Compliance Assessment Report

Report ID:
CAR_NRW0033564

This form will report compliance with your permit as determined by an NRW officer					
Site	Penmaen Civic Amenity Site	Permit Ref	WP3391EP		
Operator/Permit holder	Caerphilly County Borough Council				
Regime	Waste Operations				
Date of assessment	06/06/2018	Time in	14:20	Out	16:00
Assessment type	Audit				
Parts of the permit assessed	various				
Lead officer's name	Matalynski, James				
Accompanied by					
Recipient's name/position	Malcom Smith/ Site Manager	Date issued	02/07/2018		

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	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
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	
F2 - Amenity - Noise	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	-

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	**1**	**Total compliance score** (see section 5 for scoring scheme)	0.1

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

Environment Officer James Malatynski attended Penmaen HWRC with Malcom Smith on the 6th of June at 14:20 a routine site inspection.

The site was operational at the time of the site visit with heavy though traffic at the site during the inspection. The site was initially closed to public upon arrival due to two vehicles removing skips from site, the site was reopened after the vehicles left the site. This added to the safety of onsite operation and eliminated any potential danger to the public.

Compliance

C3: Materials Acceptance – Specified by Permit Condition 1.2.2 – CCS CAT4

Condition 1.2.2 of your permit states that 'the total quantity of waste accepted at site per year shall not exceed 4,685 tonnes'.

After assessing your waste returns it has been established that you are failing to comply with your permit condition and have been accepting in excess of 5,500 tonnes.

Continuing to accept waste above the permitted amount could be deemed to be a non-compliance at a permitted site that could foreseeably result in pollution classified as CICS category 3.

Action: Please ensure you comply with your 4,685 tonnes of accepted annual waste permit condition in the future or apply for a minor technical adjustment to your permit if you intend to continue accepting waste above the current agreed permitted limit.

Malcom Smith signed in as the TCM for the site and presented evidence of collected consignment notes for waste being taken off site. I was satisfied that these notes contained the correct information and waste codes for the waste being accepted.

There is the intention in the future for staff on site to separate large domestic waste to allow for more efficient recycling.

The site has a history of noise complaints in relation to site activities. These complaints have been combated by adapting how the

site operates. There have been amendments in when vehicles are allowed to operate on site. Vehicles don't operate on site until 8am and cease operation at 5pm.

The site was in very good condition with sufficient spill kits on site and site operatives clearing waste around the site. Waste types were well separated and had good signage to aid members of the public as to which container their waste should be disposed of.

There were two WEEE skips on site, one had recently been emptied by SIMS Metal and the remaining skip was overflowing, although Malcom Smith assured me that the skip was to be split immediately to allow for additional space. **Advice and Guidance:** Please ensure that waste is correctly contained and is not being stored outside of the designated skips.

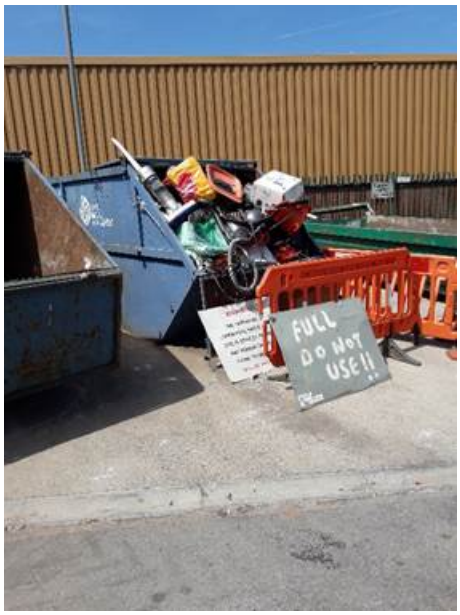

Image 1: Full WEEE skip

Staff have regular training and there is currently new training being developed in the form of a presentation and covers the following topics; general house keeping, , skip compaction, health and safety, reinforcing site inspection duties, removal of skips. The training is to be rolled out throughout the year.

Skip compaction was witnessed during the site inspection which allow skips to hold up to 2 tonnes of compacted waste, the skips would only be able to hold 0.5 of a tonne without compaction.

Fencing had been erected to clearly direct vehicles through the site and will assist with the through traffic.



Image 2: Newly erected fencing

Considering the volumes of traffic experienced on the site, there were procedures in place to manage the heavy through traffic that didn't compromise the overall running of the site.

Waste Returns

Please ensure you record and submit your waste return in an effective and timely manner, to date there have been no issues with time in which you submit your waste returns.

Thankyou to Malcom Smith and the staff on site for taking the time to show me the overall activites and procedures on site.

In this document 'Natural Resources Wales' means the Natural Resources 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_NRW0033564**

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Operator/Permit holder	Caerphilly County Borough Council	Date	06/06/2018

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			
G4	C4	Please ensure that the waste accepted onto site meets your permit conditions or you amend your permit to accept additional waste.	01/10/2018

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.