

Compliance Assessment Report

Report ID:
CAR_NRW0032651

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

Site	Vastre	Permit Ref	WP3395EK			
Operator/Permit holder	Powys County Council					
Regime	Waste Operations					
Date of assessment	20/12/2017	Time in	14:10	Out	14:35	
Assessment type	Site Inspection					
Parts of the permit assessed	1.1 General Management, 4.2 Reporting					
Lead officer's name	Starks, Madeleine					
Accompanied by	Park, Liz					
Recipient's name/position	Jacqui Jones/ TCM	Date issued	28/12/2017			

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
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2 Reporting

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

Environment Officers Liz Park and Madeleine Starks conducted a site inspection on 20/12/17, focusing upon General Management and Site Infrastructure. The weather conditions were mild, dry and cloudy. Whilst on site we were met by site operator, Phil Jones.

The overall condition of the site was clean and tidy. There was a large quantity of waste on site, nearing the sites capacity, however this was to be expected considering the time of year and issues with transportation following heavy snow during the previous week. We observed no non-compliances on site, however it has been noted that you have not submitted any waste returns for 2017.

G4 - Monitoring and records, maintenance and reporting - Permit Condition 4.2.2. - Cat 4

You have been scored for failing to submit all your waste returns. We are currently missing the following waste returns from you for:

Q1 2017 (January – March)

Q2 2017 (April – June)

Q3 2017 (July – September)

Please submit your outstanding waste returns within 3 weeks of receipt of this CAR form and put in place procedures that ensure reports are submitted in time in the future.

The required timescales for submissions are as follows:

Quarterly Returns Period Return Submission Deadline

Q1 - 01 January to 31 March	30 April
Q2 - 01 April to 30 June	31 July
Q3 - 01 July to 30 September	31 October
Q4 - 01 October to 31 December	31 January

Failure to meet future return deadlines may result in an escalation of our scoring category for such a breach.

Email returns to: waste.returns@cyfoethnaturiolcymru.gov.uk or alternatively request a paper version of

the waste return form, to complete and return it to:

Natural Resources Wales

Customer Care Centre

29 Newport Rd

Cardiff, CF24 0TP

Advice and Guidance

The copy of the Environmental Management System held on our records is dated 2013, with a review of this document due during 2014. Whilst on site we requested to see a copy of the most up to date EMS, however the copy held on site was produced in 2014 and due to be renewed in 2015. Please provide us with a copy of a current EMS. You must also ensure that an up to date copy of this document is kept on site so that it is accessible to staff at all times.

In the site office, there is a list of emergency telephone numbers. These numbers need updating to reflect both the change in Technically Competent Manager of the site, and the change in Environmental Regulator from the Environment Agency to NRW. The NRW hotline number for reporting any environmental incidences is 0300 065 3000.

Our records show that the current TCM for the site is Jacqui Jones, whose Continued Competency is up to date. As Phil was not aware of who the TCM for the site was, please would you be able to contact me to confirm this information is correct.

EPR Compliance Assessment Report

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Operator/Permit holder	Powys County Council	Date	20/12/2017

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			
G4	C4	Please submit your outstanding waste returns, as detailed in the comments below, within 3 weeks of receipt of this CAR form.	18/01/2018

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.