

Compliance Assessment Report

Report ID:
CAR_NRW0032793

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

Site	Horan Clipper Road Site	Permit Ref	TB3690HP		
Operator/Permit holder	Horan Construction Limited				
Regime	Waste Operations				
Date of assessment	18/01/2018	Time in	13:30	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Sims, Alice				
Accompanied by	Moggridge, Lara				
Recipient's name/position	Adrian Drysdale/ Site Manager	Date issued	02/02/2018		

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	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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

Officers Alice Sims and Lara Moggridge met Adrian Drysdale at the Horan Construction Limited site on Clipper Road on the 18th of January 2018 to conduct an initial site visit to gain an understanding of the site's current operations.

The permit is a Tier 2 Bespoke permit, reference EPR/TB3690HP. The site is predominantly used to store and treat waste to create aggregates for use in various construction activities. The wastes are treated to WRAP standard, and tests are run on each batch to ensure it meets the correct standards for use as a non-waste.

Mr. Drysdale showed Officers Sims and Moggridge around the site and explained the operations. A copy of the site's Environmental Management System was available in the site office.

C1 Staff Competency and Training

The Technical Competence for the site type is covered by the EPOC certificates held by Mr. Drysdale and another employee. This level of competence was sufficient in order to obtain the permit, and is considered a sufficient level of competence for low risk operations. However, in order to continue to comply with the permit, Continuing Competency must be demonstrated. On consultation with WAMITAB, we can confirm that any TCM covered by the EPOC for this site would be required to take a continuing competency assessment every two years to maintain competence. WAMITAB have confirmed that the assessment required is the one relevant to the permit sector. Please see the WAMITAB website or contact them directly for further details.

<https://wamitab.org.uk/competence/continuing-competence/>

Action: Continue to improve competence level by completing continuing competency assessments. Progress will be assessed again in 4 months' time.

B1 Engineering for Prevention and Control of Emissions

Adjacent to the untreated waste piles, past the edge of the concrete standing, a large pool of water had

formed following heavy rain. Due to the lay of the site this was not able to drain away and so the extent of the infrastructure could not be clearly seen. It is suggested that you ensure the level of the site is even to enable clear identification of the state of the infrastructure.

Near the storage area for the product, residual waste from Horan operations covered a portion of concrete surface. As this covering was quite thick, small pools of water had formed. The infrastructure underneath this could not be clearly identified. An oil film could be seen on the surface of the water, presumably from nearby plant or activities. Due to the state of the surface it was not clear that this would be captured by the drainage and eventual interceptor. The surface of the concrete could not be inspected to assess the condition, and therefore the pathway of the contaminated oily water was unclear. It looked as if it could be soaking to ground, and not being captured by the site infrastructure.

Action: Scrape away residual waste materials to reveal the underlying concrete standings. Assess the condition of existing concrete infrastructure and assess whether repairs are required. Investigate the drainage systems to better understand where the site runoff drains to. Submit findings to NRW in 2 months.

EPR Compliance Assessment Report

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Operator/Permit holder	Horan Construction Limited	Date	18/01/2018

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			
C1	X	EPOC confirmed as correct level of competence however, continuing competency will need to be achieved.	31/05/2018
B1	X	Investigate and assess state of concrete underneath the residual waste reveal the underlying pathways to the drainage system.	28/02/2018

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.