

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

Site	W H Chaloner & Son Ltd		Permit Ref	37135		
Operator/ Permit holder	W H Chaloner & Son Limited					
Date	26/08/2015		Time in	10:15	Out	11:00
What parts of the permit were assessed	Permitted Area					
Assessment	Audit	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	WH Chaloners					
Officer's name	Andrew Sowerby		Date issued	25/09/2015		

**Section 1 - Compliance Assessment Summary**

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
<b>a) Permitted activities</b>	1. Specified by permit	A	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
<b>c) General management</b>	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
<b>d) Incident management</b>	1. Site security	A	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	NA	
<b>f) Amenity</b>	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	A	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	A	
	4. Reporting & notification	A	
<b>h) Resource efficiency</b>	1. Efficient use of raw materials	NA	
	2. Energy	NA	

**KEY: C1, C2, C3, C4 = CCS breach category ( \* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored**

<b>Number of breaches recorded</b>	0	<b>Total compliance score</b> (see section 5 for scoring scheme)	0
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**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

### Comments

The visit to WH Chaloner & Son Ltd was pre-arranged in order to provide prior warning that a review of some of the sites paperwork would be carried out.

Upon arrival a selection of waste transfer notes and hazardous waste consignment notes was requested.

A walk around the permitted area was undertaken. It was observed that there were large stockpiles of waste currently on site, especially metal. It was explained that this was due to low prices in the market but that if the quantities became too great then the metal would just be sold regardless. In the meantime the waste was being stockpiled just in case the prices of waste metal (especially ferrous) improved.

All undepolluted ELVs are currently being stored on the concrete surface. Due to staff holidays etc the undepolluted ELVs have not been processed as quickly as would have been liked. The maximum amount of ELVS that the site can have on their site according to the Environment Management System is 300 tonnes. This quantity has not been exceeded. The operator is still considering moving ELVs to another part of the yard away from any permeable surfaces. However, to do this they will need to make time to move everything around.

Checked the skip that contained engines. Observed some oil staining on the ground around the skip but as the skip is located on the concrete impermeable surface and there are signs that absorbents have been used to mop up residual oil there are no issues.

Overall no issues were observed during the inspection.

### Paperwork

The sites Environment Management System (EMS) is up to date. It was completed 13th November 2013. It is recommended that the EMS is reviewed every 2 years to ensure that it is still up to date and a record kept of when it was reviewed and any changes that may have needed to be made.

Provided with Waste transfer notes for waste tyres and scrap metal, and hazardous waste consignment notes for WEEE, waste oil and batteries.

**Tyres** - It was observed that the waste transfer note for waste tyres (ticket number 12095 or 1058335) did not contain all the information required. The waste transfer note was missing information such as full postal details for the producer of the waste, i.e. your address and postcode, the time the collection of tyres took place, a statement that the waste hierarchy has been applied and the relevant SIC code for the person transferring the waste. In addition to this the exemption reference detailed on the waste transfer note does not seem to be up to date. As the producer of the waste you need to be ensuring that any waste transfer notes that are completed for waste leaving your site contain all the information required.

**Scrap Metal** - This transfer note concerned scrap metal that had been accepted onto site. Unfortunately it does not include the separate consignments and seems to be part of an annual ticket (01.01.14 to 31.12.14). As a result a full assessment of this transfer note was not possible.

**WEEE** - There are two hazardous waste consignment notes for WEEE. One is for SDA or small domestic appliances (consignment note code OIL/351/011) and the other is for small mixed WEEE (consignment note code OIL/351/008).

In both consignment notes it is observed that not all the details have been entered into Part B (Description of the Waste). The waste details that are missing should be entered as they are a requirement of both the Hazardous Waste Regulations and the Carriage of Dangerous Goods Regulations (regulated by HSE). Part B should be completed by the producer of the waste. For the WEEE referred to in consignment note OIL/351/011 the consignee return may not have been received for this consignment of waste yet as the note is dated 2nd July 2015. For the consignment note relating to small mixed WEEE (OIL/351/008) there appears to be very little information in Part B and no time has been entered to say when the waste left the site (WH Chaloner & Son Ltd).

**Waste Oil** - The consignment note relates to waste oil sent off site (consignment note code OIL351/49079M). It was observed that Part E has not been completed. As the note is dated 24th June 2015 the consignee return should have been received by now. If the returns have not yet been received for this consignment it is suggested that they be requested. The consignee should send consignee returns to both the consignor and NRW once a quarter.

**Batteries** - The consignment note relates to waste batteries sent off site (consignment note code OAC367/SN887). This consignment note does not have the current hazardous waste producer premises code or current carrier registration number. Both numbers used in the form are no longer applicable. The only other issue observed with this consignment note is that the quantity of waste has not been entered onto the form in Part B. A quantity (even if approximate) should be entered onto the form prior to the consignment leaving site. The consignee will then weigh the load themselves upon arrival at their site.


It was observed that across all the hazardous waste consignment notes a range of different SIC codes have been used. Please try to ensure that the most appropriate code is used on all consignment notes. It is the producer/consignor's responsibility to ensure all the information in Parts A, B and D is entered correctly.

Whilst reviewing the hazardous waste consignment notes it was noticed that your hazardous waste registration OIL351 expires on 13th November 2015. The waste carrier registration for the site (CB/UP3070PQ) expires on 19th March 2016.

Overall no breaches have been recorded on this visit. However it is advised that the above comments concerning the waste transfer notes and hazardous waste consignment notes are read to ensure any amendments to future notes are made.

If you have any questions regarding this inspection form please contact me on 0300 065 3806.

*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.*

	<b>EPR Compliance Assessment Report</b>	Report ID: 37135/0248363
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Site	W H Chaloner & Son Ltd	Permit	37135
Operator/ Permit	W H Chaloner & Son Limited	Date	26/08/2015

**Section 3- Enforcement Response** **Only one of the boxes below should be ticked**

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
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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.	
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We will now consider what enforcement action is appropriate and notify you, referencing this form.	
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**Section 4- Action(s)**

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

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 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 which could have a <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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](mailto: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.