

Compliance Assessment Report

Report ID:
CAR_NRW0026349

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

Site	Tythegston Civic Amenity Site	Permit Ref	FP3893VN			
Operator/Permit holder	Kier Integrated Services Limited					
Regime	Waste Operations					
Date of assessment	10/08/2016	Time in	14:25	Out	14:40	
Assessment type	Audit					
Parts of the permit assessed	General Site Inspection					
Lead officer's name	Wakeford, Sally					
Accompanied by	Thomas, Ffion					
Recipient's name/position	Adam Jones / Manager	Date issued	08/09/2016			

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 - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	1.1.1 (Table 1.1) & 2.1.2 (Table 2.1)
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	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

The site was inspected on 10 August 2016 by Sally Wakeford and Ffion Thomas.

C4 – General Management – Storage, handling, labelling and segregation – CAT 3 – Permit Condition 1.1.1 (Table 1.1) & 2.1.2 (Table 2.1)

You have been given a CAT 3 breach against the permit condition above as it was noted that waste (namely metal (cans), asbestos & plasterboard) was being stored on an area of the site which was not serviced by sealed drainage.

Permit condition 1.1.1 states:

"No waste management operations shall be authorised by this licence unless a) – specified in accordance with the limitation in section 1.1 of the working plan and in the following table"

Table 1.1 states:

"iv) All skips, drums, and other mobile tanks or containers being used to store waste shall only be placed upon impermeable pavement in accordance with section 2 of the working plan."

Permit condition 2.1.2 states:

"The engineered site containment and drainage systems shall be designed, constructed, inspected, maintained and meet the standards specified in Table 2.1 below:"

Table 2.1:

"a) Impermeable pavement, bunding and sills a) Areas of impermeable pavement, bunding and sills shall be constructed and maintained in accordance with Section 2.1.2 of the working plan, so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints."

No wastes should be stored, treated or handled in any area other than on the impermeable pavement with sealed drainage system.

As previously agreed in a meeting on 29 April 2016 and via email on 05 May 2016, an Action Plan is required to be submitted to identify steps to be taken to bring you back into compliance with your permit. On 29 July 2016 I received some responses to the steps laid out in a draft template Action Plan that I shared, however no formal Action Plan has been submitted by yourselves with your action milestones and appropriate deadlines for delivery of the individual steps. This can be further discussed at the meeting on 09 September 2016 however you are required to submit an action plan by 30 September 2016.

ACTION: Submit Action Plan as detailed above for compliance with your permit by 30 September 2016.

These actions must be taken by the time frame specified in the Section 4 – Actions.

I discussed with the operative on site the actions staff take when the skips on the area of unsealed drainage are being taken away/changed over. He informed me that they do not do anything to protect the surface water drainage when changing these skips over. In our meeting on 29 August we discussed the need to protect the surface water drains as an interim measure, and this should form part of your Action Plan.

Site Inspection:

Traffic was temporarily stopped in the site due to the machine moving waste from the front bins to the rear for ease of moving waste from the site.

The small impermeable pavement with sealed drainage was clean, however the drain in the centre of the pad was blocked. All drains should be free and clear of debris to ensure they are in full working order.

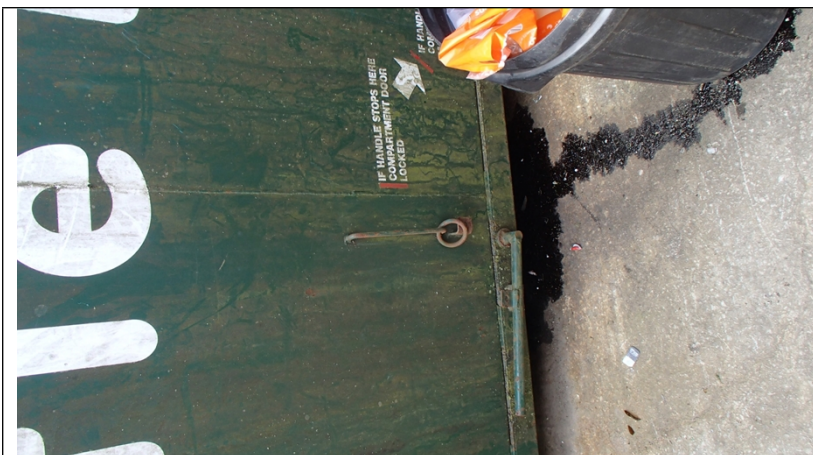
ACTION: Ensure drains are clear of debris.

Photographs of Site inspection:



Skips stored off the impermeable pavement with sealed drainage system:





Any compliance criteria not highlighted in the above summary should be considered as not assessed.
In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

EPR Compliance Assessment Report

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Operator/Permit holder	Kier Integrated Services Limited	Date	10/08/2016

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			
C4	C3	Submit Action Plan as detailed above for compliance with your permit	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.