

Compliance Assessment Report

Report ID:
CAR_NRW0033411

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

Site	The Granary	Permit Ref	EP3994LG		
Operator/Permit holder	Caerphilly Skip Hire (C W S) Ltd				
Regime	Waste Operations				
Date of assessment	17/05/2018	Time in	10:30	Out	11:15
Assessment type	Site Inspection				
Parts of the permit assessed	A1, B3, D1				
Lead officer's name	Lee, Jonathan				
Accompanied by	Bowder, Alex				
Recipient's name/position	Alun Pitten/ Finance Director	Date issued	25/05/2018		

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	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
D1 - Incident Management - Site security	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 Jonathan LEE and Alex Bowder attended Caerphilly Skip Hire (CWS) Ltd, The Granary, Graddfa Industrial Estate, Old Colliery Road, Llanbradach, Caerphilly CF83 3QS on Thursday 17th May 2018 at 10:30am. The weather was sunny and dry at the time of inspection. The visit was made to complete a site handover to officer Jonathan Lee and complete a route inspection of **EPR-EP3994LG**.

Inspection Observations

We were shown around site by Mr Alun Pitten, the site was operational at the time of visit with waste being sorted and handpicked. The site has recently undergone extensive infrastructure improvements to the profile of the yard and drainage. The interceptor is now operational and working as required, this will prevent potentially contaminated surface run-off leaving site.

Concerns were raised regarding the run-off of surface water down the ramp into the bottom yard, therefore by passing the interceptor. Although the profiling of the concrete yard should prevent this from occurring, in times of heavy rainfall there is still potential for surface runoff to by pass the interceptor. Previous CAR forms note that the operator would be installing a lip to direct flow towards the entry hole of the drainage system. This lip has not been constructed, please see that this is actioned on as soon as practically possible.

Action: The operator must ensure the site drainage is fully sealed, run-off should only be able to leave site via the interceptor and drainage system.

Perimeter gabion wall

As noted on the previous site visit by officer Alex BOWDER, the business must put in place measure to ensure the site drainage is fully sealed. The gabion wall running along the eastern flank of the site does prevent solids from blowing off site. However, it does not have the ability to stop liquids and therefore is not classed as sealed. Whilst the profile of the yard should prevent run-off towards the gabion wall, in times of heavy rainfall there is chance that this will occur.

Action: The operator must ensure the site drainage is fully sealed, run-off should only be able to leave site via the interceptor and drainage system.

Skip storage on bottom yard under S2 exemption

Skips containing various waste streams were being stored on the bottom yard. This has been noted as an issue in the previous site visit. Some skips were empty, but others contained waste tyres and waste wood. Waste wood and tyres pose considerable fire risks. Picture 1 below shows the skips stored at the time of the site visit.



Picture One: Skips containing waste wood and waste tyres being stored on bottom yard opposite former Fabcraft building

It should be noted that there is currently an S2 exemption registered to the bottom yard (the former Fabcraft buildings) for storing waste in a secure place. Please ensure that the wastes stored in this area are compliant with the requirements of an S2 exemption. For example, you are only allowed to store 40

tonnes of tyres (waste code 160103) for a period of 3 months. Please ensure that the types of waste, time limits of storage and quantities stored do not exceed the conditions and limits of the exemption.

Further information on the requirements of an S2 exemption can be found at the link below.

<https://www.gov.uk/guidance/waste-exemption-s2-storing-waste-in-a-secure-place>

We realise that it is the operators intentions to submit a permit variation to cover the area for which an S2 exemption is already registered.

Permit variation

The permitting team within NRW have recently corresponded with Alun Pitten regarding an admin variation to the permit for this site. The operator has recently purchased the 'bottom yard' which neighbours the existing site (for which there is an S2 exemption is already registered). The operator therefore wishes to extend the permitted boundary to include this bottom yard, increase throughput of the facility and add some additional treatment operations. Whilst on site we discussed the operators plans for this variation and expected timescales.

To clarify, you cannot increase the permit boundary under the admin variation application you have previously submitted to us. An application will need to be made for a normal variation. Further guidance and an application form can be found here at the link below:

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-vary-change-a-permit-for-waste-operations/?lang=en>

To increase the permit boundary, you will need to include a new site plan outlined in green and either update the site's Site condition report to consider the new area to be covered by the permit or complete a new Site condition report.

If you decide to also make the other changes we discussed you will need to amend the Environmental Management system (working plan) for the site to address the new activities and waste codes, you will also need to update the site specific environmental risk assessment for the site. This will also need to be updated in relation to the increase in permitted area as moving the boundary may bring the site closer to sensitive receptors.

The fee payable will be based upon the current OPRA profile for the site.

It is also worth noting that we will be adding in new conditions relating to the requirement to have a fire prevention and mitigation in line with our guidance in place. If you increase both annual throughput and

storage capacity, you will need to submit one as part of the variation. If you only increase the annual throughput you won't need to as part of the application, but you will have to complete one and submit it in line with an improvement condition that will be included in the variation notice.

Consideration should also be given to infrastructure on the bottom yard. If the sorting and treatment of waste is to be carried out on the bottom yard, changes to site drainage and the impermeable surface will need to be made so that surface run-off should only be able to leave site via a suitable interceptor and sealed drainage system.

If you require further information regarding a variation application or require a pre-application site visit, please inform officer Jonathan LEE.

Action: Please submit a variation application to cover this area by 25th August 2018.

If you have any issues with this report please contact Jonathan Lee on 0300 065 3908 or jonathan.lee@cyfoethnaturiolcymru.gov.uk

EPR Compliance Assessment Report

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Site	The Granary	Permit Ref	EP3994LG
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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			
B3	X	Please ensure site drainage is fully sealed, run-off should only be able to leave via interceptor and sealed drainage.	25/08/2018
A1	X	Please submit a variation application to cover extended permit boundary, additional treatment operations and additional throughput.	25/08/2018

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.