Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID**:** 37155/0229847

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

Site	Green Skips Environmental Ltd			Permit Ref	37155	
Operator/ Permit holder	Green Skips (Environmental) Ltd					
Date	20/01/2015			Time in	15:00	Out 15:55
What parts of the permit were assessed	The CAR Sub-criteria listed below					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Kevin Davies (GSE)					
Officer's name	Ross Briscoe			Date issued	23/01/2015	

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	C3		A.8.1 (WP 1.7.2)
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C3		A.11.1
	2. Management system & operating procedures	N		
	3. Materials acceptance	C4		C.4.1 (WP 3.3.1)
	4. Storage handling, labelling, segregation	N		
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	N		
	2. Noise	N		
	3. Dust/fibres/particulates	N		
	4. Pests, birds & scavengers	N		
	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	C4		**G.5.1**
	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	4	**Total compliance score** (see section 5 for scoring scheme)	8.2

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.

This was an unannounced routine site inspection. Weather conditions were overcast, damp and cold.

Upon arrival I met with Kevin Davies within the site office and then accompanied Kevin throughout the duration of my visit. The site was open and operational with waste being brought into the site and subsequently being managed by employees.

The new concreting has continued on site which is now all the way across the left had side next to the boundary fence. Push walls are being constructed along the boundary with a new building still being proposed for this area which will house the sorting and processing of waste material.

Since the last inspection, a new site identification board has now been positioned upon the site offices which can be clearly seen from outside of the site.

No issues were observed relating to noise, dust, odour, litter, pests or vermin whilst on site.

During the inspection the following breaches were observed.

CAR Sub-criteria A1 - Permit condition A.8.1 (WP 1.7.2) - Compliance Classification Scheme Category 3 Breach.
Throughout the inspection waste material was being burnt on site. Two fires were taking place within steel drums - one located near to where the waste material was being sorted and one at the entrance to the vehicle workshop. I was advised that their purpose was to provide heat for employees on site and also in addition to aid the drying process of freshly painted skips - this is not an acceptable activity. Your permit states that waste material cannot be burnt on site. Following a check of our public registers no exemptions are registred at the site either - separate correspondence will follow. No waste material should be burnt on site. A category 3 non-compliance has been recorded for this breach. See actions section for further details.

CAR Sub-criteria C1 - Permit condition A.11.1 - Compliance Classification Scheme Category 3 Breach.
There is no Certificate of Technical Competence holder at the site and no adequate cover is being provided by anybody who holds a valid and relevant Certificate of Technical Competence. You have been made aware on numerous occasions of the requirement but continue to not appropriately address the situation. You advised that you have made arrangements to resolve the issue however I was advised of this upon my previous inspection and the ones carried out before that. Nothing appears to have changed since then which is unsatisfactory. A category 3 non-compliance has been recorded for this breach. See actions section for further details.

CAR Sub-criteria C3 - Permit condition C.4.1 (WP 3.3.1) - Compliance Classification Scheme Category 4 Breach.
The weight of incoming waste was not being calculated using the specified conversion factors within within the permit. In addition the operator showed lack of awareness of these conversion factors which should be being used. As no weighbridge is in place on site these conversion

factors are key to ensuring that waste quantities are consistently calculated. Please refer to the conversion factors as specified within section 3.3.1 of your working plan. A category 4 breach has been recorded. See actions section for further details.

CAR Sub-criteria G2 - Permit condition G.5.1 - Compliance Classification Scheme Category 3 Breach.
The site diaries were reviewed. The diary being used for 2015 did not yet have any entries made within it. Towards the end of the diary for 2014 the only details which were recorded appeared to be loads which were coming into site and going out of site. Although you are making better use of the site inspection checklist you must also ensure that you are recording the information as specified within permit condition G.5.1 within the site diary. Please refer to this permit condition for further details. A category 4 breach has been recorded here. See actions section for further details.

The site working plan / Environmental Management system was also discussed. This document is now 16 years old and since the date of its implementation operations appear to have changed on site. As such a redrafted management system should now be produced to ensure that all risks from the sites activities are mitigated against.

Directly Applicable Legislation – Duty of Care
Transfer notes were reviewed. Please note a WTN must be completed and signed by both the person handing over the waste and the person receiving it. It must contain enough information about the waste for it to be handled safely and either recovered or disposed of legally. If you do not give enough information and your waste may be mismanaged.

The WTN must include:

- a description of the waste
- any processes the waste has been through
- how the waste is contained or packaged
- the quantity of the waste
- the place, date and time of transfer
- the name and address of both parties
- details of the permit, licence or exemption of the person receiving the waste
- the appropriate European Waste Catalogue (EWC) code for your waste
- the Standard Industry Code (SIC)
- the waste hierarchy declaration

Upon review a selection waste transfer notes were not signed by both parties, did not show the weight/quantity of the waste, the SIC or the containment or packaging used. Separate correspondence will follow regarding this.

Thank you for your time

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 2012.

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

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			
A1	C3	No waste material shall be burnt on site	N/A
C1	C3	You must obtain the correct level of Certificate of Technical Competency immediately or arrange for suitable cover in the interim	Immediately
C3	C4	Details of wastes shall be recorded for incoming and outgoing wastes using the conversion factors as specified within the permit and working plan	Immediately
G2	C4	Ensure that all required information as specified within condition G.5.1 is recorded within the site diary	Immediately

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.