

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

Site	Walters	Permit Ref	BB3195ZP		
Operator/Permit holder	Walters Plant Hire Ltd				
Regime	Waste Operations				
Date of assessment	09/04/2019	Time in	10:30	Out	11:15
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Lee, Jonathan				
Accompanied by					
Recipient's name/position	Gavin Lockyer, James Davis/ Operations Director, TCM	Date issued	12/04/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
D1 - Incident Management - Site security	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Officer Jonathan LEE in attendance of Walters Plant Hire Limited, Hirwaun to complete a compliance inspection of the recently issued environmental permit EPR/BB3195ZP. Weather wet and mild. Officer LEE met with Gavin Lockyer (Walters Plant Hire Ltd) and interim TCM James Davis (Darlow Lloyd & Sons) on site.

The permit EPR/BB3195ZP was granted to Walters Plant Hire on the 7th March 2019 to operate under the standard ruleset 'SR2008 No11 – inert and excavation waste transfer station with treatment'.

The inspection consisted of an office meeting to familiarise the operator with the rules of the permit and an initial inspection of the permitted area.

Compliance

Site Activities

The site was non-operational at the time of the inspection in that no processing or treatment of waste was taking place. The permitted area was primarily being used as a storage yard for plant machinery and a quantity of legacy waste materials. It was the view of the operator that the site would not commence operations until amendments to site infrastructure have been made.

No breaches in relation to site infrastructure or permitted activities were identified during the inspection.

Site Management

Permit condition 1.1.1 (a) states that 'the operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incident, non-conformances, closure and those drawn to attention of the operator as a result of complaints'.

Following the inspection, draft Environmental Management System (EMS) documents were submitted to

NRW. These draft documents are comprehensive and contain detailed assessments of the primary risks associated with site activities, and specific procedures for staff members to follow should an event which poses risk to the environment occur. Minor updates are required to be made regarding the formatting of the primary EMS document. In particular, its reference to appendices which are yet to be completed.

Given the draft status of the current EMS documents and the non-operational status of the site during the inspection, C2 Site Management has not been assessed at this time. It is intended that a thorough assessment of site management in line with an updated EMS will be made during the next compliance inspection.

Technical Competency

Permit condition 1.1.4 states that 'the operator shall comply with the requirements of an approved competence scheme'.

Walters Plant Hire Ltd had sought to source an interim external TCM, Mr James Davis, whilst an internal candidate was undergoing training to be suitably qualified to manage the site and its activities. Following the inspection, certificates demonstrating suitable technical competency were provided for Mr James Davis. Compliance is therefore confirmed with permit condition 1.1.4 at this time.

Waste Returns

Permit condition 4.2.2 states that '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'.

Quarter 1 of 2019 waste returns submitted on time, thank you. Please continue to report quarterly waste returns to NRW. It should be noted that when waste(s) are not accepted or removed from the site during a reporting quarter, a null return will still need to be submitted.

Summary

Thank you for your time.

If you have any queries regarding this Compliance Assessment Report please contact your regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.

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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034990**

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Site	Walters	Permit Ref	BB3195ZP
Operator/Permit holder	Walters Plant Hire Ltd	Date	09/04/2019

Section 3 – Enforcement Response

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

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 verbally or 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 that 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 fulfil 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 (eg. 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 its service
- Freedom of Information Act/Environmental 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 fifteen 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 officer's line managers using the informal appeals procedure. 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.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.