

Compliance Assessment Report

Report ID:
CAR_NRW0026359

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

Site	Rhondda Skip Hire	Permit Ref	WP3797ED		
Operator/Permit holder	Cwm Rhondda Waste Management Sevices Ltd				
Regime	Waste Operations				
Date of assessment	06/09/2016	Time in	12:00	Out	13:00
Assessment type	Site Inspection				
Parts of the permit assessed	Infrastructure				
Lead officer's name	Tye, Laoni				
Accompanied by					
Recipient's name/position	Susanne and Andrew Trembath/ Site manager and TCM	Date issued	12/09/2016		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Thank you for your time when Environment Officer Laoni Tye visited site on the 5th September 2016. I met with Susanne Trembath, site TCM and Andrew Trembath. The purpose of the visit was to discuss the separate collections in accordance with the Waste Regulations (England and Wales 2011). A site inspection was also conducted where we looked at the infrastructure and storage on site.

Permit breaches

B3 – Site drainage engineering – Category 3 breach.

Condition 2.1.2 Table 2.1 states that areas of hardstanding shall be constructed of granular material (e.g crushed stone, aggregate, road plainings or other similar material) and maintained such that the working surface:

Shall remain even

Shall not be subject to settlement or differential settlement

Shall not be subject to rutting vehicles even when wet

Shall have sufficient durability to allow cleaning for example by scraping

Shall remain free of standing water.

The hard standing on site is currently rutting which is evident with water pooling on the surfaces. These areas have become very wet and muddy which shows that the hard standing is not serving its purpose.

Action: Please can you ensure the surfaces are regularly maintained and any rutting is repaired to ensure there is no water pooling and there is therefore less of a risk to groundwater from the sites activities.

Due date: 2 months from the date of this CAR form.

Directly applicable legislation - Breaches recorded and advice and guidance

Non submittal of waste returns – you have been scored a category 4 breach.

We have not received quarterly waste returns from you for 2016. We are missing the following:

Q1 – January to March 2016. Deadline for submitting March 31st 2016.

Q2 – April to June 2016. Deadline for submitting July 31st 2016.

Action: Please submit the waste returns for your site for the quarters mentioned above by the 31st October which is when Q3 returns will be due.

Non-compliance with the Waste Regulations. You have been scored a category 3 breach.

Since 1st January 2015 waste collection operators including private companies, social enterprises and local authorities are required by law to provide their customers with separate collections for paper, metal, plastic and glass where this is necessary to improve the quality of recycled material by reducing contamination at the point when the recyclable material is collected.

This is in accordance with Regulation 13(1) of the Waste Regulations (England and Wales) 2011 as amended. We have observed during this inspection that you are accepting waste which is not separately collected, you as the carrier are required to provide separate collections. You have not completed a TEEP test and therefore you are non-compliant with the regulations. **You have been scored a category 3 breach for this.**

You should also be aware that as required by regulation 14(1) of the Waste Regulations 2011 as amended, once the four waste materials for recycling have been separately collected, the regulations require the materials to be kept separately and not mixed with other wastes or other materials with different properties.

On site discussions

You advised that you do not have any other waste carriers operating in and out of the site other than yourselves. You have told us that you do not think you will be able to offer a separate collection service to your customers for various reasons. As discussed with you on site you need to conduct a thorough assessment into the practicability of this by conducting a TEEP test to see whether the process is:

Technically practicable

environmentally practicable

Economically practicable

And whether it is necessary – ‘the necessity test’ in order to deliver high quality recycling.

This evidence will need to be documented fully and any investigations and research you have done into this needs to be included. There is no specific format to how this needs to be documented. The separate collection of waste can increase recycling outputs of the site which is a benefit for the site as well as the environment.

Please note the preference of waste producers for different waste collection is not a relevant consideration.

We may need to take enforcement action in relation to this in the future if the regulations are not complied with.

Guidance for Operators – please read and follow links

<http://gov.wales/docs/desh/publications/141217-statutory-welsh-guidance-on-separate-collection-of-waste-v2-en.pdf>

<http://www.wrap.org.uk/content/requirements-waste-regulations>

The following organisations may be able to assist operators with advice and guidance on waste collection

systems, reducing contamination levels, carrying out assessments or funding for equipment and facilities:

WISE network

Waste and Resources Action Programme (WRAP)

Welsh Environmental Services Association (WESA)

Business Wales

Chartered Institution of Waste Management Wales (CIWM).

If you have any questions about any of this please get in touch.

Kind regards

Laoni Tye

03000654492

Laoni.tye@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026359**

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

Site	Rhondda Skip Hire	Permit Ref	WP3797ED
Operator/Permit holder	Cwm Rhondda Waste Management Services Ltd	Date	06/09/2016

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			
B3	C3	Maintenance of sites infrastructure and repairing hard standing required.	21/11/2016

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.