

	EPR Compliance Assessment Report	Report ID: 37266/0247456			
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	Thornccliffe Building Supplies Ltd				
Date	05/08/2015	Time in	10:40	Out	11:30
What parts of the permit were assessed	Permitted Area				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Dan Harper				
Officer's name	Andrew Sowerby, Vanessa Lang		Date issued	28/08/2015	

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	A			
b) Infrastructure	1. Engineering for prevention & control of pollution	A			
	2. Closure & decommissioning	NA			
	3. Site drainage engineering (clean & foul)	A			
	4. Containment of stored materials	A			
	5. Plant and equipment	A			
c) General management	1. Staff competency/ training	N			
	2. Management system & operating procedures	A			
	3. Materials acceptance	A			
	4. Storage handling, labelling, segregation	A			
d) Incident management	1. Site security	C4		1.1.1	
	2. Accident, emergency & incident planning	N			
e) Emissions	1. Air	N			
	2. Land & Groundwater	N			
	3. Surface water	N			
	4. Sewer	N			
	5. Waste	NA			
f) Amenity	1. Odour	A			
	2. Noise	A			
	3. Dust/fibres/particulates	A			
	4. Pests, birds & scavengers	N			
	5. Deposits on road	A			
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	NA			
	2. Energy	NA			
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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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.

Comments

The inspection was pre-arranged in order to allow a discussion to occur regarding recent reports of dust arising from the site. Met Dan Harper on site. It was explained that we had recently received a number of complaints from members of the public regarding dust arising from the site. In total we received 6 complaints between 10th July 2015 and 4th August 2015 regarding dust. Of the incidents that were attended by NRW environment officers none could be substantiated as impacting anywhere off site and as a result no further action was taken at that time. However, officers did observe that there was a substantial amount of dust being generated on site from vehicle movements and the loading and unloading of the inert waste. No dust was observed to be arising from the existing waste transfer building and the mist cannon was observed to affect only the immediate area around it.

During the inspection no dust issues were observed on the site. It was noted that since the last inspection a curtain spray system had been installed on the existing waste transfer building and we were informed that a similar system will be installed on the new transfer building that is currently being built. The concreted areas of the site are swept regularly to reduce the amount of dust collecting on these surfaces. The mist cannon that used to be next to the waste transfer building has now been moved to a location next to the inert piles. The mist cannon is used whenever inert or wood waste is being processed. The bowser that used to be filled via a tap on site is now filled with water taken from the pond at Parr y's Quarry over the road. This water is being used to damp down surfaces on site when needed. Apparently water is available from the pond whenever they need it.

The new building on site is currently only partly built and due to issues with Planning Permission work at the time of the inspection had stopped. Once approval has been gained to continue construction of this building there are plans to include some underground tanks that will be used to harvest rainwater to be used for dust suppression on site. Water on site will also be recycled through silt traps. If this system is successful then installation of a second tank will be considered.

Breach

D1 - Incident Management - Site Security - Cat 4 - Permit Condition 1.1.1

Permit Condition 1.1.1 refers to the fact that you will operate in accordance with a written management system that identifies and minimises risks on site. In this instance a security risk was observed on site in that there is no fence or barrier between the permitted site and the builders merchants also owned and operated by Thorncliffes. During the inspection it was observed that a member of the public had parked on the concreted yard that is part of the permitted site and was loading his car with materials he had purchased from the builders merchants. To do this he was walking across part of the permitted area. Section 2.3 refers to site security and mentions the use of gates and fencing to keep the site secure. It is recommended that the site security be reviewed immediately to take into account possible unauthorised access to the permitted area by members of public during working hours and action taken to prevent a recurrence of this incident. This incident could also be viewed as a potential Health and Safety issue.

No other issues were observed on site at the time of the inspection.

Since the inspection our permitting team have received an application to vary your permit further. This application was received by our permitting team on the 19th August 2015. We also received an updated EMS version 5.1 on the 27th August 2015 with revised opening times for waste operations on site.

PTO

Important

You should be aware of the new separate collection requirements for waste carriers and waste operators that came in this year. These requirements affect how you collect waste from customers. Waste operators need to comply with these requirements, and if they are unable to, to demonstrate that they have applied the 'TEEP' test that is it is not technically, environmentally and economically practicable to separately collect the identified 4 recyclable streams. Any TEEP assessments should be submitted to Natural Resources Wales, via myself, for consideration.

I have included in the accompanying email a number of links to further information regarding the separate collections requirements and also attached to the email a letter you were sent in November 2014. These requirements are something you need to start seriously considering and I intend to discuss them with you during my next site inspection which I will pre-arrange. If you have any questions in the meantime please contact me. (0300 065 3806)

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 2012.

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Operator/ Permit	Thorncliffe Building Supplies Ltd	Date 05/08/2015

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.	X
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.	
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			
D1	C4	Review security on site taking into account unauthorised access by members of the public during working hours and take action to prevent it happening in the future	asap

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.