

Compliance Assessment Report

Report ID:
CAR_NRW0034700

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

Site	Tip Top Toilets Waste Transfer Station		Permit Ref	BB3098HH	
Operator/Permit holder	Tip Top Toilets Ltd				
Regime	Waste Operations				
Date of assessment	07/02/2019	Time in	11:00	Out	13:00
Assessment type	Site Inspection				
Parts of the permit assessed	Part 1-2				
Lead officer's name	Peppicelli, Claudia				
Accompanied by	Jones, Sarah Patricia				
Recipient's name/position	Michael Rees/ Site manager	Date issued	18/02/2019		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	2.1 Permitted Activities, 2.3 Operating Techniques
C2 - General Management - Management system and operating procedures	C3	1.1.1

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)	35
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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

Tip Waste Transfer Station, EPR/BB3098HH) – 07/02/2019

Environment officer Claudia Peppicelli, Sarah Jones attended ABP Tip Top Toilets Waste Transfer Station on the 07/02/2019 and met with Michael Rees. The visit was undertaken as the first inspection since the permit was issued. Thank you for taking the time to attend the meeting and show us all the activities carried out on site. There were one minor and one medium breaches recorded during the inspection.

1. Compliance b3) Site Drainage Engineering.

Permit condition: *2.1 Permitted activities 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities").*

Permit condition: *2.3 Operating techniques. 2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.*

- The waste storage area is now compliant with the permit: the waste is stored in a sealed container, located on an impermeable surface with a sealed drainage surrounded by a bund with a storage capacity larger than 110% of the volume of the tank. As it can be seen in Picture 1 the tank is undercover and closed with lock. This represents a great improvement from before. A Spill kit is provided in the waste storage area 1 as shown in picture 2.

Compare to the last visit undertaken by EO Sarah Jones most of the IBC containers are gone. Michael said they are finishing tidying up the area. The Waste storage area 2 is at the moment used as a greenhouse.



Figure 1 Bunded volume and spill kit.



Figure 2 Waste storage area 1

- The washing area is not yet been completed and it's not working, this represent a serious breach of the permit. Michael said they are having problems in completing the works due to weather conditions. They require a period of dry weather to manage to dig the hole for the drainage tank to be set down. At the moment in place we can see only the incomplete concrete platform as shown in picture 3. The waste containers are now washed on the pavement with no controlled drainage, the fluids are therefore dispersed uncontrolled in the environment. This is a breach and represents a potential impact on the environment. The risk is not as big as it could be, because the winter season sees less activity than in summer. When asked the operator about the time needed to complete the infrastructure, Michael replied that it would take only 2-3 weeks to complete the works once started.

Action:

We have asked the operator to finish to build the washing area as soon as possible, **the breach recorded is a Category 2, the score will be active for now, but if they demonstrate to solve this issue in the next 4 weeks we will be able to suspend it.**



Figure 3 Unfinished concrete slab for the washing area.

1. Compliance C2) Management System

Permit condition: *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;

- There is a problem with the general waste that has not been collected by Veolia as expected and the skip is full over its capacity. Michael should pursue Veolia to provide the service in time.
- COSHH bins are provided, they are clearly labelled and regularly collected.
- The COSHH room is in good conditions, undercover and locked.
- During the inspection we noticed some fuel stains on the hardcore surface. We made the management aware of it, this might be caused by damages to the lorries or internal moving machinery. Regular checks should be carried out to control this kind of emission and adequate measures should be taken as soon as possible to minimize them.
- We noticed an IBC container full of Adblu in the middle of the driveway, this a very hazardous fuel that should be stored on top of a secondary containment to control any possible leaks. This platform is provided on site, the operator should move the IBC on it immediately and keep it that way at all time.

Action:

The minor issues regarding fuel spillages and hazardous material storage should be taken under control regularly updating the EMS checklist. **You have therefore scored a Category 3 breach to your permit.**

Back in the offices we had a discussion about your waste returns. Michael had some doubts regarding the procedure to submit the quarterly waste returns to NRW. We provided some suggestions on site and immediately followed an email with advice & guidance on the topic.

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

Claudia Peppicelli

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**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body*

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034700**

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

Site	Tip Top Toilets Waste Transfer Station	Permit Ref	BB3098HH
Operator/Permit holder	Tip Top Toilets Ltd	Date	07/02/2019

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.

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

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			
B3	C2	Build the infrastructioure as soon as possible	17/03/2019
C2	C3	Improve EMS application	25/02/2019

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.