Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37266/0216534

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

Site	Ewloe Waste Transfer Station			Permit Ref	37266		
Operator/ Permit holder	Thorncliffe Building Supplies Ltd						
Date	05/08/2014			Time in	13:45	Out	15:45
What parts of the permit were assessed	Part - see below						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Tim Harper						
Officer's name	Mefty Haider			Date issued	08/08/2014		

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	N	
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	C3	Table 4.6d
	5. Plant and equipment	C3	Table 4.6a, WP 4.4
c) General management	**1**. Staff competency/ training	N	
	2. Management system & operating procedures	C3	5.1.1, WP 4,4
	3. Materials acceptance	C3	1.2.2
	4. Storage handling, labelling, segregation	C3	5.1.1, WP 4.4.4i.
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	C3	5.1.2
	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	N	
	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	6	**Total compliance score** (see section 5 for scoring scheme)	24

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.

Site COTC Dan Harper present on site. Up on arrival it was explained a routine site inspection and investigation into reported incident against the site re: dust will be carried out. An accompanied site inspection was carried out with Dan Harper. During the inspection the following non-compliance with permit conditions were observed, which are detailed below:

B4/ Infrastructure - Containment of Stored Materials (Table 4.6d - Combustible wastes not stored in bays)

Permit condition Table 4.6d briefly states that combustible waste only permitted on site if stored in bays provided with impermeable surface and sealed drainage system and with access to fire fighting equipment. Site is in breach of this permit condition as large volume of combustible waste, mainly waste wood was not stored in bays. It is also unclear if the location where waste wood is stock piled benefits from sealed drainage system and has access to fire fighting equipment.

Site has received a CCS score 3 for this non-compliance with permit condition.

B5/ Infrastructure - Plant & Equipment (Table 4.6a, WP 4.4 - Water misting equipments on roofed areas non-operational)

During the inspection it was evident that apart from bowsers there was no other dust suppression system available on site. Site manager stated the water misting equipments on the roofed areas been out of order for some time and not in use. This is contrary to permit condition Table 4.6a and working plan (WP) condition 4.4.

Site has received a CCS category 3 for this non-compliance with permit condition.

C2/ Management - Management Systems & Operating Procedures (Table 4.6d, 5.1.1, WP 4,4 - Operating procedures not being followed leading to breach of permit conditions)

Management system and operating procedures either not being followed or inadequate, leading to breaches of permit conditions on site and giving rise to pollution of the environment. This is because operator is storing combustible waste (waste wood) inappropriately by not storing the waste in bays. In addition permit condition 5.1.1 briefly states measeures shall be implemented and maintained to control and monitor emissions of dusts from the site in accordance with section 4.4 of the working plan and Table 5.1 of the permit. Section 4.4 of the working plan briefly states site operations will be carried out in a mnner to minimise the creation of dust, water will be used to spray the site to prevent the fomation of excessive dust and waste stockpile height will be kept at 5 metres. At the time of the visit site was dry with very little evidence of dust suppression systems in use and very dusty. Control and monitoring was inadeqauet or not being followed as waste management activities and vehicles were giving rise to dust in air. It was evident that Site activities on site was causing impact on amenity and causing emissions of pollutants (dust and fibres) to air. Site activities is also impacting local neighbourhood and giving rise to complaints against the site.

Site has received a CCS score 3 for this non-compliance with permit condition.

C3/ Management - Materials Acceptance (1.2.2 Site accepting more waste than permitted)
Permit condition 1.2.2 briefly states waste accepted at the site per year shall not exceed 24,999 tonnes. Waste returns submitted to NRW for 2013 period shows site accepted 27,294 tonnes of waste, 2295 tonnes more than permitted amount. In addition during the first quarter of 2013 the submitted waste returns data indicates a non-permitted waste stream (EWC 17 03 01*) was accepted on site. Dan Harper checked the data and stated the EWC code was used in error and the correct code should be EWC 17 03 02.

Site has received a CCS score 3 more this non-compliance with permit condition.

C4/ Management - Storage, Handling, Labelling & Segregation (5.1.1, WP 4.4.4i - Height of stored waste greater than 5 metres)
Site is in breach of permit condition 5.1.1 and non-compliant with working plan condition 4.4.4i due to the height of the stored waste wood on site. Briefly permit condition 5.1.1 states measures shall be implemented to control and monitor emissions of dust from the site in accordance with section 4.4 of the working plan. Section 4.4 of the working plan briefly states site operations will be carried out to minimise creation of dust by spraying water on site road, dusty surfaces, inert waste and on areas on or around the screen or loading plant. In addition stockpile of waste will be kept to 5 metres.

At the time of the inspection site was dry and very dusty with very little evidence that water was being used to suppress the formation of dust. None of the stockpile of waste had evidence of recent dampening down. In addition waste wood pile was greater than 5 metres in height with a heavy plant on top moving the waste and giving rise to dust clouds.

Site has received a CCS category 3 for this non-compliance with permit condition.

F3/ Amenity - Dust/Fibres/Particulates & Litter (5.1.2 Emissions to air (dust) from site activities)
Permit condition 5.1.2 briefly states that emissions to air from site operations shall be free from visible concentrations of dusts etc., that are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside of the site boundary. At the time of the inspection site was not actively suppressing dust from waste management activities, which was giving rise to visible concentration of dust in the air. Regulating officer witnessed dust leaving the site boundary and causing pollution of the environment.

Site has received a CCS category 3 for this non-compliance with permit condition.

Reported incident
NRW received an incident (Nirs 1263937) on Friday 1 August 2014. Complaint was regarding the impact to amenity due to the height of the waste wood pile and the emissions of dust from the site. At the time of the inspection there was clear evidence on site to substantiate the reported incident. A second complaint was received again on Thursday 7 August 2014 regarding the height of the waste and the emission of dust from the site. Dan Harper was made aware of both incidents and was advised to stop activities on site and to take appropriate measures to minimise emissions of dust from the site before re-commencing waste management activities. Regulating officer was informed waste pile will be reduced as quickly as possible. In addition a road sweeper will be in use on site to minimise dust. Regulating officer advised to increase the frequency of dampening down site surface and waste stockpile. Site is also to make diary entries regarding dust monitoring and control.

Fire risk
The stock pile of waste wood on site poses a risk of fire, pollution of the environment and harm to human health. This is because there is no accident plan and risk assessment in place regarding the excessive stock piling of waste wood on site. I have included a copy of the Technical Guidance Note 7.01 (TGN 7.01 Reducing fire risks at site storing combustible materials) for your records. Please read the document and take necessary actions to reduce

and minimise the risk of fire on site.

Site improvement plan
Please complete and return the site improvement plan. We will be pleased to receive the completed form by Friday 22 August 2014.

Non-compliance
Please be advised that it is an offence to breach permit codnitions. NRW may take further enforcement actions against the operator/permit holder if non-compliance with permit conditions continues to take place on site in the future.

Should you need to discuss the findings of this report or any other issues please contact the regulating officer Mefty Haider on 01248 484168.

In this document 'Natural Resources Wales' means the Natural Resources Body for Waste established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37266/0216534	
This form will report compliance with your permit as determined by an NRW officer			
Site	Ewloe Waste Transfer Station	Permit	37266
Operator/ Permit	Thorncliffe Building Supplies Ltd	Date	05/08/2014

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			
B4	C3	Complete the site improvement plan	22/08/2014
B5	C3	Ensure dust suppression systems used appropriately.	Immediately
C2	C3	Ensure operating procedure is followed at all times.	Immediately
C3	C3	Ensure site does not accepted more waste than permitted	Immediately
C4	C3	Complete the site improvement plan	22/08/2014
F3	C3	Ensure site activities does not give rise to dust in air and causing impact off-site	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.