

Compliance Assessment Report

Report ID:
CAR_NRW0035318

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

Site	Fred Lloyd & Sons Ltd	Permit Ref	UP3495FT			
Operator/Permit holder	Fred Lloyd & Sons Ltd					
Regime	Waste Operations					
Date of assessment	21/05/2019	Time in	13:30	Out	15:00	
Assessment type	Audit					
Parts of the permit assessed	B4, C2					
Lead officer's name	James, Ian					
Accompanied by	Moggridge, Lara					
Recipient's name/position	Oliver Hazell/ MD/TCM	Date issued	28/06/2019			

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
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	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

Compliance Assessment Report – Fred Lloyd – EPR/UP3495FT

Introduction

At 1330 on 21st May 2019 your site was inspected for audit action compliance, your regulatory officer, Ian James, was in attendance along with officer Lara Moggridge. The weather was generally dry with little wind.

Your operation at Pontypool consists of;

Waste Transfer Station – EPR/FP3995FM

Metal Recycling – EPR/UP3495FT

Those present;

Fred Lloyd	Natural Resources Wales
Oliver Hazell (TCM and Director)	Ian James (Environment Officer – Lead Auditor)
DG (Site Manager)	Lara Moggridge (Senior Environment Officer – Auditor/Technical specialist)
LM (HSE & Compliance Manager)	

Scope

The audit was carried out in October 2018 and identified actions that were required to be completed by 25th April 2019. This subsequent inspection was carried out to assess compliance with the actions.

Metal Recycling – EPR/UP3495FT

The following report is copied from the inspection/audit dated 25th October 2018 with the findings from this follow-up added.

Areas of the permit assessed, findings and actions

2 Breaches of permitted activities were identified as follows;

- 1) B4 – Containment of stored materials*

Permit Condition 1.1 – Specified waste management operations.

Table 1.1 D15 – Storage of waste pending disposal other than on this site. Stored in areas with impermeable pavement and sealed drainage system provided in accordance with condition 2.1.2.

Storage of batteries, table 1.2 V006 of permit. “Maximum storage capacity of 30 tonnes (stored in lidded plastic containers).

Finding

Engine/gearbox parts stored on impermeable pavement but in such a way as allowing oils/other fluids to run-off and contaminate a permeable surface. Evidence of other oils/fluids present on areas of the permeable surface.

This has been determined a category C3 breach – potential for minor environmental impact

Batteries were being temporarily stored outside at time of inspection to allow access to locked building. These were immediately moved back inside on request. Lidded boxes also not being returned to site when batteries collected.

Action

Prevent further contamination of permeable surfaces and remediate where contamination is present. Ensure batteries are contained as per permit requirements. To be completed as soon as reasonably practicable and by 25th April 2019 at the latest.

Follow-up inspection (21st May 2019) finding;

Processes re-located to prevent recurrence. Land to be considered for expanded concrete area.

Site condition report to be produced for land identified for concreting before proceeding with work.

2) C2 – Management Systems

Permit Condition 1.4.3 – Understanding of licence and working plan – All site staff shall be, or shall

work under direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.

Finding

The working plan gives guidance on how to comply with permit storage requirements and identifies that staff should be trained or under direct supervision. The Working Plan conditions have not provided adequate controls to prevent the breach identified in point “1)” above.

Management, training, supervision and storage should be detailed in the working plan in sufficient detail to provide compliance with the permitted activities.

This is identified as the root cause of the previous breach and scored accordingly.

This has been determined a category C3 breach – potential for minor environmental impact

Action

Improve Working Plan, or otherwise, to ensure adequate management systems are in place to comply with permit conditions. Complete as soon as reasonably practicable and by 25th April 2019 at the latest.

Follow-up inspection (21st May 2019) finding;

Process location changed.

Notes;

- 1) It is noted that the covered area has been significantly expanded providing additional internal/secure space. Batteries were being stored within this area and away from the location previously shared with catalytic converters.

With thanks.

If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on ian.james@naturalresourceswales.gov.uk

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

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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035318**

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Site	Fred Lloyd & Sons Ltd	Permit Ref	UP3495FT
Operator/Permit holder	Fred Lloyd & Sons Ltd	Date	21/05/2019

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.

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.