

Compliance Assessment Report

Report ID:
CAR_NRW0031897

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

Site	North Wales Skip Hire Ltd	Permit Ref	HB3393HC			
Operator/Permit holder	North Wales Skip Hire Limited					
Regime	Waste Operations					
Date of assessment	12/07/2017	Time in	14:10	Out	14:40	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Challender, Paul					
Accompanied by	Peel, Louise					
Recipient's name/position	Dahne Gizzi/ Operator	Date issued	27/07/2017			

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	C3	Permit Condition 2.3.1, Table 2.3
C1 - General Management - Staff competency/training	C3	Permit Condition 1.1.4
C3 - General Management - Materials acceptance	C3	Permit Condition 2.2.1, Table 2.2
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 1.1.1, EMS 1.5.4
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C3	Permit Condition 4.1.2
	C3	Permit Condition 1.1.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	Permit Condition 4.2.2

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	7	Total compliance score (see section 5 for scoring scheme)	28
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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 was an unannounced visit of the premises by Paul Challender and Louise Peel. The weather conditions were dry, bright and warm. At the time of the visit Mr Dahne Gizzi was not on site but two operatives were working; Mr Barry Jones and Mr Martin Williams. Mr Jones contacted Mr Gizzi by telephone and informed him of our presence on site.

Prior to visiting the site it had been established that all registered exemptions had expired on 19/06/17.

Mr Jones and Mr Williams were working in the building at the time of the visit hand sorting the contents of a skip that had been tipped earlier that morning. The waste being sorted appeared to be primarily green waste. This activity was taking place inside the building as per the permit conditions. As the weather was good the operatives were working with the building's doors open and there was no odour detected from outside the permitted area.



Aside from the immediate working area the inside of the transfer building was untidy. However, on being questioned about the various waste streams in the building Mr Jones appeared to know what each waste stream was, where it was ultimately going and why it was stored in such a manner. The storage of waste types inside the building would benefit from being better organised.

I asked Mr Jones if there was a site diary or copy of the Environmental Management System (EMS) available for site workers to use in the Site Office and we were told that there was very little in the site office and that paperwork was dealt with off site. On looking inside the office it was apparent that it was not used as such as stated. The only paperwork available was displayed on the notice board which contained 2 in date asbestos handling training certificates and an old Environment Agency EAWML version of the permit. You should note that your permit needs to be available for persons working on site. The current version of Standard Rules (SR2008 No3) which are the conditions of your permit are at Version 6 and are not available to your staff neither is a copy of your most up to date EMS. This is a breach of your permit conditions. A CCS 3 non compliance has been recorded as it is crucial that site operatives understand and can refer to the current permit in order to comply with the permit conditions and your EMS.

When asked about Waste Transfer Notes (WTNs) we again told that paperwork was dealt with offsite. WTNs are an essential piece of paperwork that show how waste operators, processors, producers etc... comply with their Duty of Care. They should be correctly completed for all transfers of waste materials to provide a clear audit trail from producer to receiver and your staff should be fully aware of the requirement for their use

There was no original or hard copy of a valid certificate for a Technically Competent Manager (TCM) displayed on the notice board or information identifying a TCM. I have also consulted the WAMITAB database and Mr Gizzi has not completed the competence qualification on which he enrolled. Also as no Site Diary was present it was not possible to check for the requisite minimum attendance of a suitably qualified TCM at the site. The lack of compliance with the Permit Condition 1.1.4 is an ongoing issue at this site which requires resolution as a priority. In lieu of a qualified TCM present at the site during operational hours you should be able to evidence of the attendance of a third party TCM; this is normally achieved by the visiting TCM signing the Site Diary. Marco Muia of Oaktree Environmental has acted as TCM in the past and if this is still the case there is no evidence on site to confirm his attendance in this capacity as TCM. This is a breach of your permit conditions and a CCS 3 non compliance has been applied as it is reasonably foreseeable that a minor pollution could occur on site if there is no TCM in attendance to oversee the waste management operations.

The storage of waste materials outside of the building was found to be wanting. Permit conditions state that "all waste shall be

stored in a building or in a secure container" unless it is a specified waste. There are several examples on site of wastes that are not a specified waste type in the yard not being stored in secure containers or over spilling from their containers.



The above photographs shows an overfilled container with uPVC window frames overflowing from the container. This is not a specified waste type as per Section 4.4 of SR2008 No3 and therefore is stored outwith a building it is required to be wholly stored within a secure container. I was unable to check the integrity of the skip; if skips are used as a secure container they should be sealed units i.e. any doors welded shut so fluids do not emanate from the container.



The above photographs show plant material stored outwith a secure container. Plant tissue/biodegradable waste is not a specified waste type as per Section 4.4 of SR2008 No3 and therefore is stored outwith a building it is required to be wholly stored within a secure container.



The above photograph shows paper and cardboard stored outwith a secure container. Paper and cardboard waste is not a specified waste type as per Section 4.4 of SR2008 No3 and therefore is stored outwith a building it is required to be wholly stored within a secure container. This material appears to have been stored for some time and has started to break down due to its exposure to the elements.



The above photograph shows wood stored outwith a secure container. Wood waste is not a specified waste type as per Section 4.4 of SR2008 No3 and therefore is stored outwith a building it is required to be wholly stored within a secure container.



As can be seen above; adjacent to the wood waste there was an area of mixed waste which has a significant volume that has overflowed from the container. This waste contained numerous items of WEEE and a waste fridge/freezer can be seen in the foreground. Due to the wastes' proximity to the waste wood and storage next to the boundary palisade fence this area represents a significant fire risk.



The above photograph shows tyres stored outwith a secure container. Waste tyres are not a specified waste type as per Section 4.4 of SR2008 No3 and therefore if stored outwith a building it is required to be wholly stored within a secure container. Also this waste has been stored here since June 2014 well in excess of the 3 month time limit stated in the EMS.



The above photograph shows large fraction hard plastics stored in a container. However, this is the same waste that is shown in a photographs that appears in the June 2014 CAR form and therefore well in excess of the 3 month time limit stated in the EMS.

The above storage issues are a breach of your permit conditions and a CCS 3 has been recorded. Permitted waste types need to be stored in the manner stipulated by the conditions of your permit to minimise the risk of pollution and amenity issues emanating from your waste operation.





A waste cooling device was identified in front of the skip containing WEEE. It was not apparent whether this was a commercial (16 02 11) or household (20 01 23) item. Also gas bottles (either 16 05 04 or 16 05 05) were again identified on site. None of these EWC codes are permitted waste types as listed in Table 2.2 of your permit. On identifying non-permitted waste types; these wastes should be moved to an appropriate Quarantine Area and then moved off site via a suitable route and the incident and remedial action should then be logged in the Site Diary. A CCS 3 non-compliance has been recorded for this issue and you are required to implement a quarantine procedure as per the date in the table below.

It has been noted from our records that you have not submitted Waste Returns for Quarters 2, 3 or 4 of 2016 and Quarter 1 of 2017 is due by the end of this month. Permit condition 4.2.2 requires "within one month of the end of each quarter, the operator shall submit information relating to the site and the waste accepted and removed from it during the previous quarter". You must ensure that you submit waste returns at the end of each quarter. This is a breach of your permit conditions and a CCS 3 non-compliance has been applied on this occasion. Please submit the missing returns by the date stipulated in the table below. Any further non-compliances of this permit condition may result in further action being taken.

Thank you for your time during the inspection.

Regards,

Paul Challender - Environment Officer

EPR Compliance Assessment Report

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Site	North Wales Skip Hire Ltd	Permit Ref	HB3393HC
Operator/Permit holder	North Wales Skip Hire Limited	Date	12/07/2017

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			
C4	C3	Remove from site in a manner which complies with Duty of Care and the Waste Hierarchy.	31/08/2017
C1	C3	Implement an on site recording system for TCM attendance. The signing of a Site Diary will be sufficient.	11/08/2017
G2	C3	Maintain an up to date copy of the EMS on site. Implement and maintain a site diary.	11/08/2017
G2	C3	Keep an up to date copy of the Permit in the site office	04/08/2017
A1	C3	Store all non-specified waste in the building or in a secure container; or remove from site in a manner that complies with Duty of Care	31/08/2017
G4	C3	Complete and submit waste returns	31/08/2017
C3	C3	Implement quarantine procedure for non-permitted waste types	31/08/2017

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.