

Compliance Assessment Report

Report ID:
CAR_NRW0032710

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

Site	Ruthin Waste Transfer Station	Permit Ref	TP3999VA		
Operator/Permit holder	Denbighshire County Council				
Regime	Waste Operations				
Date of assessment	19/12/2017	Time in	11:20	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted Area				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by					
Recipient's name/position	Jim Espley/ TCM	Date issued	15/01/2018		

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	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C4	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.1

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	2	Total compliance score (see section 5 for scoring scheme)	0.2
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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 a routine inspection that was not pre-arranged.

Met site operative (David) who showed me a copy of the permit in the office. This was following comments made during my last inspection when a copy of the permit was not immediately available.

We then walked around the site. We discussed where the wastes received on site are sent to. There were no issues observed with how waste was being stored. The waste on site seems to be managed efficiently with a constant rotation to ensure waste is not stored on site for too long. This limits the risk of odours and pests and reduces the chance of fires.

It was mentioned on site that there are plans to replace the roof of the transfer building in the Spring. The site intends to remain operational while these improvement works are carried out in stages. It may be worth considering if any fire detection/prevention systems on site need to be updated at the same time due to the increasing focus on fires at waste sites.

Overall, the site was tidy and well organised and no issues on site were observed.

Waste Returns

One issue that was recorded in the previous CAR form (CAR_NRW0032327) was missing waste returns. In that CAR form you were asked to submit the missing waste returns by the 3rd November 2017. These have not been received and as a result the below non compliances have been recorded:

C2 - General Management - Management System & Operating Procedures - Condition 1.1.1 - CCS Cat 4

Permit Condition 1.1.1 states that "the operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risk of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closures and those drawn to the attention of the operator as a result of complaints"

As the non-compliance within the last CAR form has not been addressed it is deemed that the appropriate measures have not been put in place to address this and to reduce the risk of it happening again. Your sites management system should address the submission of waste returns. This has been deemed a CCS Cat 4 breach on this occasion.

G4 - Monitoring and Records, Maintenance and Reporting - Reporting and Notification - Condition 4.2.1 - CCS Cat 4

Permit Condition 4.2.1 states that "Within one months of the end of each quarter, the operator shall submit to the Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter."

As stated above, quarterly waste returns are still missing. You must submit the following waste returns:

Q1 - January to March 2017

Q2 - April to June 2017

Q3 - July to September 2017

The waste returns for October to December 2017 will also be due by the end of January 2018. The deadline by which I would expect to see these waste returns is the 31st January 2018.

Should these waste returns still not be submitted then, as well as looking at escalating the scale of the breach, we will also need to consider whether any further enforcement action is needed.

Environment Management System (EMS)

As a result of both the missing waste returns and the upcoming improvements to the site it would be a good opportunity to review the sites Environment Management System (EMS). The EMS I currently have on file is Version 1 and was produced in November 2014. I have reviewed it and as well as the comments above regarding how non compliances are dealt with the information around how waste on site is dealt with is out of date (Table 3). There is likely to be other bits of information that needs to be included/updated as well. Guidance to help you update/produce an EMS is available on our website at

<http://naturalresources.wales/permits-and-permissions/environmental-permits/environment-management-system/?lang=en>

and

<http://naturalresources.wales/permits-and-permissions/environmental-permits/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en>

If you have any questions please contact me on 0300 065 3806

EPR Compliance Assessment Report

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Operator/Permit holder	Denbighshire County Council	Date	19/12/2017

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			
G4	C4	Submit the missing waste returns	31/01/2018
C2	C4	Ensure that a system is put in place to address any non-compliances recorded on site. In this case the missing waste returns.	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.