

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

Site	A D J Skip Hire	Permit Ref	JB3033RC	
Operator/Permit holder	Mr Lee Gapper And Mrs Marie Gapper			
Regime	Waste Operations			
Date of assessment	09/05/2019	Time in	09:55	Out 10:10
Assessment type	Site Inspection			
Parts of the permit assessed	Various			
Lead officer's name	Lee, Jonathan			
Accompanied by	Burge, Chris			
Recipient's name/position	Lee Gapper/ Permit Holder	Date issued	09/05/2019	

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	
C1 - General Management - Staff competency/training	C3	1.1.4
C2 - General Management - Management system and operating procedures	X	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.2.2

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	2	Total compliance score (see section 5 for scoring scheme)	8
------------------------------------	----------	---	----------

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

Officers Jonathan LEE and Chris BURGE in attendance of ADJ Skip Hire, Graddfa Industrial Estate, Llanbradach to complete a routine compliance inspection of the permit EPR-JB3033RC. Weather was mild with light rain at the time of the inspection. Officers met with Mr Lee Gapper on site.

The previous visit to the site was completed by Officer LEE on the 10th October 2018 (CAR_NRW0034038). This CAR form detailed two permit breaches to the operator, with actions needing to be taken to rectify the permit non-compliances. These actions and the deadlines given are specified in the table below: -

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			
C1	C3	Take action to ensure compliance with permit condition 1.1.4	01/01/2019
G4	C3	Submit all outstanding quarterly waste returns.	31/10/2018

Compliance Breaches

The following permit breaches were identified during the inspection.

C1 – Staff competency and training - Permit Condition 1.1.4

Permit condition 1.1.4 states that 'the operator shall comply with the requirements of an approved competence scheme'.

The permit holder does not currently have a Technically Competent Manager (TCM) assigned to the site with the appropriate certification of technical competency.

A **Category 3 breach** of permit condition 1.1.4 has been scored for failure to evidence that a person has the required technical competency to manage the site and its activities.

Action: Take steps to ensure that compliance with permit condition 1.1.4 is fulfilled.

A deadline of the **1st July 2019** has been given to act regarding these non-compliances.

G4 – Reporting and notification to NRW – Category 3 breach – Permit Condition 4.2.2

Permit condition 4.2.2 requires the operator to submit quarterly waste return information detailing the quantity of waste accepted and removed from the site during a calendar quarter.

Quarterly waste returns have not been submitted since Quarter 1 of 2016.

A further **Category 3 breach** of permit condition 4.2.2 has been scored for failure to submit outstanding waste returns.

Action: Submit ALL outstanding quarterly waste returns.

General Observations

All waste was observed to inside the building on site. No issues with regards to the waste types present on site. The surface of the site could not be fully inspected due to waste covering most of the building floor. Please advise officer Jonathan LEE of a convenient time when the site building is clear of waste so that the impermeable surface can be inspected, and compliance assessed accordingly.

Fire Prevention and Mitigation Plan (FPMP)

On the 1st August the permit 'SR2008 No1' was updated to version 7.1. This updated version of the standard ruleset included permit condition 3.1.4 which states that 'the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance'.

To date an FPMP document has not been submitted for assessment by the permit holder.

Action: Please submit a written fire prevention and mitigation plan for assessment by Natural Resources Wales.

For reference, a link to the current FPMP guidance can be found on the website below:-
<https://naturalresources.wales/permits-and-permissions/environmental-permits/guidance-to-help-you->

Summary

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@naturalresourceswales.gov.uk

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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035095**

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

Site	A D J Skip Hire	Permit Ref	JB3033RC
Operator/Permit holder	Mr Lee Gapper And Mrs Marie Gapper	Date	09/05/2019

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			
G4	C3	Submit all outstanding quarterly waste returns.	01/07/2019
C2	X	Submit Fire Prevention and Mitigation Plan (FPMP) for assessment by NRW.	01/09/2019
C1	C3	Take action to ensure compliance with permit condition 1.1.4	01/07/2019

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.