

Compliance Assessment Report

Report ID:
CAR_NRW0000076

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

Site	Ewloe Waste Transfer Station	Permit Ref	BP3797SZ			
Operator/Permit holder	Thorncliffe Building Supplies Ltd					
Regime	Waste Operations					
Date of assessment	26/02/2016	Time in	10:30	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by						
Recipient's name/position	Dan Harper/ TCM	Date issued	10/08/2017			

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
F4 - Amenity - Pests/birds and scavengers	C4	3.4.1

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
-----------------------------	---	--	-----

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

Accompanied by Tim and Dan Harper on site

Breach

F4 - Pests/birds/scavengers - CCS Cat 4 - Permit Condition 3.4.1

Permit Condition 3.4.1 states that "The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site."

Prior to arrival on site large numbers of seagulls were observed to be roosting on the roof of the large shed on site. Seagulls were also observed to be circling the site. During the walk around site I again observed the seagulls circling the site and swooping down around the old waste transfer building.

During the site visit the various measures the site had taken to deter the seagulls were discussed. The site bought a kite and some fake birds of prey to act as a deterrent. Apparently these initially worked. Unfortunately, over time the seagulls became accustomed to them and as a consequence now tend to ignore them. Following advice from Flintshire County Council, who operated the neighbouring closed landfill site (Brookhill), they also have a piece of piping attached to some string. When swung around by a member of staff on site it is very effective in scaring the seagulls away. Unfortunately, this device can only be used once the birds arrive, and the birds then return not long after it has been used.

At the time of the visit Thorncliffes were also researching a bird scaring gas gun. The idea being to set it to discharge at random intervals to ensure the seagulls do not get used to it. Any issues with noise would be dealt with if they occurred.

Other potential measures discussed included bird-proofing the large shed to prevent the seagulls from roosting. This was dismissed as it was thought the seagulls would probably just move to another roof on the industrial estate. Also, covering the inactive waste piles was mentioned. If the seagulls remain an issue, especially when there is no activity on site this may still remain an option. During the site visit the possibility of placing netting across one end of the old waste transfer building was mentioned to try and make access to the waste piles more difficult for the seagulls. This was to be looked at.

Thorncliffes have long term plans for the site that they will submit to hopefully get approval for in the near future. These plans will hopefully deal with the seagull issues. Until this time Thorncliffes informed me they would do what they could to either clear the birds or minimise them.

As large numbers of seagulls were present during the visit a CCS score has been applied. However, it has been recognised that Thorncliffes are aware of the issue and are working to resolve it.

Since the visit Thorncliffes have informed us that they now have a bird scaring gas gun on site. It has also been observed that in the last couple of weeks there have been no further complaints regarding seagulls.

Other

Litter blowing off site has been an issue in the past. As a result of this problem Thorncliffes have invested in, and erected, fencing along the boundary of the site where litter seemed to be escaping. It is believed that this netting is doing a good job of preventing any further windblown litter from leaving the site. Prior to arriving on site a quick check of the fields downwind showed that they were mostly clear of any recent litter. However, some small bits were noticed to still be in the hedges and the site was advised to send someone out to do a final litter collection in the field to ensure everything is cleared up.

During the walkaround site I observed a quick demonstration of the sites dust suppression system in front of the new shed. Water from a large underground tank (size is apparently that of 2 petrol tankers) is pumped to a large hose at the top corner of the yard in front of the new shed. Water from this large hose then naturally flows across the concrete yard back towards the two silt traps. The water on the yard is spread around by the site operatives and the movement of vehicles. Water in the silt tanks is discharged back into the underground tanks to be used again. There is an overflow on the underground tank in case it fills too much. The overflow discharges to an interceptor before entering the surface water drains.

Overall it was an interesting site inspection and the general housekeeping on site appeared to be good. If there are any questions regarding the above please contact me. (0300 065 3806).

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0000076**

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

Site	Ewloe Waste Transfer Station	Permit Ref	BP3797SZ
Operator/Permit holder	Thornccliffe Building Supplies Ltd	Date	26/02/2016

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			
F4	C4	Take appropriate measures to prevent, or where not practicable, to minimise the presence of pests on site	29/04/2016

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.