Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0033685

This form will report compliance with your permit as determined by an NRW officer					
Site	Gwrthwynt Waste Transfer Station	Permit Ref	ZP3098FC		
Operator/Permit holder	Mrs Lowri Mair Evans and Mr Lindley Tobias Evans				
Regime	Waste Operations				
Date of assessment	07/06/2018	Time in	13:40	Out	15:30
Assessment type	Site Inspection				
Parts of the permit assessed	The CAR sub criteria listed below				
Lead officer's name	Goddard, Jeremy				
Accompanied by	Wilson, Alastair				
Recipient's name/position	Mr. Lindley Evans/ Director	Date issued	25/07/2018		

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	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	X	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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	**0**	**Total compliance score** (see section 5 for scoring scheme)	0

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

This was a routine unannounced compliance visit by Natural Resources Wales (NRW) officers Jeremy Goddard (Senior Environment Officer) and Alastair Wilson (Environment Officer).

The weather throughout the inspection was dry and sunny.

The site was operational at the time of the visit.

NRW officers were met by Mrs. Lowri Evans and Mr. Lindley Evans of D.I. Evans Cyf.

General Site Inspection:

Officers, were taken around the site by Lindley Evans.

The external yard was clean and tidy with waste stored in segregated bays. The inert waste was partially stored on a hardstanding surface which is allowed under the permit. There was some baled cardboard being kept on the external yard, but this was not causing an issue.

The external impermeable yard flows to a drain located in the centre of the yard. According to the site's environmental management system this is a sealed 7,000 litre tank (see photograph 1 below).



Photograph 1: Drain in external yard.

ACTION: Can you confirm this is correct and if so where is the contents of the tank taken when emptied? It stipulates in the site's environmental management system that the tank is emptied with the contents removed to a suitable disposal point, what is meant by this? The EMS states that the tank from the waste transfer building is taken to a suitably permitted liquid disposal facility.

The waste transfer station building was again neat and tidy with waste stored in segregated bays or in the sorting area. The rear hardstanding yard is mainly used for the storage of empty skips. There is some waste stored in containers. No issues were noted.

No compliance issues were noted relating to amenity issues – noise, dust, odour, litter, pests or mud on the highway during the

visit.

Technical Competence and Environmental Management System:

It was explained that Lowri Evans has not undertaken her WAMITAB Continuing Competency assessment and Lindley Evans is now the only Certificate of Technical Competency holder for the site.

Lindley Evans provided a copy of his latest Continuing Competency certificate which expires on 17/02/2019. The award covers TSH – transfer of Hazardous Waste and TSNH – Transfer Non-Hazardous Waste. Please note that you require an award for the Treatment of Hazardous Waste on your Continued Competency Certificate. There is no great concern as your original WAMITAB Operator Compliance Certificate dated 11/01/2013 covers 'Managing Treatment of Hazardous Waste'. Previously Lowri Evans had a competency award in Transfer – Hazardous Waste and Lindley Evans had a competency award in Treatment – Hazardous Waste which together covered the whole operation.

ACTION: When you come to retake your continued competency assessment in February 2019 please ensure that you undertake both the Transfer and Treatment of Hazardous Waste modules. If you are undertaking the hazardous award there is no need to also undertake the non-hazardous equivalent.

I have quickly looked at the site's Environmental Management System which dates from April 2013. I can see that the EMS is out of date with several operational changes taking place on site since it was published, such as the addition of the new waste transfer building. Lindley Evans confirmed that the business is in the process of acquiring ISO14001 which I assume with replace the existing EMS.

ACTION: Can you confirm when you are likely to have the ISO14001 EMS in place? We will assess this new management system at a future compliance visit.

Other issues:

The hazardous waste premises notification (CAC883) for the site expires on 16/09/2018 and will need to be renewed before that date.

After a spate of serious fires on waste management sites Natural Resources are currently in the processing of varying environmental permits for sites dealing with combustible material to require them to have a Fire Prevention and Mitigation Plan (FPMP). All new relevant bespoke and standard rules permits will have a condition requiring a written FPMP as standard whilst higher risk bespoke permit have already been varied to add this condition. At some point in the future your permit will have the condition requiring the site to have a written FPMP added so I recommend that you start thinking about what this entails now. The written FPMP would need to be submitted to Natural Resources Wales and Mid & West Wales Fire and Rescue Service for assessment.

Guidance has been developed by NRW in conjunction with the Fire and Rescue Services within Wales. The current latest version of our Fire Prevention and Mitigation Plan guidance (version 2) is available on our website at: https://naturalresources.wales/media/682159/eng-guidance-note-16-fire-prevention-mitigation-plan.pdf

Thank you for your time on site. Should you have any questions or queries please do not hesitate to contact me on 0300 065 4022 or by email: jeremy.goddard@cyfoethnaturiolcymru.gov.uk

ENDS

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033685**

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

Site	Gwrthwynt Waste Transfer Station	Permit Ref	ZP3098FC
Operator/Permit holder	Mrs Lowri Mair Evans and Mr Lindley Tobias Evans	Date	07/06/2018

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.

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			
B3	X	Schedule 1 of the permit stipulates that the majority of wastes on site must be stored on impermeable areas which are served by a sealed drainage system. Can you confirm that the tank in the external yard is sealed and where is the contents of the tank taken when emptied? It stipulates in the site's environmental management system that the tank is emptied with the contents removed to a suitable disposal point, what is meant by this?	22/08/2018
C1	X	When Lindley Evans takes his continued competency assessment in February 2019 please ensure that he undertakes both the Transfer and Treatment of Hazardous Waste modules.	28/02/2019
C2	X	Can you confirm when you are likely to have the ISO14001 EMS in place? We will assess this new management system at a future compliance visit.	22/08/2018

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.