

Compliance Assessment Report

Report ID:
CAR_NRW0034559

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

Site	Hafod Garage Waste Transfer Station		Permit Ref	AP3399FR		
Operator/Permit holder	Thomas Waste Management Ltd					
Regime	Waste Operations					
Date of assessment	22/01/2019		Time in	10:30	Out	11:10
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by	Lee, Jonathan					
Recipient's name/position	Gareth Thomas, Howard Thomas/ Site Manager. Accounts Manager		Date issued	04/02/2019		

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	C3	A5
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	C3	B.2.1 - Permitted Wastes
C4 - General Management - Storage, handling labelling and Segregation	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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)	8
-----------------------------	---	---	---

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

Officers Alex BOWDER and Jonathan LEE attended Thomas Waste Management Ltd at 10:30 on Tuesday 22nd January 2019 to carry out a routine inspection of permit **EPR-AP3399FR**. The weather conditions were cold with slight snowfall at the time of the visit. Met with Operations Manager Mr. Gareth Thomas and Accounts Manager Mr. Howard Thomas. Walked around the permitted area highlighting yard activities and compliance with permit conditions.

Points raised on previous CAR Form

- Accepting ELVs as a waste on site.
- An ELV leaking oil/diesel onto the yard surface
- Weakened infrastructure in the upper yard section in need of repair

END OF LIFE VEHICLES (ELV)

CATEGORY 3 BREACH

C3 - General Management - Materials Acceptance

Condition B.2.1 - Permitted wastes.

"No wastes other than those, which are specified below in Table B.2.1"

Working Plan - 4.5.1

"[...]waste arriving will be agreed with the TCM as acceptable waste in accordance with the site licence prior to delivery to site."

An ELV with the engine still in the unit was present on the scrap metal pile at the time of inspection. As stated on the last inspection, although there is no treatment to the ELV taking place, the business' permit does not allow wastes attributed to Waste Codes starting with **16 01** ____.

You can accept metal waste from:

- Construction and demolition - **(17 04** ____),
- Waste Management Facilities - ferrous and non-ferrous metals - **(19 12 02/03)**
- Commercial waste metals - **(20 01 40)**.

As this is an unauthorised waste stream for the site, a Category 3 breach has been scored against this condition to highlight the non-compliance.

ACTION: Do not accept any ELVs as waste in future.

ACCEPTING END OF LIFE VEHICLES

The business showed Officers the scrap metal site licence issued under the SCRAP METAL DEALERS ACT

2013 in February 2017 by Blaenau Gwent County Borough Council. This is a Council issued licence external to NRW to enable people and businesses to deal in scrap metal. **This does not allow you to accept ELVs, as they are deemed hazardous due to the components and liquids they contain.**

The site questioned whether they could vary the permit to add the **Waste Codes** to enable the acceptance of ELV's. As vehicles are deemed hazardous, it is not a simple assessment (such as an admin variation) and so would require the permitting department to carry out a full normal variation. According to the business' most recent Operational Risk Appraisal (OPRA), this would come at a cost of **£10,880**.

If the business wanted to extract fluids from ELVs and strip the cars for parts in the future, this would require a depollution permit with NRW (separate to the permit already in place). This would need an allocated area such as depollution bay, to ensure proper and safe extraction of any hazardous elements to vehicle such as batteries, oil and diesel.



Picture 1 – showing an ELV amongst the scrap metal pile in the yard

CATEGORY 3 BREACH

B1 - INFRASTRUCTURE FOR THE PREVENTION AND CONTROL OF EMISSIONS

Condition A5

Officers pointed out the damaged and weakened infrastructure in the upper yard section in need of repair. Wear and tear of the surface is inevitable with everyday operations; however, it is important to keep the yard surface impermeable to liquids.

It was said that the business is waiting for the right time to restore the damaged patch, as it's difficult in times of poor weather. It is important to ensure that leachate and surface water does not soak through the ground layers and the leave site.

ACTION: Repair damaged surface to ensure surface

remains fully impermeable and sealed.

Deadline: 4th May 2019



Picture 2 – showing infrastructure in need of repair in the upper yard.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The business provided Officers with a copy of the site's current **Working Plan** document at the time of inspection. Thank you for this.

The plan was examined briefly on site - you should look to update the document to an **Environment Management System (EMS)**. This will involve expanding on areas to include checklists, procedures and timelines.

Guidance and templates for writing an EMS relating to waste handling can be found here:

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

GENERAL OBSERVATIONS

Water was pooling in various sections of the yard due to periods of rainfall the night before. Please be mindful to keep drain slots clear to keep the drainage system functioning efficiently.

Officers asked about the asbestos storage principles at the time of inspection. There was appropriate storage at the time of inspection with no waste stored outside of the permit boundary. Once sorted and

bagged in-line with the Hazardous Waste (England and Wales) Regulations 2005, asbestos material is sent to landfill site for disposal.

OPERATING AT A NEW SITE

The business spoke about conducting waste activities involving storage and sorting of hard plastics and cardboard at a new site. It was mentioned that waste from the current site would be transferred (having been sorted) to new yard for storage.

Officers informed the business about the waste exemptions that can be registered for certain activities and their strict limits. The most suitable exemption for bailing cardboard and plastic (without any treatment) would be:

T4 PREPARATORY TREATMENTS - such as, baling, sorting, shredding

This exemption allows you to treat waste to reduce its volume to help transport it to another site for reuse or recycling or make handling easier.

Types of activity you CAN carry out:

- baling loose paper and cardboard before transporting it to another site for recycling
- baling and shredding aluminium cans
- sorting different types of plastic bottles

Types of activity you CANNOT carry out:

- use heat to densify the waste
- combine the storage limits of this exemption and [S2 - storing waste in a secure place](#) to increase the overall storage capacity (this exemption has storage limits for each type of waste so you don't have to register 2 separate exemptions)
- mix types of waste for treatment or storage
- treat hazardous waste
- bale waste before it is sent to landfill or incineration

Further details can be found here:

<https://www.gov.uk/guidance/waste-exemption-t4-preparatory-treatments-baling-sorting-shredding-etc>

REPORTING INCIDENTS

The site was provided with the NRW incident line number to anomalously report any incidents of fly-tipping or burning in the area for further investigation.

24-hour Incident Communication line:

0300 065 3000

or via email at:

icc@cyfoethnaturiolcymru.gov.uk

WASTE RETURN DOCUMENTS

Waste Return spreadsheets are being correctly submitted. The business has logged 2,998.98 tonnes of

waste coded as **19 12 09** leaving the site for use in construction of roads on landfills.

The site has received approximately 82.54 tonnes of asbestos (**17 06 05**) from the period of October to December 2018, with 110.68 tonnes logged as leaving site.

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

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

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034559**

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

Site	Hafod Garage Waste Transfer Station	Permit Ref	AP3399FR
Operator/Permit holder	Thomas Waste Management Ltd	Date	22/01/2019

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			
C3	C3	Do not accept ELV	05/02/2019
B1	C3	Repair damaged infrastructure to ensure the surface is fully impermeable.	04/05/2019

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.