Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0026639

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	26/10/2016	Time in	14:00	Out	14:45
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	18/11/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	C4	Paragraph 1.1.3
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	C4	Paragraph 1.1.4
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	Paragraph 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	**3**	**Total compliance score** (see section 5 for scoring scheme)	4.2

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

Alex Bowder attended site on Wednesday 26th October 2016 at 14:00 to conduct an inspection of Oliver Sales and Rentals. Met with Roger Jones, the weather was mild and dry.

The site was first issued the Waste Transfer Facility permit in 1993 (currently EPR/WP3799FB) and has since undergone various modification. The permit was varied and consolidated in 2012 for modernisation of the conditions - the total quantity of waste accepted at the site shall be less than 30,000 tonnes a year.

G) Monitoring and records, maintenance and reporting, Category 3 Breach – Paragraph 4.2.2 "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".	The business has failed to submit the waste returns requested on my report from my last visit; now the last four quarters are due. It was again stated that technical difficulties were experienced, however it is your duty under your permit conditions to ensure your returns are submitted on time. Reporting to Natural Resources Wales is paramount and failure to do so will mean you will continue to be breached on your permit conditions. You must be reliant on yourselves for correct and diligent submission. If there any issues as to why you cannot submit your returns within the allocated time-frame then you must notify us.

You are required to submit the following waste return quarter documents immediately:

Q4: October – December	2015
Q1: January - March	2016
Q2: April - June	2016
Q3: July - September	2016

Guidance has been sent separately regarding waste return submission deadlines and formatting.

If this is not done by December 18th 2016 we will look into serving an Environmental Permitting (England and Wales) Regulations 2010 Regulation 36 notice for failure to comply with your permit conditions.

c) General Management, staff competency – Category 4 Breach, Paragraph 1.1.4: "The operator shall comply with the requirements of an approved competence scheme".	Roger Jones' WAMITAB qualification expired in February 2016 - it is your duty to keep track of your competency expiry and renew accordingly. As a result the site has been operating without a Technically Competent Manger for the last few month and has breached the permit condition 1.1.4 as a result. You will need to enrol on refresher continuing competency WAMITAB course immediately. If this is not done by January 2017 we will consider taking further action.

c) General Management - Category 4 Breach, Paragraph 1.1.3: "Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where hose duties are carried out"	Environment Management System (EMS) / Working Plan The site needs to send through its current EMS document to us immediately. It was stated that your EMS was last updated about 18 months ago. As an operator it is your duty to ensure your EMS is kept up to date as a live document and amend procedures accordingly. It is also important to have a copy easily accessible on-site so that if key persons are absent other staff would have something to fall back on, for example. Despite no large changes this year, it is evident that this has not been looked at in recent months, so some procedural information included could be outdated.

The amount of waste viewed on site was less than previous visits, showing a clearer pathway to the rear of site. The channel at the bottom of the yard that leads to a soakaway exiting the site is cleared daily and was

free of sediment.

Picture 1 – showing drainage channel clear at the bottom of the site

Aluminium waste was witnessed being stored outside of skips on the yard surface; it was stated that this was temporary as the skip was being changed. Please be mindful that this waste should be stored in a container at all times. Although the ground is heavily compacted hard-core, you must monitor for cracks as this would mean the surface is no longer impermeable.

Picture 2 – showing aluminium metal waste being stored outside of skips

We discussed where the various waste streams sorted by the site are sent - fines are going to Bryn Quarry. The tyres on site go to Welsh Tyre Recycling; please make sure all fire exits are always free from obstruction.

Picture 3 – showing tyres stacked near building

If you have any queries regarding the report please don't hesitate to contact Alex Bowder on 0300 065 3394.

Thank you.

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Operator/Permit holder	Mr Paul Jones And Mr Roger Jones	Date	26/10/2016

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.

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	C3	You are required to submit the requested waste return quarter documents immediately.	18/12/2016
C1	C4	Enrol on refresher continuing competency WAMITAB course immediately.	18/11/2016
A1	C4	Send through current EMS document immediately and keep on site in a known location.	18/12/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.