Compliance Assessment Report

Report ID: CAR_NRW0035375

This form will report compliance with your permit as determined by an NRW officer					
Site	G D Environmental Services Ltd	Permit Ref	RP3295FS		
Operator/Permit holder	G D Environmental Services Ltd				
Regime	Waste Operations				
Date of assessment	08/07/2019	Time in	11:20	Out	11:40
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	B4, F3, G1, C2				
Lead officer's name	James, Ian				
Accompanied by					
Recipient's name/position	Oliver Hazell/ Manager/TCM	Date issued	11/07/2019		

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	C3	3.3.1 – Fugitive emissions of substances (excluding odour and noise) shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions.
C2 - General Management - Management system and operating procedures	C4	1.1.1 – The activities shall be managed and operated; (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence

		holder as a result of complaints, and (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.3.2 – Litter or mud arising from the activities shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, the litter and mud.
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.7.6 – Control of scavenging birds and other scavengers. Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the presence of scavenging birds and other scavengers on the site, in accordance with the standards specified in schedule 2 table 3.7D. The objective of these measures shall be to prevent scavenging birds and other scavengers from gathering on operational areas or scavenging wastes in such numbers that are likely to cause harm to human health or detriment to the amenity of the locality.
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	**4**	**Total compliance score**	12.1

recorded		(see section 5 for scoring scheme)	

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 – GD Environmental (Eastbank Rd) – EPR-RP3295FS

Introduction

At 1120 on 8th July 2019 your site was inspected in response to a complaint received, your regulatory officer, Ian James, was in attendance. Site Supervisor Mr Paul HENDRICKSON was present. The weather was warm and dry with a gentle breeze.

Your operation consists of a Waste Transfer Station with Treatment.

Areas of the permit assessed, finding and actions

B4 – Containment of stored materials – **Cat 3 breach**

3.3.1 – Fugitive emissions of substances (excluding odour and noise) shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions.

Finding – Wood processing being carried out against a fence with ineffective barrier to prevent material escaping off-site. In addition, processing was causing noticeable wood dust blowing off-site.

Action – Improve operations by 11th August 2019.

F3 – Amenity – Dust/fibres/particulates/litter – **Cat 3 breach**

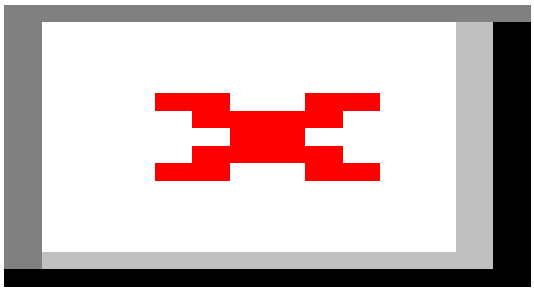
3.3.2 – Litter or mud arising from the activities shall not cause pollution. The licence holder shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, the litter and mud.

Finding – Processed materials stored in piles significantly higher than the site boundary wall, which it's self is approx. 4.5m in height. This is allowing wind to blow litter off-site.

Action – Improve operations by 11th August 2019.

G1 – Monitoring of emissions & the environment – **Cat 3 breach**

3.7.6 – Control of scavenging birds and other scavengers. Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the presence of scavenging birds and other scavengers on the site, in accordance with the standards specified in schedule 2 table 3.7D. The objective of these measures shall be to prevent scavenging birds and other scavengers from gathering on operational areas or scavenging wastes in such numbers that are likely to cause harm to human health or detriment to the amenity of the locality.



Finding – Processed waste being stored is attracting scavenging birds. Waste is not stored in closed or secure containers or in bays with netting or fencing that would provide security against scavengers.

Action – Improve operations to prevent scavenging by 11th August 2019.

C2 – Management Systems – **Cat 4 breach**

1. – The activities shall be managed and operated; (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints, and (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.

Finding – The root cause of the previous breaches in terms of the adequacy of controls identified and/or the guidance not being followed is breached here.

Action – Improve operations by 11th September 2019.

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_NRW0035375**

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Site	G D Environmental Services Ltd	Permit Ref	RP3295FS
Operator/Permit holder	G D Environmental Services Ltd	Date	08/07/2019

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.

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.

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			
C2	C4	Improve operations	11/09/2019
G1	C3	Improve operations to prevent scavenging	11/08/2019
F3	C3	Improve operations	11/08/2019
B4	C3	Improve operations	11/08/2019

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.