

Compliance Assessment Report

Report ID:
CAR_NRW0031843

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

Site	Five Lanes Transfer Station And H W R C	Permit Ref	WP3599FY			
Operator/Permit holder	Dragon Waste Ltd					
Regime	Waste Operations					
Date of assessment	28/06/2017	Time in	11:45	Out	12:30	
Assessment type	Report/Data Review					
Parts of the permit assessed	A1, B4, C1, C2, C3, C4, F1, F5					
Lead officer's name	James, Ian					
Accompanied by	Bruten, Anthony					
Recipient's name/position	Rhys Lloyd/ Site Supervisor	Date issued	05/07/2017			

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
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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

Introduction

At 1145 on 28th June 2017 your site was inspected as part of the routine assessments for compliance, your new regulatory officer, Ian James, was in attendance along with fellow officer Anthony Bruten. Thank you for taking the time to demonstrate your activities on site.

Your operations consists of a Transfer Station and Household Waste Recycling Centre for public use in the Five Lanes (Caerwent)/Monmouthshire area.

The parts of the permit that were reviewed were;

C1 – General Management: Staff competency/training

Permit Condition Schedule C Part 17 – 'The facility shall be supervised by a proficient person during operating hours and during all maintenance operations. Supervisors must be able to identify the types of waste allowed by this licence and those specifically excluded.'

In addition reference: Natural Resources Wales publication – 'How to comply with your environmental permit' Part 2 – Waste Operations, Technical Competence Schemes.

It was noted that Rhys Lloyd (Supervisor) is in the process of obtaining his Technical Competence qualification and that Pete Somers (TCM accredited) is actively attending in compliance with the requirements of the Permit for TCM purposes. Both of these are, or will be, accredited to the Viridor CMS*.

*Having previously discussed this within NRW it is now confirmed that the Viridor CMS, having been developed in line with the EU skills scheme, is approved as a suitable competence system.

Action: The operator should update their management system to reference their approved internal competence scheme in line with NRW RGN 5 section 3.6 "Applicants are required to specify on the

application form which option they will rely on. *The operator's management system will include reference to the relevant scheme with details of any technically competent persons.* All applications for the grant or transfer of a permit must be checked against the relevant database to verify that the operator's technical competence is valid."

C2 – General Management: Management system & operating procedures

Permit Condition Schedule C Part 24 – 'Operational procedures for the facility shall be kept available at the facility and personnel shall be familiar with its contents.'

A copy of the Working Plan/ODMP was available, albeit in 'Draft', and an electronic 'Approved' version was submitted to NRW (Ian James) via email immediately after the site visit.

G4 – Monitoring and records, maintenance and reporting: Reporting and notification

Permit Condition Schedule C Part 28 – 'A full record shall be kept of the types and quantities of wastes delivered to and removed from the facility and copies shall be sent to the Disposal Authority...'

All waste returns are up to date and in compliance.

Other;

A tour of the site followed and showed infrastructure in good order with no litter, loose debris or smells apparent. The conditions were damp/drizzle.

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

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EPR Compliance Assessment Report

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Operator/Permit holder	Dragon Waste Ltd	Date	28/06/2017

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.