

Compliance Assessment Report

Report ID:
CAR_NRW0032591

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

Site	G F Potter, Household Waste Recycling Site	Permit Ref	UP3895CN			
Operator/Permit holder	James Edward Potter					
Regime	Waste Operations					
Date of assessment	06/12/2017	Time in	13:15	Out	13:35	
Assessment type	Site Inspection					
Parts of the permit assessed	General Management, Site Infrastructure					
Lead officer's name	Park, Liz					
Accompanied by	Starks, Madeleine					
Recipient's name/position	Debbie Potter/ Site Manager	Date issued	12/12/2017			

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
C1 - General Management - Staff competency/training	C3	1.4.4 Attendance of TCM

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

Liz Park and Madeleine Starks conducted a site inspection on Wednesday 6th December 2017, focusing upon site management and drainage, following up previous non-compliances noted during NRW's last inspection. The weather was cool, dry and cloudy. In general, the site was tidy and well organised, however the following non-compliance was observed.

C1 – Staff Competency and Training – Permit Condition 1.4.4 – Attendance of technically competent person – Cat 3

Whilst on site we were informed that the acting Technically Competent Manager (TCM) for the site is Kevin Pryce. Per the records available on WAMITAB, Kevin Pryce registered with WAMITAB in October 2017 and has not yet completed the qualification. Consequently, he is unable to act as TCM and you have been scored for inadequate TCM attendance.

Please ensure that alternative TCM cover is provided until Kevin Pryce has completed the relevant qualification. Once this qualification has been completed, please provide evidence of the certificate to NRW.

Failure to provide adequate TCM cover may result in an escalation of our scoring category for such a breach.

Advice and Guidance

The storage container for the fluorescent tubes is almost at full capacity. Please ensure that this is emptied in a timely manner to avoid the potential for customers to leave fluorescent tubes outside of the dedicated storage facility.

Whilst looking at the cover for the interceptor on site, it was clear that the cover had not been lifted for inspection for some time, as moss was growing around the edge. In your working plan (Section 5.2 – Site diary and inspection records), it states that the site's drainage system will be checked and that reports on these checks will be made available to the authorised officer (in this case, NRW). Please could you provide the report for the last inspection conducted of the oil interceptor. In addition to this, could you please inform us of how often this inspection is conducted on your site.

We thank-you for your time and co-operation during our visit. If you have any further questions please do not hesitate to contact me.

EPR Compliance Assessment Report

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Operator/Permit holder	James Edward Potter	Date	06/12/2017

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			
C1	C3	Ensure alternative TCM cover until Kevin Pryce has completed the relevant qualification.	18/12/2017

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.