

Compliance Assessment Report

Report ID:
CAR_NRW0018574

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

Site	Greenacres Skip Hire	Permit Ref	YP3698FQ			
Operator/Permit holder	Paul Nicholas					
Regime	Waste Operations					
Date of assessment	15/04/2016	Time in	14:00	Out	15:00	
Assessment type	Audit					
Parts of the permit assessed	Operational area					
Lead officer's name	Bacon, Liane					
Accompanied by						
Recipient's name/position	Mr Paul Nicholas/ Manager	Date issued	11/05/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	C3	1.4.1
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3	1.2.1, 1.2.2
D1 - Incident Management - Site security	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	12
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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

The visit was conducted on 15th April 2016 by Liane Bacon. It was a routine inspection to assess progress with required improvements and compliance of permit conditions. It was an unannounced inspection and Mr Paul Nicholas was not on site at the time of the inspection. A Greenacres operative showed Liane Bacon around the site

During the site inspection breaches of the permit were noted.

C3: General Management – Materials Acceptance – CAT 3 – permit conditions 1.2.1, 1.2.2

During the site inspection Waste Electrical and Electronic Equipment (WEEE) in the form of computers, computer screens, printers and other appliances were identified on site. These wastes have hazardous properties and are not permitted to be accepted under your existing permit. Please make arrangements to remove these as soon as possible, retaining the appropriate duty of care paperwork for future inspection. Every effort should be made to ensure that non-permitted wastes are not accepted on site.



As previously noted, you are currently exceeding the tonnage limits stipulated in your permit. In order to be able to increase the tonnage limit and accept more waste you are required to vary your permit. Natural Resources Wales permitting team have not received a permit variation application and therefore you are reminded that you must work within the conditions of your existing permit.

ACTION: Please remove non-permitted waste from site, retaining the appropriate duty of care paperwork.

Operate within the stipulated tonnage limits or apply to vary your permit by 30th June 2016.

C1: General Management – Staff competency and training – CAT 3 – Permit condition 1.4.1

In order to act as the Technically Competent Manager you are required to maintain the relevant WAMITAB qualifications. Our records show that your continuing competency certificate has expired and you are required to complete the course as soon as possible.

ACTION: Complete the continuing competency assessment by 30th June 2016.

C2: General Management – management systems & operating procedures – CAT 3 – Permit condition 1.1.1

The root cause of the permit breaches above is having insufficient management systems and awareness of the limitations of the permit.

ACTION: Understand the conditions of the existing permit and up-date management systems to reflect current operations by 30th June 2016.

We have previously discussed the need to not only vary the permit but to up-date the Working Plan to an Environmental Management System (EMS). The EMS does not need to be a complicated document but it should be an accurate reflection of your operation.

Please be mindful that many of these issue have been on-going for some time and should no progress be made by the required date then we may seek to take further enforcement action.

EPR Compliance Assessment Report

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Operator/Permit holder	Paul Nicholas	Date	15/04/2016

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.

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.

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			
C1	C3	Obtain continuing competence certificate	30/06/2016
C3	C3	Remove non permitted wastes and vary permit to increase tonnage limit.	30/06/2016
C2	C3	Manage site in line with permit conditions	30/06/2016

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 reports 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 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.