

Compliance Assessment Report

Report ID:
CAR_NRW0032811

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

Site	C T Skip Hire	Permit Ref	DB3332RH		
Operator/Permit holder	Carl Thompson				
Regime	Waste Operations				
Date of assessment	23/01/2018	Time in	15:15	Out	15:45
Assessment type	Site Inspection				
Parts of the permit assessed	Infrastructure, General Management, Amenity				
Lead officer's name	Challender, Paul				
Accompanied by	Peel, Louise				
Recipient's name/position	Mr Carl Thompson/ Operator	Date issued	09/07/2018		

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	X	
C2 - General Management - Management system and operating procedures	C3	Permit Condition 1.1.1, EMS 6.7.3
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 3.4.1, FPMP Section 2. Permit Condition 1.1.1, EMS 4.4.4.

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

This was a prearranged site inspection of the permitted site by Environment Officer (EO) Paul Challender and Senior Environment Officer (SEO) Louise Peel of Natural Resources Wales (NRW). The operator Mr Carl Thompson was present on site and accompanied the officers during the visit. At the time of the visit there was the weather was cold, overcast and wet after a period of rain.

On site there are still on-going issues.

Although mixed waste is largely contained within the transfer building, the volumes are excessive and there is no room for further deposits of skip waste. The condition of the transfer building continues to deteriorate. It was hoped that this situation would improve as the volumes of stored mixed waste were lowered as previously requested but there has been no reduction in the level of stored waste. The operator did state, however, that the waste had been sorted through and was ready to go to landfill.

Mr Thompson confirmed that the most recent transfer of waste to Hafod Landfill site was a 26 tonne load on Thursday 18th January 2018. Furthermore, that he wanted to arrange another transfer to Hafod Landfill to free up space in the transfer building, however, the timing of this disposal run is limited by cash flow. Mr Thompson estimated that there was currently two loads of stored mixed waste and that he presently has 70 skips out with customers. Prior to the removal of the 26 tonne load it would not have been possible to store all of this mixed waste in the building. In addition, despite this recent load leaving site it will still not be feasible to accommodate the contents of the skips currently out with the public.

The unmanageable level of waste material means that the operator cannot conduct checks on the condition of the impermeable surface and also that site operatives cannot effectively sort and segregate mixed waste. The level of mixed waste stored in the building needs to be reduced significantly and the levels stored need to be maintained at a lower level to enable effective management.



The large volume of inert waste remains and is a considerable stockpile. The volume of inert waste is significant and more inert material has been added to this stockpile since the last inspection.

It is expected that inspecting NRW officers will continue to see a marked reduction in the levels of both mixed and inert wastes stored on site. This should be evident during the next inspection.

Over previous months the operator has been dealing with a rat infestation. During the inspection no rats or evidence of rats were witnessed. This reduction and/or eradication of the rats is in part due to the vermin control measures put in place by the operator and the reduction in the mixed waste volumes. Continued reduction of the levels of this mixed waste will help mitigate against future infestation.

The hardstanding area requires attention again as it has deteriorated and is becoming rutted with standing water.



Mr Thompson was able to present the commissioned Fire Prevention and Mitigation Plan (FPMP) to the inspecting officers. A cursory review of the document at the site was made and the operator was informed that the document didn't fulfil the required standard but a more considered appraisal would be conducted and we would inform the operator of our findings and the required amendments to be made. Separate communication with the operator will outline the required deficiencies in the FPMP. In addition, although the document has been produced it is not being implemented on site; for example mixed waste being stored in excess of 4 metres high.

The following breaches to the permit have been recorded:

(C4) Storage, handling, labelling and segregation - Permit Condition 3.4.1, FPMP Section 2; Permit Condition 1.1.1, EMS 4.4.4. CCS Score C3.

Both mixed and inert waste are stored in excessive volumes and for excessive periods of time. Mixed waste, although now largely contained within the transfer building is of an excessive volume and is stored at a height in excess of 4 metres which contravenes the stated storage limits in the FPMP. The method of storage and the frequency of disposal collections means that it is not possible to comply with the 21 day storage time stipulated in the EMS.

The inert waste stockpile is essentially a permanent feature of the site. The operator only appears to work on the area of the inert stockpile which is opposite the transfer building. This area of the stockpile is of a greater volume than during the last inspection meaning that there is no rotation of waste material; in turn this means that inert waste material has been stored well in excess of the 6 month limit stated in the EMS.

(C2) Management System and operating procedures – Permit Condition 1.1.1, EMS 6.7.3. CCS Score C3.

EMS Section 6.7 refers to site inspection and maintenance procedures. EMS condition 6.7.3 states areas of hardstanding impermeable pavement, sealed drainage system etc., will be inspected monthly. Since the transfer building has been full with mixed waste for a over 12 months, it would not have been possible to carry out a full inspection of the impermeable pavement and sealed drainage system. The volume of mixed waste in the transfer building is at the same level as during the summer 2017 inspection. Although the impermeable surface and sealed drainage system that lay outside the boundary of the transfer building are now exposed and available for inspection as required; there is still a quantity of waste within the building which has been stored at a quantity which prevents the operator from conducting a full inspection by rotation of the waste stockpile or otherwise.

Enforcement action

Prolonged non-compliant activities on site poses a risk of pollution of the environment and harm to human health. It is recognised that Mr Thompson has vastly improved his operation in regard to Duty of Care requirements and has reduced volumes of mixed waste so that although now largely contained within the building it is still excessive. We will continue to monitor the status of the site and expect to see continuous improvement including the reduction in levels of stored mixed and inert waste over the coming months and may take relevant enforcement as appropriate to ensure compliance with the permit. This may include the service of a notice to reduce volumes of stored waste or a partial suspension of the permit to halt the acceptance of waste material.

Thank you for your time during this inspection.

Paul Challenger

Environment Officer - Waste Team North

EPR Compliance Assessment Report

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Operator/Permit holder	Carl Thompson	Date	23/01/2018

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.

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			
C4	C3	Reduce volumes of waste stored on site.	30/04/2018
C2	C3	Reduce volumes of waste to levels that allow the impermeable surface within the building to receive monthly checks as per the EMS.	30/04/2018
A1	X	The Fire Prevention & Mitigation Plan does not fulfil the requirements of the guidance. Separate communication will follow and outline the deficiencies to be addressed.	30/04/2018

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.