

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	19/01/2015		Time in	12:00	Out	12:45
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, Matthew Buckley- Rees			Date issued	09/02/2015	

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)	A	
	4. Containment of stored materials	C3	2.3.1;
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	N	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	A	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	N	
	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	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Today's visit was a handover visit. Matthew Buckley-Rees explained that Rhys Ellis will now be the regulating officer for this site.

In summary we discussed the amount of waste stored and processed on site.

Carl Thomson explained that the processed waste awaiting to be disposed off site is stored in the middle bay of the building and mixed waste awaiting processing is still stored within a large pile at the far end bay of the building.

The following breaches and observations were noted :

B4 Infrastructure - Containment of Stored Materials

Condition 2.3.1 of your permit states that the activities shall be operated using the 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 whole building is 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.

Carl Thomson discussed that the site is currently quiet and it was discussed that it would be beneficial for the operator to take advantage of this quiet period to process and treat the remaining waste at the far end of the building and take action to ensure that any building used on site for the treatment and storage of waste meet the required standards.

ACTION –

1. Please can you submit details of timescales for the removal and processing of the remaining waste currently stored at the far end of building
2. Please forward plans of how you intend to be compliant with condition 2.3.1 of permit in regards to the building which currently is not satisfactory
3. Please could you also confirm if the floor of the building is impermeable with sealed drainage

"Sealed drainage" system is a drainage system with impermeable components which does not leak and which will ensure that no liquids will run off a surfaced area other than via the system. Except where they are lawfully discharged, all liquids entering the system should be collected in a sealed sump.

Definition of building.

You queried during the visit about the definition of a building and what standards should be met. In summary your permit includes keeping certain wastes in a building as an appropriate measure to control environmental emissions. Your permit defines building in the interpretation section as “a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.” We have interpreted this as being likely to need a roof and at least three sides, with the addition of doors depending on the nature of the waste. Example - to stop the wind blowing waste out of the building, providing containment measures to noise, odour.

A building is a relatively **permanent fixed structure** that is intended to form an enclosure over a plot of land and give protection from the elements, normally a roof and walls.

You enquired about installing a mesh at the open space at the back of the building. This is highly unlikely to meet the required standards as there is a risk of particulate matter, odour and litter escaping through this

To be able to store and treat waste outside you would need to apply for a bespoke permit. A bespoke permit is a site specific environmental permit that is created for a specific waste activity. It would contain conditions that the site operators must comply with. These conditions are to make sure that the operation does not pose an unacceptable risk to the environment and human health; If we believe the operator cannot adhere to these rules we will reject the application. Even with this option it is likely that an impermeable surface and sealed drainage system would be a requirement.

C1 Management - Staff Competency/Training

Technically competent manager attendance was discussed. Carl Thomson advised that Mr Haddock turned up on site last Friday at approximately 16:00 hours but the site was closed. Minimum site attendance standards for technically competent managers are discussed in the How to comply with your permit guidance. (Please discuss this with John Haddock)

We consider that a site is operational when it is either accepting or removing waste, or undertaking any process or activity involving waste that should be under the day-to-day control of a technically competent manager.

You must keep a record in the site diary or a separate log of weekly operational hours and site attendance. Record start and finish times of operations and arrival and departure times of the technically competent manager. It is advisable for the TCM to record all observations, findings and actions for each visit. The records must be available for us to inspect.

Another inspection will be arranged within the next week. This will be an opportunity to go through the content of this CAR 1 form. It has been agreed that Environment officer will meet Carl Thompson (operator) and the technically competent manger (John Haddock) on site.

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

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Section 3- Enforcement Response **Only one of the boxes below should be ticked**

<p>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.</p>	
<p>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.</p>	<input type="checkbox"/>
<p>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.</p>	<input checked="" type="checkbox"/>
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

Section 4- Action(s)

<p>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.</p>			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
B4	C3	Process and remove remaining waste in the far end building on site and also improvements required to existing building to meet permit requirement. Action plan with dates to be submitted.	23/02/2015

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.