

Compliance Assessment Report

Report ID:
CAR_NRW0032525

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

Site	Tondu Waste Transfer Station	Permit Ref	GP3690LR		
Operator/Permit holder	Kier Services Limited				
Regime	Waste Operations				
Date of assessment	22/11/2017	Time in	13:30	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	1.1.1, 4.3				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Jemma Thripp/ Environmental advisor	Date issued	28/11/2017		

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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This compliance Assessment Report (CAR) form has been completed following the site meeting held at Tondur waste transfer station on 22nd November 2017.

The meeting was held to discuss Kier's progress towards actions previously assigned and detailed within the signed Action Plan for breaches identified at Tythegston and Maes Teg. To gain a commitment to signing off actions identified in previous site inspections at all the HWRC's. To discuss the Tondur development and provide feedback on the draft Fire Prevention Management Plan submitted in compliance with the Tondur standard Rule permit variation.

Present:

Ffion Thomas – NRW

David Ellar – NRW

Jemma Thrupp – Kier

Adam Neil – Kier

Gareth Barnes – Kier

Maz Akhtar – Kier

Agenda

1. Kier business update.
2. HWRC's previous inspection actions update
3. Tondur FPMP feedback
4. Tondur MRF inspection (undertaken but assessment reported under separate CAR)

1. Kier business update.

Whilst NRW understands there has been multiple changeover of management over the past 12 months, the timeframe for many of the actions assigned to the HWRC's and the transfer station are nearing a year overdue and therefore these must be completed as a priority or further enforcement action may be considered.

Maz Akhtar was apologetic and assurance provided that Kier were committed to completing the outstanding work. A new manager has been appointed and due to start in February. A permanent Technically Competent Manager (TCM) will also be in place with both Adam and Gareth currently enrolled and undergoing training.

Confirmation via email to Jemma Thrupp has been requested as to whom currently holds the sites

TCM certification.

ACTION: Confirm current TCM arrangement and certification

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2. HWRC previous inspection actions update

A summary of the actions identified during previous site audits was emailed to Kier on 18th July 2017.

Following managerial changes a copy of this email and action summary was forwarded to Jemma Thripp on 11 October 2017 as no submissions had been received.

A copy of the actions assigned in that email has been copied below for ease of reference.

Maes teg:

Meeting Actions: MK provide and confirm drainage plan for site.

MK to provide copy of site layout

MK confirm procedural changes to layout that confirm no waste stored off the sealed system (justification for not undertaking engineering works to connect to foul)

MK Confirm cross referencing/review of agreed site action plan

Above actions have a 1 week timeframe, unless otherwise agreed in writing?

Site observations: *No Non-compliances seen. The site was found to be in very good management, suggest ensuing surface water drains are cleaned regularly as a very small amount of debris was seen within the gully pot. Exemplar induction undertaken on site, recommend rolling out to other sites. Discussion had regarding inert skip rejection by disposal site – suggest discuss with customer and fully understand the % allowable contamination.*

Tythegston:

Meeting Actions: MK provide and confirm drainage plan for site.

MK to provide copy of site layout

MK confirm procedural changes to layout that confirm no waste stored off the sealed system (justification for not undertaking engineering works to connect to foul)

Above actions have a 1 week timeframe, unless otherwise agreed in writing?

Site observations: *a non-compliance was identified regarding the fridge/freezer door procedures. The permit requires the fridges to be rendered inoperable. This can be either removal of doors or taping up. On site we found fridges had not been made inoperable. Staff training/awareness raising session was witnessed addressing this non-compliance immediately regarding management/staff training.*

Action AN: *confirm fridge sealing procedure and provision of sealing tape for doors.*

AN please confirm when the interceptor was last maintained/cleaned. Forward details by 21st July.

BrynMenyn:

Meeting Actions: *MK provide and confirm drainage plan for site.*

MK confirm EMS updated to include black bag operations.

Above actions have a 1 week timeframe, unless otherwise agreed in writing?

Site observations: *The site was found to be in good management. Site observations suggest the fall of the lower impermeable pavement is away from the skip storage areas, MK to confirm site drainage. Skips containing waste were found stored in this area awaiting pick up, confirmation of drainage will determine permit compliance.*

Actions; *AN to confirm the driver arrangements for the site and procedure to manage removal of full waste skips. Forward details by 21st July.*

It is understood that some of the above actions have been completed but no written confirmation has been supplied to NRW. Following discussion at the meeting on the 22nd the following actions and timeframes were agreed:

ACTION Forward to NRW confirmation of site drainage of HWRC's by 5th December. **ACTION** Confirm all other actions complete by 31st December.

Following discussions during the meeting held on the 22nd November an update of the actions that were assigned to Tondur transfer station were agreed and have been summarised below:

Tondur updated actions following meeting 22 Nov 2017:

Drainage surveys now done. Engineering works planned to be undertaken during downtime for building infrastructure development.

ACTION - Forward updated copy of Tondur drainage plan – By 5th December

ACTION - Confirm engineering work schedule for sewer connection of external surface water drains.

ACTION – Forward updated EMS, including interim pollution prevention of external waste storage in surface water drainage areas (i.e. food waste storage). By 31 December.

3. Tondur FPMP feedback

Kier submitted a Draft Fire Prevention Management Plan (FPMP) on the 20th October 2017 as required by the new conditions within the updated and varied Standard Rule Permit.

After an initial review of the FPMP by NRW comments were emailed back to Jemma Thripp on 13th November 2017 for consideration. During the meeting of the 22nd no additional discussions were had nor further comments made to those issued in the email of the 13th. An agreement was made for a revised plan taking the comments into account is to be submitted to NRW by 12th January 2018.

ACTION Submit revised FPMP to NRW by 12th January 2018.

4. Tondur MRF inspection (undertaken but assessment reported under separate CAR)

David Ellar accompanied the meeting and undertook a site inspection regarding the MRF regulations. His audit findings will be recorded under separate CAR.

5. AOB

Maz Akhtar and Gareth Barnes provided a short presentation on the development works that were planned for the Tondur facility. The site is to undergo a complete modernisation with new plant

being installed to improve operations and waste management. To undertake the infrastructure improvements within the building a short-term storage of waste externally was envisaged.

To be able to assess this activity a proposal with method statement is to be submitted to NRW for its consideration. This submission is to include: Method statement, work schedule timeframes, risk assessment and proposed amendments to the sites EMS (PMR) detailing the temporary altered waste management systems and pollution prevention mitigation measures that will be deployed.

ACTION Forward detailed proposal for infrastructure temporary storage changes by 8th December (or otherwise agreed, but prior to any development scheduled works)

Action Summary

ACTION: Confirm current TCM arrangement and certification

ACTION Forward to NRW confirmation of site drainage of HWRC's by 5th December.

ACTION Confirm all other actions assigned to HWRC's in email 18th July complete by 31st December.

ACTION - Confirm engineering work schedule for sewer connection of external drains at Tondur by 5th December.

ACTION – EMS of Tondur to include interim pollution prevention of external surface water drainage. By 31 December.

ACTION Submit revised FPMP to NRW by 12th January 2018

ACTION Forward detailed proposal for Tondur infrastructure temporary storage changes by 8th December/ or otherwise agreed but prior to any development scheduled works

NRW assigned Action: A request was received for NRW comment on the proposed fire detection system at Tondur– heat sensors, thermal cameras and fire alarm.

NRW has shared this email/information with our secondee Fire Rescue Service colleagues for comment. Shared on 22nd November and again 27th November.

The request was shared as NRW are not able to provide comment on the acceptability of a fire detection system. The operator must determine the acceptability of a system through site specific risk assessment. NRW can accept a management plan, as forming part of the sites management system, but not the acceptability of a detection system itself.

END

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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032525**

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Site	Tondu Waste Transfer Station	Permit Ref	GP3690LR
Operator/Permit holder	Kier Services Limited	Date	22/11/2017

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.

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			

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.