

## Compliance Assessment Report CAR\_NRW0039365

**Permit being assessed:** JB3033RC.

For: A D J Skip Hire, held by Mr Lee Gapper And Mrs Marie Gapper

At: Llanbradach, Caerphilly, Gwent, CF83 3QS.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 09/02/2022 between 10:30 and 11:00.

Parts of permit assessed: Various

**NRW Lead Officer:** Greg Gardner, accompanied by Jonathan Lee.

**Report sent to:** Mr. Lee Gapper, Technically Competent Manager on 23/02/2022.

### 1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria)                                                                 | Assessment result | Permit condition |
|----------------------------------------------------------------------------------------------------------------|-------------------|------------------|
| A1 - Specified by permit                                                                                       | C3 Minor          | 2.4.1            |
| D2 - Incident Management - Accidents, emergency and incident planning                                          | C4 No impact      | 3.1.4            |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | C4 No impact      | 4.2.2            |
| C1 - General Management - Staff competency/training                                                            | Action only (X)   |                  |

Result types are explained in more detail in the 'Important Information' section below.

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 3                                        | 4.2                        |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

| Criteria | Action needed                                                                                                                                     | Complete by |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| A1       | Improve general housekeeping in area and ensure all waste(s) are stored within the permitted boundary.                                            | 31/03/2022  |
| D2       | Please submit a written fire prevention and mitigation plan for assessment by Natural Resources Wales.                                            | 30/04/2022  |
| G4       | Please submit all outstanding waste return data to NRW                                                                                            | 30/04/2022  |
| C1       | Acquire WAMITAB qualification as designated site owner / Technically Competent Manager which is a requirement under your permit (condition 1.1.4) | 31/05/2022  |

Action criteria codes are listed in the 'Important information' section below.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

#### At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 4. Details of our assessment

This report details the site visit made on the 9th February 2022 to ADJ Skip Hire Ltd, Llanbradach, permit reference number EPR-JB3033RC.

Officers Jonathan LEE and Greg GARDNER attended the ADJ Skip Hire Ltd site at Graddfa Industrial Estate, Llanbradach, Caerphilly, CF83 3LQ for a routine site inspection at 10:30am where we met with the Site Manager, Mr. Lee GAPPER. The weather was dry, and reasonably cold which it had also been the previous day.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact or effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

#### COMPLIANCE BREACHES

#### **CATEGORY 3 BREACH – PERMIT CONDITION 2.4.1**

##### **(A1) – SPECIFIED BY PERMIT**

*"The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit."*

- Quantities of waste(s) stored outside of designated permit boundary
- Housekeeping in area in general need of improvement

Please see report content for further justification

**CATEGORY 4 BREACH – PERMIT CONDITION 4.2.2****(A1) – SPECIFIED BY PERMIT**

*"Within one month of the end of each quarter, the operator shall submit to 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."*

- ADJ Skip Hire Ltd have failed to submit any waste return data since quarter 1, 2016.
- This has been raised and breached with the operator on previous CAR forms CAR\_NRW0037480 and CAR\_NRW0035095

Please see report content for further justification

**CATEGORY 4 BREACH – PERMIT CONDITION 3.1.4****(D2) ACCIDENTS, EMERGENCY AND INCIDENT PLANNING**

*"The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance"*

- To date, ADJ Skip Hire Ltd have failed to submit an FPMP document to NRW for assessment which is a permit condition requirement

Please see report content for further justification

**GENERAL OBSERVATIONS**

ADJ Skip Hire Ltd, Llanbradach operate a waste transfer station facility under a standard rules SR2008 No01 permit. The maximum quantity of waste accepted and processed on this site shall not exceed 75,000 tonnes per year. The site was operational at the time of the site inspection.



### WASTE ACTIVITIES - GENERAL

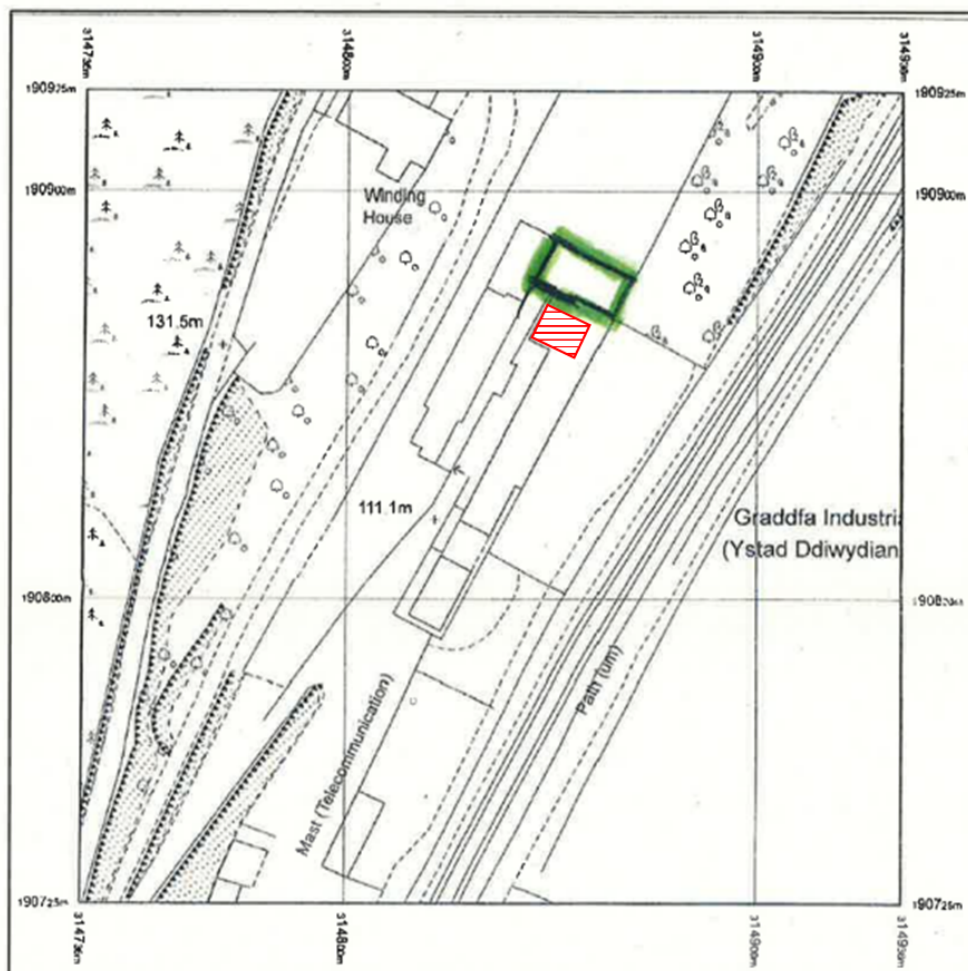
The site operates as a waste transfer station where various different types of waste are accepted, sorted and removed from site. On site a warehouse was used to house the accepted waste prior to being treated, separated and transported to other sites for further processing / storage. Unprocessed material was stored within a building adjacent to where the waste processing takes place. This unprocessed waste (see photo 2) is not stored within the designated permit boundary (see image 1 - extract from EPR-JB3033RC permit) Please note - Green area is designated permit boundary, red area is where unprocessed waste was stored which is outside of designated permitted area.



**Photo 2** - Unprocessed waste(s) stored outside permitted boundary

## Schedule 1 - Site plan

This is the plan referred to in the standard rules SR2008\_No1 75kte



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**Image 1** - Area in red where unprocessed waste(s) were stored outside permit boundary

**ACTION:** Ensure all waste(s) are stored within the designated permitted boundary as outlined in your environmental permit EPR-JB3033RC

### FIRE PREVENTION AND MITIGATION PLAN (FPMP)

On the 1st August the permit 'SR2008 No1' was updated to version 7.1. This updated version of the standard ruleset included permit condition 3.1.4 which states that 'the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance'. See link to FPMP guidance: [Guidance No. 16 Fire prevention and mitigation plan - waste management \(naturalresources.wales\)](https://www.naturalresources.wales/guidance/16-Fire-prevention-and-mitigation-plan-waste-management)

To date an FPMP document has not been submitted for assessment by the permit holder.

**ACTION:** Please submit a written fire prevention and mitigation plan for assessment by Natural Resources Wales.

**WAMITAB**

The business does not currently have a Technically Competent Manager (TCM) assigned to the site with the relevant WAMITAB qualification. NRW does not run this scheme, the WAMITAB website holds more information on the relevant course and trainers in this area. Whilst we appreciate the financial costs of the course, it is still a condition of the permit, under section 1.1.4, which requires this.

*"The operator shall comply with the requirements of an approved competence scheme."*

**ACTION:** Please ascertain a WAMITAB qualification in order to comply with your permit condition.

### WASTE RETURN SUBMISSIONS

According to NRW records, ADJ Skip Hire Ltd have failed to submit any waste return data since quarter 1, 2016. This has been raised in previous CAR forms notably CAR\_NRW0037480 and CAR\_NRW0035095.

Permit condition 4.2.2. states that *'within one month of end of each quarter, the operator shall submit 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 a reminder to the operator, please see below the waste return submission deadlines:

#### Waste Return Submission Deadline

| Quarter | Period                   | Deadline   |
|---------|--------------------------|------------|
| 1       | 1 January to 31 March    | 30 April   |
| 2       | 1 April to 30 June       | 31 July    |
| 3       | 1 July to 30 September   | 31 October |
| 4       | 1 October to 31 December | 31 January |

Site management need to put in place measures to ensure that the Return data is submitted diligently every quarter. This can be done by setting calendar reminders or having a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance

**ACTION:** Please submit your all outstanding Waste Returns documents to NRW for review by 30 April 2022.

Officers Jonathan LEE and Greg GARDNER left site at 11.00am the same day.

If you have any issues with this report please contact Greg Gardner on [greg.gardner@naturalresourceswales.gov.uk](mailto:greg.gardner@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***

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If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

| Assessment result | Description                                                       |
|-------------------|-------------------------------------------------------------------|
| Assessed (A)      | Assessed or assessed in part, no evidence of non-compliance found |
| Action only (X)   | Action only relating to the activity assessment                   |
| Ongoing (O)       | Ongoing non-compliance, not scored                                |

| Non-compliance category    | Description                                                                                                                 | Score |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60    |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 | 31    |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            | 4     |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       | 0.1   |

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

**What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

**Full list of Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

## Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

## Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

## Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.