

Compliance Assessment Report

Report ID:
CAR_NRW0031360

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

Site	Dan Y Parc Council Depot	Permit Ref	UP3290VF		
Operator/Permit holder	Powys County Council				
Regime	Waste Operations				
Date of assessment	21/02/2017	Time in	11:40	Out	12:25
Assessment type	Audit				
Parts of the permit assessed	Permitted Area				
Lead officer's name	Medcraft, Jodie				
Accompanied by					
Recipient's name/position	Christopher Richards/ Site Supervisor	Date issued	10/03/2017		

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 - Infrastructure - Staff competency/training	X	
C2 - Infrastructure - Management system and operating procedures	X	
G4 - Infrastructure - Reporting and notification to Natural Resources Wales	X	

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
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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

Present

Jodie Medcraft - Natural Resources Wales.

Christopher Richards - Site Supervisor, Dan Y Parc Depot.

The purpose of the visit was to assess compliance of the site against their Environmental Permit EPR/UP3290VF. This was the first visit by a Natural Resources Wales Officer since Regulation of the site was taken over by the Waste Regulation Team.

I was met on site by Christopher Richards, the Site Supervisor. A brief overview of the operations on site was given as a tour was conducted.

At the time of the visit the site appeared very well organised and tidy. Powys County Council are currently storing some refuse and recycling vans on site overnight, however all waste collected by these vehicles remains on board the vans.

Waste Storage

At present there are two storage bays used for the storage of gulley waste and road planning's. Both bays are on impermeable surface with sealed drainage. All drains appeared clear and free from debris and sediment. The interceptor on site is checked and emptied on a monthly basis.

A small amount of inert waste was being stored on site, on the impermeable pad. There are plans in place to expand the storage bays on site to increase the size of the bay for gulley waste and to accommodate the housing of construction and demolition wastes.

Environment Management System and Environmental Permit

Following the site inspection I asked to see onsite copies of the Environment Management System (EMS) and Environmental Permit. These documents were readily available.

Section 5.10.2 of the Waste Management Procedure document REF: EP15 on site states;

"The procedure for managing Highways Waste is given in the Local and Environmental Services Depot Manual"

Action - Please could you forward a copy of this to me at;

Jodie.medcraft@naturalresourceswales.gov.uk or post a copy to me at the Natural Resources Wales office in Llandarcy by 31 March 2017.

Technical Competent Management

The current Technically Competent Manager (TCM) for the site is Martin O'Shea who is based in Brecon but visits the site for at least 4 hours a week as agreed by Natural Resources Wales. There are also plans for Christopher Richards to undertake the WAMITAB training.

Action - Please could you forward a copy of the up to date WAMITAB certificate for the site to me by 31 March 2017.

Waste Returns

The site was recently issued a Compliance Assessment Report (CAR) form following a review of the waste returns submitted to Natural Resources Wales (NRW). This review highlighted that the site had reported receiving waste types not currently permitted.

The site reported that waste listed under EWC code 17 05 04 (Soil and stones) was being received on site. A discussion was had, during which it was ascertained that this was a coding error and should have been coded as 17 09 04.

Action - Please ensure these returns are amended and the correct EWC codes are used on all future waste returns.

Many thanks for your time during the inspection.

EPR Compliance Assessment Report

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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			
C2	X	Please forward a copy of the Procedure for managing Highways Waste as per the Local and Environmental Services Depot Manual.	31/03/2017
G4	X	Please ensure that the waste returns for the site are amended and the correct EWC code used on all future waste returns.	30/04/2017
C1	X	Please forward a copy of the up to date WAMITAB certificate for the site to NRW.	31/03/2017

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.