Compliance Assessment Report

Report ID: CAR_NRW0035319

This form will report compliance with your permit as determined by an NRW officer					
Site	Fred Lloyd & Sons Ltd	Permit Ref	FP3995FM		
Operator/Permit holder	Fred Lloyd and Sons Limited				
Regime	Waste Operations				
Date of assessment	21/05/2019	Time in	13:30	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	C3, C2, E4				
Lead officer's name	James, Ian				
Accompanied by					
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**
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
E4 - Emissions - Sewer	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

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/FP3995FM

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.

Waste Transfer Station – EPR/FP3995FM

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) *C3 – Materials acceptance*

Permit Condition 1.1 – Specified waste management operations.

Table 1.1 D15 – i) Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan which comprises;

50 tonnes of degradable waste stored in the dedicated bays identified in section 3.4 of the working plan and shown on drawing FL/003;

And

100 tonnes of inert material stored in the dedicated bays identified in section 3.4 of the working plan and shown on drawing FL/003.

Finding

Materials being held on site were above the limits specified by the permit.

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

Also, some waste transfer notes found incorrectly printed with the wrong receiving details, GD Newport rather than Fred Lloyd Pontypool.

Action

Reduce quantities to within permitted levels and ensure correct details are printed on transfer notes as soon as reasonably practicable and by 25th April 2019 at the latest.

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

Materials were within the specified limits at the time of inspection with the majority of permitted waste types explained as being sent to alternative locations.

2) C2 – Management Systems

Permit Condition 1.1 - Specified waste management operations.

Table 1.1 D15 – i) Maximum storage capacity is 150 tonnes at any one time as identified in section 1.6.5 of the working plan which comprises…

Finding

The working plan does not contain a section 1.6.5 and does not adequately outline measures to control the quantities of waste on site to within permitted levels. This is determined 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;

The EMS was updated and clearly specifies permitted limits. In addition, the electronic system allows a 'snap shot' of quantities on-site at any time, highlighting to supervisors where limits are approached and allowing interventions as described in the EMS.

3) E4 – Emissions sewer

Permit condition 2.1.2 – The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in table 2.1 below.

Type of site surface and drainage	*Minimum specified standards of design, construction and maintenance*
c) Sealed drainage systems.	*i) Drainage to areas of impermeable pavement shall be provided by a three chamber oil interceptor, which shall have a minimum of six minutes retention time per chamber at its maximum flow rate, shall discharge to either a foul sewer or surface water or a soakaway, shall be inspected no less frequently than daily and after rain, and shall be maintained so as to intercept all liquids which run off the pavement.* *ii) Inspections and emptying of the interceptor shall be recorded in the site diary.*

Finding

No breaches. Observation – inspection chamber obscured by old vehicle preventing easy access for inspection.

Action

None

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

Please ensure inspection points are easily accessible.

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.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0035319**

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Operator/Permit holder	Fred Lloyd and Sons Limited	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.