	12:48:22	voices on street.	
	12:48:33	boom - loudest so far - from site x 2.	
	12:49:12	front whirring - unsure direction.	
	12:49:30	whirring poss aircraft.	
	12:49:54	car up street x 2.	
	12:50:23	trade man clanged ladder into van.	
	12:50:37	2 cars passing.	
	12:50:52	car into drive by me.	
	12:51:04	car up street stopped? door up.	
	12:51:27	front whirring - aircraft.	
	12:51:47	car doors.	
	12:51:10	shrubs moving - breeze.	
	12:52:27	children passing bikes - voices	
	12:52:37	car down rd.	
	12:52:54	car doors shut.	
	12:53:07	faint voices on street.	
	12:53:24	Car up rd.	

13/5/17 Noise Monitoring outside permit boundary Clyne HWRC.

Weather conditions: Dry, Sunny, Partly cloudy, breeze.

Location	Time	Noise description	Other Comments
Derwen Fan Rd.	12:07.01	dog bark open/close!	Clang metal noise.
by No. 28.	12:08.18	Deep bump, faint almost	↑ lasted All
	12:09:09	boom. Faint.	↓ bump, bump, bump... Faint.
	12:10:56	Clang	(Poss wood drop) x 1.
	12:12:08	clang	x 1.
	12:12:44	Poss cow noise!	Distant!
	12:14:10	car beep.	
	12:14:15	Clang	
	12:14:26	boom.	
	12:14:32	bottles drop.	
	12:15:03	faint boom	
	12:15:11	clang/smack	
	12:16:05	Car bad exhaust.	
stopped at	12:17.	— 10 minutes assesement	
number of vehicle movements effecting			
ability to hear site noises to describe +			
record effectively. Moved onto Warrick Rd.			
Warrick rd.	12:21:04	motorbike idling on street	
opposite No 20	12:21:19	stopped ↑.	
on left side of	12:21:37	voices - Family leaving house.	
street.	12:22:04	vehicle down Rd.	
	12:22:44.	Car door.	
	~~12~~:		
moved position	12:23:35	realised shrubs above my	
		head may effect moved up street to	
		No 21.	
No 19/20			
warrick rd.	12:25:25	dog bark distant	
	12:25:45	voices on street.	
	12:25:55	dog distant.	
	12:26:17	gates/latch on warrick rd.	
	12:26:36	slop - wood - ~~site~~ from site.	
	12:27:11	Car drove up rd.	
	12:27:42	voices on street.	
	12:28:19	Dog bark on street.	
	12:28:34	motor bike drove into driveway.	
	12:29:30	Car up street.	
	12:29:47	Car down street.	
	12:30:52	Car door shut on street.	
	12:31:27	boom faint. from site direction.	
	12:32:09	Car drove down street	
	12:32:20	family voices - raised. opposite no 19	
	12:33:03	wind in shrubs.	
	12:33:11	family voices, setting off on bike ride.	
	12:34:07	Clang from direction of site.	
	12:34:26	Car down Rd	

13/5/17 Noise Monitoring outside permit boundary Clyne HWRC.

Weather conditions: Sunny, dry, partly cloudy high, breeze.

Location	Time	Noise description	Other Comments
19/20	12:53:47	car up rd.	
warrick rd	12:54:15	car up rd + stops 3 doors up.	
	12:54:52	car doors shut.	
30 minutes elapsed. stopped monitoring.			

Off all the noises recorded there were 7 recorded at the Derwen fawr location and 13 at the Warrick road location that were perceived by the officer to have come from the HWRC site.
None were enough to raise a reaction (the officer did not flinch, was not shocked, ears were not pained)
Of the noises perceived to be coming from the direction of the HWRC whilst on Warrick road all were one off events lasting only seconds. There was 1 record whilst on Derwen fawr road of a "bump, bump, bump" repetitive noise that lasted from 12:08:18-12:09:09 otherwise all noises were one off and lasted but seconds.
The noises perceived to be coming from the HWRC site, e.g. slap, boom, clangs, bangs, clink whilst on Warrick road were felt to be low-minor impact, as per NRW's Incident Classification Guidance (ICG) I have included extracts from the ICG below to provide definitions and how the impact has been assessed. Some noises perceived to be coming from the HWRC were fainter than other surrounding noises such as the vehicle movements on the street, resident's gate closing, resident's voices and even the gusts of wind through the gardens shrubs.
Incident Classification guidance:

4. Definition of an incident

A potential or actual incident is defined as:

'*A specific occurrence, which is brought to our attention, is within our areas of responsibility, which may have an environmental and/or operational impact and may require NRW response.*'

6. How we categorise incidents

Following receipt of incident call we categorise occurrences at one of the following five levels, according to the degree of impact and response required:

- High Level Impact Incident
- Low Level Impact Incident
- Event
- Complaint
- Not in remit

A1.5 Impact from noise

Category	Guidance
High - major, serious, persistent, extensive or significant impact	• noise - From an NRW regulated source that is very offensive to human senses and prevents sleep in a residential area or sensitive receptor, e.g. residential home or hospital.
Low – minor impact	• mildly offensive, short-term and/or intermittent noise that causes minimal effect on human senses.

Unannounced site inspection

On Monday 15th May 2017 Ffion Thomas attended the Clyne HWRC site. Arriving at 09:44 departing at 10:44. The weather conditions were persistent rain light breeze.





Waste storage was inspected during the visit. It was noted that the metal and wood waste skips were lined with wood panelling – as per the noise action plan and implemented by CACOS as a noise minimisation measure.





There are now only 2 compactors on site. One for the compaction of cardboard. No operated during the time of my inspection. The other is for the compaction of general waste, and housed within a cladded roof/walled area. The reduction of compactors on site was implemented as per the noise action plan (which forms part of the site EMS)





Tetra pack cartoons are stored within 1 ton bag and operatives confirmed they are collected by CACOS and taken o the bailing plant, no longer by the contractor via a “hoover” style collector. This is as per the noise action plan noise minimisation.
Apertures to the glass and metal can skip have been increased allowing whole bags to be deposited at once. This is as per the noise action plan that identified the single bottle apertures were prolonging noise generation.
The site operatives had concern that the arrangement for removal of the hazardous fluorescent light tubs was yet to be finalised. They expressed concern that they were exposed to increased storage times as the contractors who had been removing the waste had been refused access due to the noise action plan limiting any vehicles not under CACOS control to ensure management of reversing alarm noise. Whilst on site I did not inspect how many tubes were on site, nor did I offer any H&S advice to the operative, but I would like to suggest their concerns are discussed by yourselves, and that arrangements for removal of this waste type is finalised – if not already in place, and communicated to staff.
The site operative also raised frustration that the delays in the tip and return policy for waste skips lead to them receiving abuse from customers when a waste bay was not available (awaiting skip return). The site is extremely busy and the reduction in vehicle movement/skip changeover was identified in the noise action plan to minimise noise. The site operatives shared with me photographs of how quickly a bay can re-fill whilst waiting for a skips return. Striking a balance of demand over noise minimisation is recognised as being hard. The noise action plan requires noise monitoring and review of these records may help in determining future options. CACOS are encouraged to continually assess their site management and review operational demand verses noise minimisation options.
During my time on site (1 hour) I noted 3 separate noise events that took my attention, there was 1 “smash/crash” that sounded possibly like ceramics and 2 “bangs” possibly of wood dropping. I did not physically see these events so cannot confirm their origin. Whilst I noticed these noises I was “listening out for them” I did not feel they were low-minor impact as per ICG guidance.
Of all wastes and areas inspected no non-conforming waste type were seen, all waste segregate according to the permit.
It was noted that the drain was part blocked along the front edge of the central impermeable pavement. Oil sheen was seen on the standing rain water in this area. The site operative were using yard brushes to divert the rain waste into the sealed system gully pots. This ensured that no surface water from the waste storage area was escaping the sealed drainage system. The operatives indicated that this blockage had been reported and maintenance request submitted but yet to be cleared via rodding.
The drains at the rear of the site were also seen to be blocked.
The Permit condition 2.1.2 of the permit states:

2.1.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in section 2.1 of the working plan and in Table 2.1 overleaf:

Working plan (EMS Dec 2016) states:

2.1 **General Description of Layout**

2.1.1 The site will be constructed, maintained and inspected in accordance with sections 2.1 to 3.1.7 (inclusive) of this working plan. A site layout plan can be found as Appendix 2 of this working plan (Drawing G125_002)

2.3 **Site Drainage Systems**

2.3.1 The site drainage is designed and constructed in accordance with drawing numbers D/0137/02A (Drainage), G125_002 (Site Layout) and G125_120 Site Layout Showing Concrete Slab Drainage Layout

2.3.2 Drains and gullies will remain free from blockages at all times on site. The drains are inspected daily for blockages/damage as part of the daily inspection undertaken by experienced and trained staff on site. A record on the inspection of the site drainage including any remedial action will be made in the site diary. The diary will then be inspected by the site supervisor to ensure that appropriate action is taken where necessary.

Ffion Thomas has recorded a CCS score of category 3 for this breach at the root cause of a management system failure under the assessment heading C2. A warning has been added to this CAR form.
Compliance with the management system is required. Rodding of all site drains and continued maintenance to ensure drains remain clear and free flowing is to be completed by 30/6/17
As always the site operatives were very attentive and helpful throughout my inspection.
An announced compliance visit will now be arranged with the view to assess compliance with the noise action plan, EMS and audit training records.

END.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0031655**

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

Site	Clyne Civic Amenity Site	Permit Ref	HB3397TK
Operator/Permit holder	City And County Of Swansea	Date	15/05/2017

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.

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			
C2	C3	Compliance with the management system is required. Rodding of all site drains and continued maintenance to ensure drains remain clear and free flowing is to be completed by 30/6/17	30/06/2017

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.