

Compliance Assessment Report

Report ID:
CAR_NRW0033539

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

Site	Trehir Civic Amenity Site	Permit Ref	LP3895FK			
Operator/Permit holder	Caerphilly County Borough Council					
Regime	Waste Operations					
Date of assessment	22/05/2018	Time in	12:20	Out	14:00	
Assessment type	Audit					
Parts of the permit assessed	various					
Lead officer's name	Matalynski, James					
Accompanied by						
Recipient's name/position	Malcom Smith/ Operational Manager	Date issued	25/06/2018			

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	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	C3	-
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
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	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

James Malatynski attended Trehir HWRC with Malcom Smith on the 22nd of May at 12:20pm for a routine site inspection.

Malcom Smith has provided evidence of his continuing competence of the WAMITAB qualification.

The Trehir HWRC is located close to the closed Trehir landfill site. The site was in operation during the inspection with continuous traffic through site.

Compliance

B5: Plant and Equipment – Specified by Permit Condition Section E/E7 – CCS CAT 3

Condition E3 of your permit states that 'All spillages shall be dealt with in accordance with the working plan. A supply of absorbent materials shall be kept permanently on site to control any spillages'.

Upon arrival there was a noticeable oil spill from a machine that was used for compacting the waste and moving the skips. The oil leak had not been remediated at the time of arrival, granules were eventually distributed by a member of the onsite staff on direction from Malcom Smith. The tyres of the machine dispersed the oil through the site.



Your EMS site maintenance checklist highlights that the JCB will be checked daily, not following this procedure could have contributed to not noticing the leak. However, the site check list was completed on site. Consider a more robust preventative maintenance regime.

Picture 1: Digger leaking oil

Action: Machine to be decommissioned until further inspection and the oil leak ceases. External contractor to perform maintenance to equipment.

There was easy access to the spill kits within the office and sufficient security in place to prevent intruders including a several gated access points to the site over a bridge.

During the inspection of the onsite diary it was not clear when the TCMs had been on site. **Advice and guidance:** Please ensure the site diary is updated regularly and that the site visits by a TCM are clearly and accurately recorded.

There are issues with tears in the surface where previously a tracked machine had impacted on the integrity of the surface. This issue has been highlighted in previous Compliance Assessment Report forms and it was good to hear that the tracked machine had been switched with a wheeled machine which will reduce the damage to the surface. Please monitor the infrastructure to ensure further tearing doesn't compromise the site's ability to retain water on the impermeable surface.

Staff on site were very knowledgeable regarding site drainage and were able to identify where the onsite interceptor was located and its function which was reassuring from a regulators perspective.

There were rat boxes on site and a contract on site with an exterminator. Malcom Smith made me aware that due to the sensitivity of the surrounding areas there were limitations in place to the number of techniques that could be used due to the results of an environmental survey.



Picture 2: Visible rat boxes

Overall, a well-maintained site considering the difficulties with access and the site layout, staff were very helpful and dealt with arising issues on site in a timely and effective manner.

Waste Returns

Thank you for submitting your waste return on time, please continue this habit. The waste codes all seemed present and correct.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

EPR Compliance Assessment Report

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Operator/Permit holder	Caerphilly County Borough Council	Date	22/05/2018

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
B5	C3	Ensure the vehicle is not used until repaired.	29/06/2018

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.