

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

This form will report compliance with your permit as determined by an WFO Officer						
Site	Coed Top Hill			Permit Ref	30392	
Operator/ Permit holder	Caerphilly County Borough Council					
Date	04/12/2014			Time in	10:50	Out 11:10
What parts of the permit were assessed	Operational Area and Working Plan					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Gareth Richards and Glyn Gibbs					
Officer's name	Peter Morrison, Sarah Lund and Laoni Tye			Date issued	19/12/2014	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

**KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored**

Number of breaches recorded

0

Total compliance score
(see section 5 for scoring scheme)

0

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Site inspection was conducted on 4 December 2014. Environment Officers Peter Morrison, Sarah Lund and Laoni Tye met with Glyn Gibbs on site. The inspection was carried out so that Peter Morrison who will be regulating the site in place of Sarah Lund could see what activities are carried out on site.

For your reference Peter Morrisons' email is peter.morrison@cyfoethnaturiolcymru.gov.uk and phone number 03000653371.

Glyn Gibbs accompanied Peter, Sarah and Laoni around the site. At time of the visit vehicles were dewatering on site.

Maintenance had recently taken place on the reed beds. Reed which had recently been cut were being stored around the reed beds, Mr Gibbs informed us that these will be moved into the waste storage bay for collection.

C2 - Management - Management Systems & Operating Procedures - Advice and Guidance

Peter Morrison reviewed the Working Plan for the site following the inspection. There are a number of areas of the working plan that need to be updated to better demonstrate activities carried out on site. Please see below;

Monitoring and Sampling

Permit condition 4.6 requires the final effluent from the reed bed system to be sampled and tested in accordance with section WP/4.220 of your working plan. On site Mr Gibbs informed us that you have changed your sampling procedure. Permit Condition 1.7.1 requires you to notify us in writing of proposed changes to this section of the working plan, considering what effect proposed changes would have on the risk the site posed to human health and the environment. The proposed changes should not be implemented until a time it has been given written consent by Natural Resources Wales. Please provide any discharge consent you have with Welsh Water to help us consider your proposal.

Until a time where we have received and approved changes to your working plan you should continue to sample in accordance with section WP/4.220 of your working plan.

Site Drainage and Site Plan

During the visit and subsequent emails between Mr Gibbs and Peter Morrison, you confirmed that treated effluent was discharged into foul sewer. But some treated effluent was used on site to washdown vehicles and loading area as required. Please ensure that your working plan is updated to describe this activity.

You also need to update your site plan. The current site plan is a detailed technical drawing of the treatment lagoons. However a site plan should also include;

- the activities carried out and any discharge points
- a drainage plan which identifies both surface and foul drains and the final destination of any drain

- the location of any waste storage area
- the location of any oil and chemical storage facilities
- important or sensitive local receptors such as neighbours, sensitive wildlife areas, rivers, underlying groundwaters
- potentially contaminated land on your site.

The site plan does not have to be highly technical but does need to represent accurately all the main features of the site and be drawn to scale. The plan should be updated should anything change on site.

Waste Storage

Your current working plan does include a section on waste storage, however in addition to the information already provided it should include;

- storage times and procedures to ensure that these times are not exceeded
- maximum storage capacities for specified storage areas and the facility as a whole and procedure to ensure that these capacities are not exceeded
- maximum storage heights to prevent or minimise the emission of dust of and litter

Environment Management System


We are advising all sites to update there working plan with an Environment Management System (EMS). An EMS identifies the risk to the environment from your activities and explains in details the measure you will take to prevent or minimise those risks. An effective EMS can help you comply with the conditions of your permit and any other legal requirement to protect the environment. As you are required to update your working plan and have a number of issues to address as mentioned above, now could be a good time to update your working plan to an EMS.

Full guidance on Environment Management Systems is available in the "How to Comply" document that is available on the GOV.uk website

<https://www.gov.uk/government/publications/how-to-comply-with-your-environmental-permit>

Action

Please provide a draft update of your working plan or a draft Environment Management System (EMS) for comments and approval by the 27 February 2015.

	EPR Compliance Assessment Report	Report ID: 30392/0226802
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Site	Coed Top Hill	Permit 30392
Operator/ Permit	Caerphilly County Borough Council	Date 04/12/2014

Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	<input type="checkbox"/>
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.	<input type="checkbox"/>
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.