

Compliance Assessment Report

Report ID:
CAR_NRW0023724

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	22/06/2016	Time in	13:40	Out	14:10	
Assessment type	Site Inspection					
Parts of the permit assessed	1.1, 2.1.1, 2.2, 2.3					
Lead officer's name	Haider, Mefty					
Accompanied by						
Recipient's name/position	Trefor Jones/ Site Manager	Date issued	25/01/2017			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
A1 - Infrastructure - Specified by permit	C3	Table 2.3
C2 - Infrastructure - Management system and operating procedures	C3	Table 2.3, EMS 2.9.1
C3 - Infrastructure - Materials acceptance	A	
D1 - Infrastructure - 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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

The purpose of the visit was to carry out a routine site inspection. Site manager Trefor Jones was present on site and an accompanied inspection was carried out. During the inspection the following non-compliance with permit conditions were observed, which are detailed below.

Non-compliance with permit condition

A1) Specified by permit (Permit condition Table 2.3)

Permit condition Table 2.3 briefly states that except specified waste (e.g. inert waste) all bulking, transfer or treatment of non-hazardous shall be carried out inside a building. In addition all non-hazardous waste shall be stored in a building or within a secure container.

Site is in breach of this permit condition due to waste wood, green waste and waste plastic being stored and or treated outside in the open within the permitted area.

Site has received a CCS score 3 for non-compliance with permit condition.

C2) Management system and operating procedures (Permit condition Table 2.3, EMS condition 2.9.1)

Permit condition Table 2.3 briefly requires that all non-hazardous waste (except specified waste) must be stored and treated inside a building. Environment Management System (EMS) condition 2.9.1 briefly states that inert waste and products only will be stored externally outside of the transfer building.

Site management system and operating procedures either inadequate or not being followed. At present there is no building on site but waste management activities (storing, bulking, treatment etc.) of non-hazardous waste (wood, green waste and plastic) taking place on site. This is contrary to both permit condition and EMS condition.

Site has received a CCS score 3 for non-compliance with permit condition.

Exemptions

Under Regulation 22(8) of the Environmental Permitting (England & Wales) Regulations 2010 If a waste operation, stand-alone water discharge activity or stand-alone groundwater activity is registered as an exempt facility, that part of an environmental permit (or if applicable, the whole permit) that relates to the waste operation, water discharge activity or groundwater activity is revoked on the date of registration.

Briefly this means you should not be carrying out exempted waste management activities within the permitted site boundary if the exempted activities mirror any or parts of the permitted activity. By registering such exemption relevant part or the entire permit may be automatically revoked on the date of registration.

If you need to discuss the findings of this report or any other permit related matter please contact the regulating officer Mefty Haider on 03000 653696.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales Page 3 of 5 established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

EPR Compliance Assessment Report

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Operator/Permit holder	Grays Waste Management Ltd	Date	22/06/2016

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.

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.

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			
A1	C3	Store and treat waste in compliance with permit condition	30/09/2016
C2	C3	Ensure all non-specified waste is stored inside a building or in secure containers	30/09/2016

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 reports 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 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.