

Compliance Assessment Report

Report ID:
CAR_NRW0031734

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

Site	Ty Mawr	Permit Ref	FB3630AY		
Operator/Permit holder	I G Hughes And J G Hughes				
Regime	Waste Operations				
Date of assessment	31/05/2017	Time in	14:00	Out	15:15
Assessment type	Site Inspection				
Parts of the permit assessed	see below				
Lead officer's name	Hughes, Julie				
Accompanied by					
Recipient's name/position	John Hughes & Julian Silverwood/ Operator / Consultant	Date issued	09/06/2017		

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	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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

A routine visit took place on Wednesday 31st May, 2017. Regulating Officer Julie Hughes was accompanied during the visit by the Operator Mr John Hughes.

The inspection commenced with a walk to the permitted area to inspect activities taking place. Composting road sweepings covered the whole permit area with very little room left in the top field for further storage. Some sweepings were also being stored in the farm yard, which is also in the permitted area. It is suggested that an outlet be found for this material in the near future.

The Operator indicated that very little green waste was being accepted onto site at present and that the most recent green waste accepted was being stored in the next field along with the oversize. The field was not part of the permitted site. Discussions took place regarding the possible need to extend the permitted area by varying the permit. Exemptions were registered at the farm but Mr Hughes was unsure which ones. The Regulating Officer checked the public register and found that several exemptions had been registered including the T23 under which the green waste could be accepted. Please ensure that exempt activities are kept separate to the permitted activities including the recording of waste acceptance. If the green waste is accepted under the T23 please ensure that you keep within the limits specified.

On return to the site office the EMS was inspected. The EMS had not been updated since January 2015 and should be reviewed to include operating procedures. It was also suggested that a fire action and mitigation plan should be included into the EMS whilst updating. A copy of the updated EMS to be submitted to NRW for review by 31st July, 2017.

Mr Eric Hughes was now acting as the site TCM, a copy of Mr Hughes' WAMITAB certificate should be sent to the regulating officer for NRW's records by 30th June, 2017.

There were no permit breaches recorded during this visit.

Exemptions registered:

Waste Exemption - Agricultural and Non-Agricultural

- D7 - Burning Waste in the open

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T23 - Aerobic composting and associated prior treatment

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- S2 - Storage of Waste in a Secure Place

Registered

17/05/2017 13:42

Waste Exemption - Non-Agricultural

- S3 - Storage of Sludge

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T10 - Sorting mixed waste

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- S1 - Storage of Waste in Secure Containers

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T13 - Treatment of Waste Food

Registered

17/05/2017 13:42

Waste Exemption - Non-Agricultural

- U6 - Use of Sludge for the purposes of re-seeding a waste water treatment plant

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- U8 - Direct and Beneficial use of Waste for a specified Purpose

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T4 - Preparatory treatments (baling, sorting, shredding etc)

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T5 - Screening and Blending of Waste

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- U1 - Use of Waste in Construction

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- U10 - Spreading waste on Agricultural Land to confer Benefit.

Registered

17/05/2017 13:42

Waste Exemption - Agricultural and Non-Agricultural

- T9 - Recovery of scrap Metal

Registered

17/05/2017 13:42

It was noted that a duplicate list of exemptions had been registered - NRW-WME022346 on the 10th March, 2017. Duplicate exemptions for the same national grid reference (NGR) are not permitted and I

therefore request that you de-register exemptions registered under NRW-WME022346.

Contact Details of Regulating Officer:

Julie Hughes
Environment Officer – Waste Regulation
Natural Resources Wales
Maes y Ffynnon
Penrhosgarnedd
Bangor
LL57 4DE

Tel: 03000 653705

Email: Julie.hughes@cyfoethnaturiolcymru.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.

EPR Compliance Assessment Report

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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.