

Compliance Assessment Report

Report ID:
CAR_NRW0031814

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

Site	Glasfryn Yard	Permit Ref	UB3697TL		
Operator/Permit holder	Gary Catton Haulage Ltd				
Regime	Waste Operations				
Date of assessment	23/06/2017	Time in	14:20	Out	14:35
Assessment type	Site Inspection				
Parts of the permit assessed	dust suppression measures				
Lead officer's name	White, Steven				
Accompanied by					
Recipient's name/position	David Evans/ Site manager	Date issued	03/07/2017		

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
F3 - Amenity - Dust/fibres/particulates and litter	C3	Permit Condition 3.1.1/EMS conditions 4.4.1 - 4.4.7

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
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

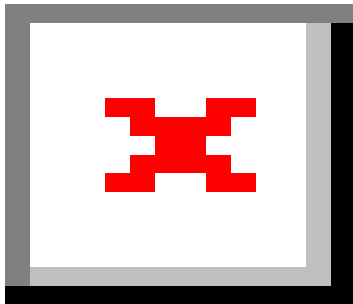
Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

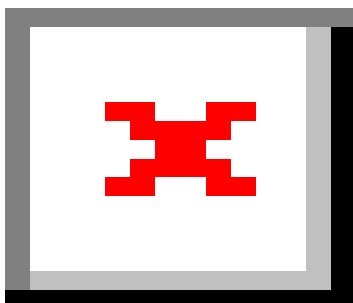
- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details 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 inspection by the new regulating officer Steven White, site manager David Evans was not on site at the time of the visit.

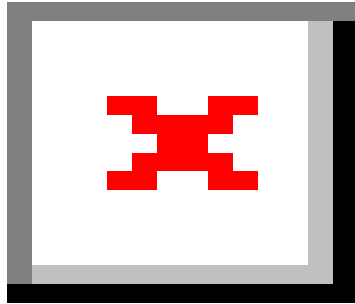
The inspection was carried out following a complaint of excessive amounts of dust leaving the site, on arrival to site it was observed that there was a lot of fine dust covering the pathways with the wind blowing it around. This dust was more obvious when machinery/wagons drove around, and was visible as a layer on one of the cars parked on site. (see photos below). Whilst on site a lot of dust was getting in my eyes and mouth leaving a grittiness.



Dust visible on site



Dust observed following machinery/wagons on site



Dust visible as a layer on one of the cars parked on site

There are dust suppression measures available on site (sweeper and digger shovel used as bowser) but these were not being used at the time of the visit, in a conversation with David Evans a few days after the incident it was explained that the sweeper had broken down. Whilst on site I spoke with one of the site operatives and explained the dust complaint issue, the site operative agreed to spread some water around using the shovel from one of the diggers - this was being carried out as I left site.

The amount of dust observed on site and without the dust suppression measures in place is a breach of permit condition 3.1.1: Emissions of substances not controlled by emissions limits(excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures including, but not limited to those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise those emissions.

Section 4.4 of the site EMS goes into detail about the control and monitoring of dust on site, observations on site during the inspection indicated that none of these measures detailed in this section were being carried out to minimise the dust levels.

The lack of dust suppression measures in place when there was an obvious issue with dust blowing around and off site is a breach of the above permit condition; this has subsequently been scored as a CCS C3 breach against the permit.

Action: It is advised that once it becomes evident that there is a dust problem on site that the suppression measures are activated, especially if the weather is dry and windy.

Please find my contact details below

Regards

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

EPR Compliance Assessment Report

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Site	Glasfryn Yard	Permit Ref	UB3697TL
Operator/Permit holder	Gary Catton Haulage Ltd	Date	23/06/2017

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
F3	C3	You must ensure that dust suppression measures are activated and maintained when dust becomes an issue on site.	12/07/2017

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.