Cyfoeth Naturiol Cymru
Natural Resources Wales

EPR Compliance Assessment Report

Report ID: 103589/0241328

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

Site	C T Skip Hire		Permit Ref	103589	
Operator/ Permit holder	Thompson Carl				
Date	28/05/2015		Time in	10:00	Out 11:00
What parts of the permit were assessed	All Below				
Assessment	Site Inspection	EPR Activity: Installation	Waste Op X	Water Discharge	
Recipient's name/position	Carl Thompson				
Officer's name	Rhys Ellis, Mandy Langstaff		Date issued	26/06/2015	

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
a) Permitted activities	**1**. Specified by permit	A	
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	C3	2.3.1
	5. Plant and equipment	A	
c) General management	**1**. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	**1**. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	**1**. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	**1**. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	**1**. Efficient use of raw materials	N	
	2. Energy	N	

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

Number of breaches recorded	2	**Total compliance score** (see section 5 for scoring scheme)	8

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.

Environment officers Rhys Ellis and Mandy Langstaff met with operator Mr Carl Thompson and Environmental Consultant John Haddock.
The purpose of the visit was to discuss progress in relation to the non-compliances noted in your previous inspections and subsequent action plan provided by you on the 16 March 2015 and further correspondence by you on the 6th May 2015.

Firstly may I comment that It was encouraging to see that substantial progress has been made on the repair of the building and subsequent infrastructure on site, it was evident that time and effort had been allocated by the operator to try and meet actions highlighted in previous CAR 1 forms.

We took this opportunity also to discuss the soil and inert waste currently stored on site.

B4) Infrastructure – Containment of stored Materials

Substantial repair and improvements have been undertaken on the building:

- There is now a permanent sheeted roof on the building and also corrugated sheets on the sides and rear of the building to help improve the containment of waste. It was also noted that concrete panels have been installed on the lower section of the sides to strengthen the infrastructure.
- The building has now been extended and associated area concreated.

It was discussed on site that it is essential for the operator to continue improving the building and be on top of repairs and maintenance to avoid continuing breaching condition 2.3.1 of the permit.

It was suggested by the operator that the following improvements are to be undertaken

- Improve and repair the back and sides of the building where the corrugated sheets are damaged/beginning to bow outwards
- Install guttering on building to collect rainwater runoff from the roof
- Extend the building forwards on the sorting bay (closest to gate), so that it is in line with the storage building
- Extend the concrete panels up the walls to strengthen building
- Building was currently at full capacity in regards to storage of waste – site to arrange removal of waste off site with immediate effect and keep waste within building at a manageable and reasonable level. Additionally the sorted waste currently stored in a skip adjacent to the building should also be removed

Due to some outstanding actions required there still remains a **CCS breach of 3** against permit condition 2.3.1.

ACTION – Please provide timescales for the completion of the above works no later than **11th July 2015**

C3) Site drainage engineering (clean and foul)
Site drainage was also discussed. It had been previously confirmed that although the surface of the building was made of concrete the area did not benefit from sealed drainage

It was evident today that a substantial amount of work has been undertaken in order to become compliant:

- A concrete apron has been installed to the front of the building
- A sump and drain has been installed to collect runoff from the building and the concrete apron at the front of the building.
- Improvements to general hardstanding of the site undertaken – which will help to reduce ponding and mud on site etc.

It was suggested by the operator that the following work is required in regards to the drainage.

- Additional concreting suggested to the front of the sorting bay.
- Once additional concreating work complete a 'sleeping policemen 'or similar structure to be installed along the front of the concreated area in front of the building to ensure that clean yard runoff water does enter the sealed drainage system reducing its capacity.
- Install guttering and implement rainwater harvesting in order to limit rainwater runoff into the sump on site.
- Netting to be installed along the front of the building to help with litter control.

ACTION – Please provide timescales for the completion of the above works no later than **11th July 2015**

C2) Management Systems and operating procedures

Environment Management System
It was stated in a previous Compliance Assessment Report Form sent to you (Report ID: 103589/0234004) that your Environmental Management System needs to be updated/reviewed in accordance with section 5.9.2 of your EMS. Your recent response details that this will be completed by end of June 2014.

Condition 1.1.1 of your permit highlights that the operator shall manage the site in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances etc. Due to the recent and ongoing non-compliances on site it is evident that your current EMS is not adequate in identifying the risks to the environment from your activities and in explaining in detail the measures you will take to prevent or minimise those risks. An effective management system would enable you to manage compliance with your permit and any legal requirement to protect the environment.

A **CCS3 breach** applied on this occasion

ACTION- Please submit an updated EMS. Please note that the updated EMS should reflect recent changes to site including the new sump on site. Given the recent changes and what we discussed on site today, I suggest that the deadline for the submission of the revised EMS is extended to the **31st July 2015.**

In summary although there are a few outstanding actions and continual work required on some aspects of the site it is encouraging to see that the operator is taking steps in the right direction in becoming compliant.

Please find photographs of some of the observations noted on site.

Current improved building on site

Sealed drainage improvements

Sump for sealed drainage

Concreted area in front of building and location of drain

Concreate panels and sheeting installed on the side of the building

Sheeting to side of building and improvements to some of the back section

Areas of rear of building requiring repair

Sorting bay building to be extended

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Operator/ Permit	Thompson Carl	Date	28/05/2015

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

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			
B4	3	Further improvements to be undertaken on building and associated infrastructure. Improvement plan to be submitted.	11/07/2015
C2	3	Site to submit updated EMS	31/07/2015

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 **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 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. 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.