

	EPR Compliance Assessment Report	Report ID: 103589/0253313
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	28/09/2015	Time in 14:10 Out 15:00
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 01/12/2015

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	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	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
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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.

The purpose of the visit was to have an update in relation to the ongoing improvements occurring on site

Present on site was Mr Carl Thompson (operator) and Environmental Consultant John Haddock.

B4) Infrastructure – Containment of stored Materials

It has been previously highlighted that it is important for the operator to continue improving the building and be on top of repairs and maintenance to avoid continual breaches of condition 2.3.1 of the permit as highlighted in previous visits. There are a few outstanding infrastructure works that require attention. Full details of these are highlighted in your previous CAR Form.

It was noted today that since my last inspection the building covering the sorting bay (closest to the main entrance gate) has been extended and is now in line with the storage bay.

The waste transfer station was at full capacity today and because of this some of the waste was falling outside the building. As a consequence of this condition 2.3 of the permit has been breached which stipulates that unless stored or treated outside as specified waste all waste shall be stored in a building or within a secure container. Mixed waste was also being stored outside within a skip container contrary of permit condition 2.1.3.

A **CCS 3** breach has been noted on this occasion.

Environment Officer was advised that the operator would arrange the removal of waste off site with immediate effect and it was stressed to the operator that he must keep waste stored within the building at a manageable and reasonable level. It has been previously agreed that the site would revise the EMS to detail measures that the site will be taken to ensure that waste quantities within the building are kept within manageable levels.

ACTION –

Operator to arrange the removal of waste within the waste transfer station and the mixed waste within the skip container with immediate effect.

Any remaining infrastructure work highlighted in the previous CAR form (103589/0241328) to be completed no later than **20th October 2015.**

C3) Site drainage engineering (clean and foul)

The operator during the last inspection agreed to undertake further works in relation to drainage which are listed in CAR from reference 103589/0241328

ACTION

Some of these actions are still outstanding. It was agreed that these actions will be completed no later than **20th October 2015.**

C2) Management Systems and operating procedures

Environment Management System

It has been previously stated in previous Compliance Assessment Report Form sent to you (Report ID: 103589/0234004) and (103589/0241328) that 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. (the non-compliance in relation to the waste transfer station being at full capacity and waste as a result being stored outside is an example of this). 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 also reflect recent changes to site including the new sump on site. Given the recent changes and what we discussed on site today, It was agreed that the operator would submit the revised EMS no later than **20th October 2015.** Since writing this CAR form, the updated EMS was received on 4th November 2015, which Natural Resources Wales will comment on in due course.

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



Waste transfer station being at full capacity and waste as a result being stored outside



Mixed waste stored within a skip container outside the building



Building covering the sorting bay (closest to the main entrance gate) has been extended and is now in line with the storage bay.

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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			
B4	C3	Further improvements to be undertaken on building and associated infrastructure	20/10/2015
C2	C3	Site to submit updated EMS	20/10/2015

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.