

Compliance Assessment Report

Report ID:
CAR_NRW0031952

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

Site	Pen Y Wain Farm	Permit Ref	JB3036RA		
Operator/Permit holder	A Q A (Cardiff) Ltd				
Regime	Waste Operations				
Date of assessment	31/07/2017	Time in	11:20	Out	11:55
Assessment type	Report/Data Review				
Parts of the permit assessed	A1, C1, C2, C4, E4				
Lead officer's name	Bruten, Anthony				
Accompanied by	James, Ian,Healan, Maria				
Recipient's name/position	Mohammed Ali/ Owner	Date issued	01/08/2017		

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	C4	1.1.1
C1 - General Management - Staff competency/training	C4	1.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.2.1

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	3	Total compliance score (see section 5 for scoring scheme)	4.2
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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

Tony Bruten attended site on 31st July 2017.

Permit Part A1 - condition 1.1.1 (b) and 1.1.4 requires use of competent persons and operating with the requirements of an approved competence scheme. Mohammed Ali was identified as the Technically Competent Manager for the site and he produced his WAMITAB certificate and Continuing Competency which identified it was last passed in April 2015 and so there is requirement for the TCM to attend a further Continuing Competency to comply with permit condition.

Permit Part C1 - condition 1.1.1 and 1.1.4 as above.

Requirement. Technically Competent Manager to attend WAMITAB continuing competency training.

Permit Part C4 - Condition 2.2.1 storage and handling. The activities shall not extend beyond the site, being the land shown edged in green on the site plan..

On inspection there were depolluted ELV 's stored outside permitted area.

We discussed that a new planning application had been submitted to the local authority. Should you wish to continue to store vehicles in the area not covered by the permit then a permit variation will need to be applied for. If no variation is required then the vehicles should be removed and stored in the permitted area.

Requirement. Either an application must be made to the permit to cover the area where the vehicles are currently stored or the vehicles must be moved from the area. To be complied with by 31st October 2017.

Permit part E4. Condition 3.1. Maria Healan enquired as to sewerage from the permitted site. We were unable to view the area of the sewage treatment and contact number for the land lord was supplied to arrange inspection of the system.

On my next visit I will also inspect the management system required as stipulated in permit condition 1.1.1 (a).

EPR Compliance Assessment Report

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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			
C4	C3	Either apply to vary permit or remove ELV vehicles stored on none permitted area.	31/10/2017
A1	C4	Register and attend Continuing Competency training with WAMITAB	30/09/2017
C1	C4	Ensure you register and attend Continuing Competency training with WAMITAB	30/09/2017

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.