

EPR Compliance Assessment Report

Report ID: 103589/0234004

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	19/02/2015	Time in	11:30 Out 12:00
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	Date issued	11/03/2015

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	N	
	3. Site drainage engineering (clean & foul)	C3	2.3
	4. Containment of stored materials	C3	2.3.1
	5. Plant and equipment	N	
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	N	
	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	N	
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	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

Number of breaches recorded

3

Total compliance score
(see section 5 for scoring scheme)

12

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 officer met with operator Mr Carl Thompson and Environmental Consultant John Haddock.

The purpose of the visit was to discuss way forward in relation to the non-compliances noted in your last inspection carried out on the 19th January 2014 (mainly infrastructure -Building and associated drainage).

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

B4) Infrastructure – Containment of stored Materials

It was encouraging to see that progress is being made on the repair of the building on site. It was acknowledged by the operator that several aspects of the building need repair (particularly the roof and the sides) the operator also confirmed that he will be extending the shed by approximately 10 meters so all waste can be processed under cover. Mixed waste stored at the far end of the building still remains on site and it was explained that the priority now is to treat and remove this waste.

Condition 2.3.1 of your permit states that the activities shall be operated using techniques and in the manner described in Table 2.3 which stipulates that

“Unless stored or treated outside as specified waste a) all bulking, transfer or treatment of waste shall be carried out inside a building b) all waste shall be stored in a building or within a secure container c) all waste shall be stored and treated on an impermeable surface with sealed drainage system”

The overall building where waste is stored and treated currently does not meet the requirement of the permit. The building is still in a state of disrepair, particularly the far end section which is currently sheeted by tarpaulin with no roof and the sides are in poor condition.

On this occasion a **CCS3** breach is applied

C3) Site drainage engineering (clean and foul)

Site drainage was also discussed (particularly in the areas where mixed waste is stored). It was confirmed today that although the surface of the building is made of concrete the area does not benefit from sealed drainage and therefore breaches condition 2.3 of your permit which stipulates that unless stored or treated outside the building as specified waste all waste shall be stored and treated on an impermeable surface with sealed drainage system.

On this occasion a **CCS3** breach is applied

ACTION : It was agreed that the best way forward in regards to both of the above issues was for the operator to submit a detailed action plan with reasonable timescales no later than **16th March 2015** detailing how they will ensure that the building and associated drainage will comply with the permit. Natural Resources Wales will then consider your response and the appropriate enforcement action to be taken. (A covering email was sent out on the day of this visit confirming this)

As agreed on site please can the action plan contain the following:

- Timescales for the removal and processing of the remaining waste currently stored in the far end of the building
- Please forward plans of how you intend to be compliant with condition 2.3.1 of the permit in regards to building. Please include proposed timescales for this work, In summary you mentioned the repair of the roof, repair to the leaning back concrete walls and associated girders, the extension of the current building and the bays and further concreting works

- How the site will become compliant with section 2.3.1 of the permit in regards to “unless stored or treated outside as specified waste all waste shall be stored and treated on hard standing or on impermeable surface with sealed drainage”
- Your Environmental Management System needs to be updated/ reviewed in accordance with section 5.9.2 of your EMS (Full details on this issue can be seen below) Please provide timescales by when you can complete this.

Inert and soil waste ('specified waste')

There appears to be a large stockpile of soil and inert on site some of which appears to have been on site for a long period of time. It was explained that before further specified waste is accepted and treated on site it is recommended that the current stockpile is reduced.

Questions were asked about whether the current permit allows the treatment of soil and hardcore outside a building. I can confirm that your permit stipulates that 'specified' waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system' Specified waste is defined in section 4.4 of your permit.

ACTION : Confirmation required on the tonnage of inert and soil currently stored on site including the duration this has been on site , it was agreed by you that the response would contain detail of the tonnage in the existing bund that was on site prior waste operations occurring on site and the total of inert and soil not associated with the bund .

C2) Management Systems and operating procedures

Your Environmental Management System needs to be updated/ reviewed in accordance with section 5.9.2 of your EMS.

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

Immediate attention should be given to the factors (measures taken to prevent offence happening again) you highlighted in the recent post conviction plan. It would also be advisable to include more detail on the management of inert material and soil on site and any other additions you feel applicable to meet 5.9.2 of your management system

On this occasion a **CCS3** breach is applied



Repair on the roof has commenced on site.



Building on site in a state of disrepair. Far section of the building still full of mixed waste some of which is encroaching outside the building.



New girder installed on the middle front section of the building. This has been bedded in concrete.



Improvements required on building, examples include :

Rear concrete panel in need of repair. Also improvement required to the building to prevent the escape of waste out of the building which is currently occurring.

Girders needs strengthening and straightening



Large amount of soil and inert on site – This has been on site for a considerable amount of time. Green vegetation on the top is an indicator of this.



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

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			
B3	C3	Areas where mixed waste is stored should have a sealed drainage. An action plan to be submitted no later than 16th march 2015 detailing how this will be done and to include timescales	16/03/2014
B4	C3	Bring the building where mixed waste is currently stored and treated into compliance to meet relevant permit requirement. An action plan to be submitted no later than 16th March 2015 detailing how this will be done and to include timescales	16/03/2015
C2	C3	Timescales for the EMS to be updated and reviewed	16/03/2015

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.