

Compliance Assessment Report

Report ID:
CAR_NRW0032318

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

Site	Olivers Sales & Rentals	Permit Ref	WP3799FB			
Operator/Permit holder	Mr Paul Jones And Mr Roger Jones					
Regime	Waste Operations					
Date of assessment	19/09/2017	Time in	11:00	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Roger Jones/ Director	Date issued	18/10/2017			

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
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	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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
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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

Officer Alex BOWDER and Area Manager Jon GOLDSWORTHY attended Olivers Sales & Rental, New Road, Tir Y Berth, Hengoed, CF82 8AU on 19th September 2017 at 11:00 to carry out routine inspection of permit **EPR-WP3799FB**. The weather was warm and dry at the time of visit. Spoke with company director Mr. Roger Jones who accompanied us around site.

Breach

<u>Category 3 Breach</u> <u>G) Monitoring and records, maintenance and reporting – Reporting</u> <u>Paragraph 4.2.2</u> “Within one month of the end of each quarter, the operator shall inform the Agency using the form made available for the purpose of, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter”.	Waste Returns The business has failed to submit its waste returns within the grace period given. It is your duty under your permit conditions to ensure that they are submitted on time. Action: Submit outstanding quarterly returns immediately and submit future spreadsheets within grace period.
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Actions from last CAR form:

Amend EMS – this has not been received by NRW.

Environment Management System (EMS)

We spoke about your Working Plan needing to be updated to a Management System.

Please can this be completed and submitted by 18th November 2017

Please ensure your EMS covers all aspects required - we recommend you look at page 12 of the 'How to comply with your permit' guidance document:

<https://naturalresources.wales/media/2110/how-to-comply-with-your-environmental-permit.pdf>

Waste operations

- General management – operating times, how often drainage channels are checked

- Sufficient competent persons -
- Technical competence schemes – WAMITAB, include dates of expiry
- Site attendance guide for technically competent managers
- Avoidance, recovery and disposal of wastes
- Operations – state storage limits and how these are checked
- Permitted activities
- Waste acceptance
- Emissions and monitoring
- Emissions of substances not controlled by emission limits
- Odour
- Noise and vibration
- Pests
- Information

Records

Stacked empty skips

We spoke about the stacking of empty skips behind waste piles on site. Better management needs to be implemented to ensure Health and Safety standards are met. These measures should be included in your management system.

Fire Prevention Mitigation Plan

As your bespoke environmental permit authorises you to store combustible waste we require you to have a Fire Prevention and Mitigation Plan (FPMP).

ACTION: Create Fire Prevention and Mitigation Plan

This should also be written in conjunction with your EMS, this is the guidance you must follow:

<https://naturalresources.wales/media/682525/guidance-note-16-fire-prevention-mitigation-plan-english.pdf>

Our FPMP must include:

- the amount & type of waste received daily and how it is managed □ the total amount of waste & the types and forms (e.g. unprocessed, shredded, chipped, fines or baled) that are stored on site at any one time and how it will be stored
- the maximum time each type of waste will be stored on site and how it will be managed
- the location within the site where each type of waste will be stored

the maximum size of any waste pile, stipulating the maximum length, width and depth

the minimum separation/fire break distance required between all waste/baled waste stacks, and between buildings and waste/baled waste stacks

a clear area must be established around the perimeter of site, this can vary depending on the layout of your site and permitted stack sizes in accordance with the separation distances, this must be available at all times and identified on your site plan

- the fire prevention techniques used, including management of hotspots (signs of potential self-combustion), monitoring, reporting, recording and actions

techniques used to minimise the risk of fire spreading within the site or from the site

the steps and procedures to be followed if a fire occurs on your site

all combustion products and emissions (to air, land and water) from the fire and the emergency response including the impact on the community, critical infrastructure and the environment) and how they will be minimised

contact details of sensitive receptors within 1km of your site –

Human receptors include hospitals, nursing homes, schools, residential areas, places of work, transport networks.

Environmental receptors include source protection zones, surface waters, potable abstractions, groundwater, protected habitats, fisheries

how safe access to the site for fire and rescue services and other emergency responders is achieved

infrastructure seemed in suitable condition at the time of inspection. Drainage channel was clear with no sediment blockages. All treatment of waste was carried out on the floor pad or hardstanding surface. Waste accepted on site checked and fine.

if you have any queries about this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

thank you.

EPR Compliance Assessment Report

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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			
G4	C4	Submit outstanding documents immediately and submit future returns within the one month grace period given	25/10/2017

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.