

Compliance Assessment Report

Report ID:
CAR_NRW0033090

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

Site	Plot 8 A	Permit Ref	DB3830AQ		
Operator/Permit holder	Grays Waste Management Ltd				
Regime	Waste Operations				
Date of assessment	14/03/2018	Time in	14:13	Out	14:25
Assessment type	Site Inspection				
Parts of the permit assessed	1.1, 2.1, 2.2, 2.3, 2.4, 4.2				
Lead officer's name	Haider, Mefty				
Accompanied by	Hughes, Julie				
Recipient's name/position	Mathew Davis/ Director and TCM	Date issued	03/04/2018		

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
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1 EMS 1.5.5
D1 - Incident Management - Site security	A	

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

Purpose of the visit was to carry out a routine site inspection. At the time of the visit operator Director Mathew Davis was not present on site. An accompanied inspection was carried out with Gibb and Rhys.

The site at present is non-operational and has been since February 2017. The operator previously stated that all wastes associated with permit conditions has been removed from the permitted areas as they wishes to surrender the permit. On 19 June 2017, an inspection was carried out during which it was noted that large volume of inert waste (mixture of soil and rubble) was continued to be stored on site including a number of bunds created using waste to form cells. The operator was advised to remove all wastes from the site and bring the site back to its original pre-operational status.

During the recent inspection regulating officer noted the previously seen large volume of inert waste (soil and rubble) has now been profiled and covered with soil to form a bund and appears to be a permanent deposit. Please explain the purpose of this structure, your intention regarding the waste and if you have relevant authorisation (e.g. planning permission) to install this structure on the site. Please provide the required information in writing by Fri 13 April 2018.

During the inspection the following non compliance with permit condition was observed on site:

Non-compliance with permit condition

C2) Management system and operating procedures - Permit condition 1.1.1, EMS 1.5.5

Site is in breach of EMS condition 1.5.5 and subsequently in breach of permit condition 1.1.1 by storing inert waste (mixture of soil and rubble) on site in excess of 3 months. The waste has been on site for a minimum of 1 year if not longer. All waste must be stored on site in compliance with both permit and EMS conditions at all times.

Site has received a CCS score category 3 for the breach of permit condition.

Should you wish to discuss the findings of this inspection report in more detail or require further information please contact the regulating officer Mefty Haider on 03000653696.

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.



EPR Compliance Assessment Report

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Site	Plot 8 A	Permit Ref	DB3830AQ
Operator/Permit holder	Grays Waste Management Ltd	Date	14/03/2018

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	Inform NRW in writing regarding waste stored within the permitted area (bunds), the purpose of the large bund and relevant authorisation details.	13/04/2018

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.