

Compliance Assessment Report

Report ID:
CAR_NRW0000055

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

Site	G Davies Skip Hire	Permit Ref	FP3898FK		
Operator/Permit holder	Glenville Davies				
Regime	Waste Operations				
Date of assessment	26/02/2016	Time in	11:00	Out	11:40
Assessment type	Audit				
Parts of the permit assessed	ALL PERMITTED AREAS				
Lead officer's name	Medcraft, Jodie				
Accompanied by	Morgan, David				
Recipient's name/position	Mr. Mark Davies/ TCM	Date issued	05/05/2017		

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
F2 - Amenity - Noise	C3	Condition 3.3.1

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)	4
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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 site inspection was carried out on Friday 26 February 2016 by Jodie Medcraft and David Morgan.

We were met on site by Mark Davies, the Technically Competent Manager (TCM), who gave us an initial tour of the site and a brief overview of the operations carried out.

Review of Noise Impact

Historically there have been noise issues on site which have generated complaints, as a result of a new trammel and picking line. At the time of the inspection the machinery was not in use so an assessment could not be carried out. It is clear that efforts have been made to reduce the impact of the noise being generated from the site and pleasing that there have been no complaints reported in recent months.

Condition 3.3.1 states that:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

During a previous inspection on 15 June 2015, carried out by Eleanor Davies and Nick Jenkins, it was discussed that the Noise Management Plan prepared and submitted by Excal was insufficient. An action was placed on the site to produce a revised Noise Management Plan and a requirement to undertake a further noise assessment to evaluate any reduction in noise following mitigating actions taken. This was due to have been completed by 16 July 2015.

Failure to complete this action has been deemed a breach of Condition 3.3.1 and has been scored a CCS 3 (breach which could have a minor environmental effect) under F2 Amenity.

Environmental Management System and Environmental Permit

Following inspection of the site, officers requested to see copies of the on site Environmental Management System (EMS) and Environmental Permit. All documents relating to the site appeared to be well organised and the above documents were readily available. It was noted that the date of the EMS was 2008 (the same as the one held on file by Natural Resources Wales). It is recommended that this document is reviewed to ensure that it reflects the current operations on site and updates made to any maintenance records and staff training logs to reflect the changes in the procedures due to the introduction of new plant and equipment. When this is done we would request that a copy be sent to Natural Resources Wales.

The WAMITAB certificates held by Mark Davies was dated February 2016. Please ensure that the continuing competency qualification is undertaken and a copy of the certificate forwarded to Natural

Resources Wales.

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			
F2	C3	Undertake additional noise monitoring and submit an updated Noise Management Plan	30/06/2016

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.