

Compliance Assessment Report

Report ID:
CAR_NRW0032229

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

Site	A S H Wrexham Recycling Centre	Permit Ref	WP3094FB			
Operator/Permit holder	Alan's Skip Hire (Wales) Ltd					
Regime	Waste Operations					
Date of assessment	21/07/2017	Time in	14:10	Out	15:10	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted area and surrounding area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by						
Recipient's name/position	Neil Hassall/ Steve Rymill/ Director/ Compliance Manager	Date issued	03/10/2017			

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
A1 - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E1 - Emissions - Air	A	
F3 - Amenity - Dust/fibres/particulates and litter	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This site visit was done in response to complaints received regarding dust blowing off site. These complaints were received on the 19th July 2017 (WIRS 1703870) and finally on the 21st July 2017 (WIRS reference 1703945). We also received a complaint on the 18th July 2017 (WIRS 1703823), but I was not made aware of this until later. On the 21st July 2017 the complainant stated that at around 1pm dust was blowing over from the ASH site and that there was no wind sock on site. Due to the notifications over a relatively small span of time the decision was made to attend.

The area around the permitted site was visited first. Photos were taken as a record of observations. Some of these photos are included below.

Upon arrival at the neighbouring site it was immediately observed that there was a lot of dust in the air. There was also a lot of moisture in the air as a result of the dust abatement on the permitted site (mist cannon next to the perimeter fence). The wind was not strong, but it was blowing from the ASH site towards the affected neighbour. Dust was observed both on the ground and on the parked cars in the car park. Within 10 minutes of arriving in the area it was also observed that my car had a layer of wood dust on it. During observations made on the neighbouring site it was noticed that everytime the large shovel on the ASH site off loaded, a plume of dust rose into the air.



Photo 1



Photo 2



Photo 3



Photo 4

At 1430 I arrived on site and initially met Matt Kirk to whom I explained the situation. Matt notified the yard and as a result wood recycling on site ceased. Keith Morris then accompanied me around the site. It was explained that they had been busy with wood as they were trying to clear as much as possible. The plan was to move the wood pile down the yard on Monday (the 21st July 2017 was a Friday). The waste was being moved to allow for further concreting of the site to be done, although the waste would also remain further down the yard anyway to hopefully reduce the future impacts of dust on the neighbours. The intention was to build bays to contain the wood waste, with the walls being located between the waste and the potential receptors. At a future date large spotlight masts will be erected along the edge of the site. These masts will also hold further netting and a water spray system to provide additional dust abatement.

It was explained that it was believed that the new smooth surface of the freshly laid concrete on the yard was making any dust

swirl around more and therefore making dust abatement more difficult than it was with the old concrete surface.

During a discussion regarding dust abatement and monitoring measures I expressed my concerns that the proposed measures may not be the final solution to the ongoing dust issues at the site but that we would have to wait and see.

Regarding dust monitoring it was observed that the weather station situated on the roof of the transfer building did not appear to be operational. In order for managers to keep a closer eye on wind conditions from the office it may be advisable to fix the weather station, although it is acknowledged that wind on the yard tends to swirl around quite a bit due to the buildings and nearby trees. This will obviously make it difficult to judge wind direction, but wind strength can be checked. One observation made was that when there is little to no wind the dust appears to rise higher into the atmosphere. This means that the dust is able to travel further unaffected by the water from the mist cannons.

Despite the complainant reporting the lack of a windsock, I can confirm that there was in fact one. Due to its location it was difficult for the complainant to see it.

As wood processing had ceased by the time I walked onto the yard there was no further dust being produced. The mist cannons on site were observed to be operating and the air seemed to be saturated around most of the site.

On the 24th July 2017 I sent an email that summarised the incidents on the 19th and 21st July 2017 and what I had observed on site in terms of dust.

On the 1st August 2017 I received an email from ASH. Within this email reference is made to the significant investment ASH have made to improve infrastructure and to reduce environmental impact. This investment has been recognised by NRW and it is hoped that the completed and proposed future actions will deal with future impacts from the site, such as dust. It is hoped that these incidents are indeed isolated events and were as a result of an escalation of activity on site in order to make movement of the woodpiles further down the yard easier.

We have received only one further notification of dust since the dates above. This was received on the 2nd August 2017 (WIRS 1704132). There was no attendance from NRW on this occasion although the site was notified of the incident by phone. Since this report there have been no further reports of dust to date.

From observations on site at the time of the inspection it appears that the excessive dust was produced as a result of actions being taken to reduce the long term impact of dust on the neighbouring businesses. As this seems to be the case there will be no breach recorded on this occasion. However, should further work be done on site in future that might impact upon local businesses for a short period so as to benefit them in the long term, please inform both the potentially affected businesses and NRW of the works being done and the timeframes so that any future reports received by NRW can be dealt with appropriately.

If you have any questions regarding the above please contact me.

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			

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.