

Compliance Assessment Report

Report ID:
CAR_NRW0032476

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	07/11/2017	Time in	11:45	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	All permitted area					
Lead officer's name	Medcraft, Jodie					
Accompanied by						
Recipient's name/position	Mark Davies/ Permit Holder	Date issued	20/11/2017			

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
C1 - General Management - Staff competency/training	C3	Condition 1.1.1
C2 - General Management - Management system and operating procedures	C3	Condition 1.1.1
	X	
C3 - General Management - Materials acceptance	C4	Condition 2.3.2

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	3	Total compliance score (see section 5 for scoring scheme)	8.1
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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

Present

Mark Davies – Glenville Davies Skips

Jodie Medcraft – Natural Resources Wales

Laura Phillips – Natural Resources Wales

The purpose of the visit was to assess the compliance of Glenville Davies Skips with their Environmental Permit EPR/FP3898FK.

Environmental Permit and Environment Management System

I requested to see copies of the Environment Management system and Environmental permit, both of which were readily available. It was noted that the copy of the Environment Management System was dated 2008. As this is a live, working document it is recommended that updates be made every 2-4 years to ensure that the document reflects the current operations and management on site.

Action – Please review and update the Environment Management System for the site and provide a copy to Natural Resources Wales.

WAMITAB

During the last inspection of the site (21/02/17) it was noted that the current WAMITAB certificate for the site was out of date and had expired in February 2016. Natural Resources Wales was told at that time that a Continuing Competency course had been completed and a certificate would be provided.

A check of the WAMITAB database undertaken by Natural Resources Wales on the 6th November 2017 showed this not to be the case and the qualification was still out of date. Mark Davies explained that a continuing competency course was due to be completed on the 8th November 2017, but since the last inspection had remained out of date.

Condition 1.1.1 of your Environmental Permit states;

“The activities shall be managed and operated:

- a. In accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints; and*
- b. By sufficient persons who are competent in respect of the responsibilities to be undertaken by them in*

connection with the operation of the activities”

This is a breach of Condition 1.1.1 and has been scored a Category 3 breach (A non-compliance which could have a minor environmental effect) under C1 General Management – Staff competency/training.

Action – Please ensure that the continuing competency course is completed as planned and a copy of the certificate provided to Natural Resources Wales.

Waste Returns

A discussion was had with regards to waste returns. A Compliance Assessment Report (CAR) form was issued to the site on the 26th January 2017 (CAR_NRW0026963). This CAR form was issued following a review of the waste returns which highlighted that the site had reported receiving waste types currently not permitted. This was also discussed during the last site visit (21/02/17) and advice and guidance given in the subsequent CAR form (CAR_NRW0031582)

Condition 2.3.2 of your Environmental Permit states;

“Waste shall only be accepted if:

- a. It is of a waste type and quantity listed in schedule 2 table S2.1; and*
- b. It conforms to the description in the documentation supplied by the producer and holder”*

This is a breach of Condition 2.3.2 and has been scored a Category 4 breach (A non-compliance which has no potential environmental effect) under C3 – General Management – Materials Acceptance.

Action – Please ensure that only waste types listed in Schedule 2, table S2.1 of your Environmental Permit and accepted and used on site.

Operations on site

Following our discussions in the office we took a walk around the site. The yard area appeared quite messy. There is no clear segregation between some piles of waste. Please ensure that housekeeping is a priority for all members of staff.

Once again the drainage channels on site were blocked and showed no evidence of having been checked or cleaned in line with the site Environment Management System. These channels must be maintained at a frequency sufficient to ensure they permit efficient drainage from the impermeable pavement. This issue has been highlighted several times during past site inspections.



Section 5.1 of your Environment Management System states;

“(ii) ... The sealed drainage channels are cleaned out at least once a month, more often if necessary, determined by daily checks to ensure they are fit for purpose.

The impermeable pavement will be cleaned on a weekly basis to prevent the accumulation of loose waste and sediment which could enter the drainage system or result in muddy deposits outside of the site”

Condition 1.1.1 of your Environmental Permit states;

“The activities shall be managed and operated:

- a. In accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints; and*
- b. By sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities”*

This is a breach of Condition 1.1.1 and has been scored a Category 3 breach (A non-compliance which could have a minor environmental effect) under C2 General Management – Management System and operating procedures.

Action – Please ensure that all drainage channels are well maintained and kept clear from debris and build up to avoid blockages and ensure they can permit efficient drainage from the impermeable pavement. Please record all checks and actions undertaken in the site diary for future inspection by Natural Resources Wales.

The trommel on site was operational and it was pleasing to hear minimal noise coming from it. The noise abatement systems in place are clearly working and no noise complaints have been received in over a year.

Many thanks for your time during the inspection.

EPR Compliance Assessment Report

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Site	G Davies Skip Hire	Permit Ref	FP3898FK
Operator/Permit holder	Glenville Davies	Date	07/11/2017

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			
C2	C3	Please ensure that all drainage channels are well maintained and kept clear from debris and build up to avoid blockages. Please record all checks and actions undertaken in the site diary for future inspection by Natural Resources Wales.	08/02/2018
C3	C4	Please ensure that only waste types listed in Schedule 2, table S2.1 of your Environmental Permit are accepted and used on site.	26/01/2018
C1	C3	Please ensure the continuing competency course is completed as planned and a copy of the certificate provided to Natural Resources Wales.	08/12/2017
C2	X	Please review and update the Environment Management System for the site and provide a copy to Natural Resources Wales.	26/01/2018

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.