

Compliance Assessment Report

Report ID:
CAR_NRW0035210

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

Site	Grosmont Lagoon	Permit Ref	AB3398HE		
Operator/Permit holder	Whites Recycling Ltd				
Regime	Waste Operations				
Date of assessment	05/06/2019	Time in	13:15	Out	13:40
Assessment type	Site Inspection				
Parts of the permit assessed	A1, C2, D1, F1, G4				
Lead officer's name	James, Ian				
Accompanied by	Palmer, Richard				
Recipient's name/position	Julie Rankin/ TCM	Date issued	07/06/2019		

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	
C2 - General Management - Management system and operating procedures	X	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	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

Introduction

At 1315 on 5th Jun 2019 your site was inspected as part of the routine assessments for compliance, your regulatory officer, Ian James, was in attendance as was officer Richard Palmer.

Your operation consists of Storage Lagoon in the Grosmont area near Abergavenny.

The parts of the permit that were reviewed were;

Inspection

A1 – Specified by permit

Permit Condition 2.1 Permitted Activities....as specified in schedule 1 table S1.1.

Observations;

No evidence of non-compliance at time of inspection.

Action: None

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C2 – General Management: Management system & operating procedures

Permit Condition 1.1 General management

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks

of pollution, including those arising from operations, maintenance, accidents,

incidents, non-conformances, closure and those drawn to the attention of the

operator as a result of complaints;

Observations;

Action only

A copy of the Management System was available, additional documents relating to the transfer of liquid waste to tanker, "Method Statement for Loading & Discharge of liquid Tankers" was requested and provided.

It was noted that the designated service road to the lagoon was obstructed by works being carried out by the associated farm. The road itself was also in a poor state of repair. It appears that the transfer of waste to or from the lagoon is being carried out by tankers being parked on the narrow main road 'off-site', the umbilical for transfer was seen to be routed through the fence to the roadside for access.

Action: The operator should review whether the transfer is taking place from the main road and whether this is appropriate considering any increased risks of waste being spilt off-site and entering road drains in case of equipment or system failure. There may also be increased risk of Road Traffic Incident which, whilst out of scope, is highlighted for information. Report findings and proposed actions to address.

Due Date: 7th July 2019

D1 – Site security

Permit condition 2.3 – Operating techniques.....as specified in schedule 1 table S1.2. Document 7 – Site procedures, EMS, Section 5. Site Security.

Observations;

No evidence of non-compliance at time of inspection.

Action: None

F1 – Odour

Permit condition 3.2 – Odour.

Observations;

No evidence of non-compliance at time of inspection.

Action: None

G4 – Monitoring and records, maintenance and reporting: Reporting and notification

Permit Condition 4.2 Reporting

4.2.2 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.

Observations;

No evidence of non-compliance at time of inspection.

Action: None

Notes;

1. Thanks for providing requested information. Weekly inspection dates of 15th May 19, 22nd May 19 and 6th June 19 were provided and recognised the issues with the site road condition. The 6th June 19 inspection also noted that the “tipping pipe was pulled back through hedge from road”. There appears to be a missing weekly inspection, at this time it will be recorded here as an observation rather than a non-conformance but future missed inspections might result in a breach. Please ensure weekly inspections are completed.
2. It's noted that Tom Church is in the process of completing his WAMITAB and agree to him continuing to carryout checks with the support of Julie Rankin as TCM. This will be kept under review.

With thanks.

If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on ian.james@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

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CAR_NRW0035210**

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Site	Grosmont Lagoon	Permit Ref	AB3398HE
Operator/Permit holder	Whites Recycling Ltd	Date	05/06/2019

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			
C2	X	Review whether waste transfer is taking place from the narrow main road and whether this is appropriate. Report findings and proposed actions.	07/07/2019

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.