

COMPLIANCE CLASSIFICATION SCHEME GUIDANCE FOR THE WASTE REGIME

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1. INTRODUCTION

This document provides guidance on how the CCS is to be delivered in relation to the waste regime. It lays out how non-compliances are to be recorded on the Site Inspection Report Forms and how the non-compliance data are to be classified under the CCS. It also clarifies, for Waste, areas not covered by the CCS.

This document should be read in conjunction with the following documents.

- Waste Management Licensing Risk Assessment Inspection Frequencies, Operator & Pollution Risk Appraisal, [OPRA for Waste] (version 2.0 dated June 2000 – has been amended to indicate that certain higher non-compliance scores may be linked to the Common Incident Classification Scheme)
- Licensed Waste Management Facility Site Inspection Methodology & Consistent Scoring Guidance (current version 2.0 dated January 2000).
has been amended to indicate that certain higher non-compliance scores may be linked to the Common Incident Classification Scheme
- “OPRA for Waste” Site Inspections Frequently Asked Questions & Answers (current version 3.0 dated 22 May 2001).
- CCS generic guidance.

2. APPLYING THE CCS TO WASTE

For waste the CCS applies to authorised waste management facilities only. It does not cover such things as: Exemptions, Fly-tipping, Carriers of Waste or Producer Responsibility

Where Environment Agency staff have identified non-compliance with conditions of an environmental permit, whether a waste management licence or PPC permit, they shall be scored and recorded on the SIRF as already done under the OPRA for waste scheme.

If non-compliance with two conditions fall within one criteria on the SIRF only the higher classification is recorded for the purpose of the CCS.

Inspectors should continue to score and record breaches of s33(1)(c) as instructed under the OPRA for Waste scheme, however these do not get classified or recorded under the CCS.

3. CLASSIFYING THE NON-COMPLIANCE SCORE

Non-compliances are classified according to the seriousness of the threat they pose to the environment. This may be judged against criteria based on amenity use, human health, and direct impact on fauna or flora. For the Waste regime a scoring system has been developed under OPRA for Waste which links non-compliance with the conditions of a Licence/Permit, to potential harm. These scores as indicated in the Appendix to the Inspection Methodology are also used to classify non-compliances under the CCS for Waste as given below. Examples of non-compliance scores, and where they fit into the CCS matrix, are given in Table 1. The scores given below are for single criteria.

- Non compliance scores of **15** should be classified as Category 1 “Major” under CCS.
- CCS 1 is used to classify a non-compliance with a condition at an Environment Agency authorised site which, if it were classified as an incident, would have the potential to have an environmental impact that would be classified as a CICS category 1.
- Non compliance scores of **10** and basal scores of **3** should be classified as Category 2 “Significant” under CCS.
- CCS 2 is used to classify a non-compliance with a condition at an Environment Agency authorised site which, if it were classified as an incident, would have the potential to have an environmental impact that would be classified as a CICS category 2.
- Basal non-compliance scores of **1 and 2** that are recorded on the SIRF should be classified as Category 3 “Minor under” of the CCS.
- CCS 3 is used to classify a non-compliance with a condition at an Environment Agency authorised site which, if it were classified as an incident, would have the potential to have an environmental impact that would be classified as a CICS category 3.
- Some non-compliance scores of **1** may be classified as CCS 4 of the CCS. This is only applicable where the non-compliance has no potential to cause an environmental impact. It is considered that this category will NOT be applicable to most non-compliances in the waste regime.

Table 1. Compliance Classification Scheme Matrix for Waste

Compliance Classification Scheme Matrix for Waste	
<p>CCS Category 1 - Major</p> <p>OPRA for Waste scores of 15 only</p> <p>(all non-compliances which have the potential, if they were incidents, to be classified as CICS Category 1)</p>	<p>CCS Category 2 - Significant</p> <p>OPRA for Waste scores of 10 and basal scores of 3 only</p> <p>(all non-compliances which have the potential, if they were incidents, to be classified as CICS Category 2)</p>
<p>CCS Category 3 - Minor</p> <p>OPRA for Waste scores of 1 and 2</p> <p>(all non-compliances which have the potential, if they were incidents, to be classified as CICS Category 3)</p>	<p>CCS Category 4 - No Impact</p> <p>OPRA for Waste scores of 1 that have no potential environmental impact only</p>

All scores of **zero** on the SIRF are classified as Compliant and are not recorded under CCS.

4. POTENTIAL

Selected criteria from the Site Inspection Report Forms are used below to provide some waste examples of a non-compliance where the potential risk is greater than the actual impact.

Criteria 2	Waste types & quantities
Example	A drum of unacceptable waste found on the tip face of an inert landfill by the Environment Agency inspector who asked the plant driver to remove it from the landfill area.
Generic case	The impact was mitigated by Environment Agency intervention, with or without the operators co-operation .

Criteria 12	Mud and debris on the road
Example	A member of the public telephoned the Environment Agency to inform them that vehicles exiting the inert landfill near his home, are depositing mud on the highway. The operator has not taken any action to remove the mud and the caller is concerned that a road traffic accident may occur as a result of the road becoming slippery. The telephone call enabled the Environment Agency to ensure that the appropriate action was taken.
Generic case	The impact was mitigated by the intervention of any other third party (not the offender) such as the police, fire brigade or members of the public.

Criteria 24	Control, monitoring & reporting of dusts, fibres & particulates.
Example	The deposit of waste of a particulate nature (i.e. fine particulates and dust) on a site in close proximity to other commercial or domestic dwellings. The deposit is made with little or no supervision. Fortunately a shower of rain dampens down the deposit preventing the escape of dust.
Generic case	The impact was mitigated by fortuitous circumstances (beyond the operators control) such as a discharge occurring during weather conditions, or other circumstances, that mitigate the impact.

Criteria 19	Landfill gas monitoring & reporting system
Example	A landfill site has a small number of domestic dwellings on its site boundary. Analysis of recent data indicates trends of elevated levels of landfill gas. The environmental monitoring data, inclusive of the gas analysis is well overdue to the Environment Agency. No action is being taken by the operator.
Generic case	There has been a failure to return data where there have been previous elevated levels or the elevated level is close to a sensitive area.

5. RECORDING THE CCS DATA

The CCS database shall be used to record CCS data in accordance with the CCS Work Instruction.

6. GLOSSARY OF KEY TERMS SPECIFIC TO THIS DOCUMENT

Basal non-compliance score: A score of 1, 2 or 3 under OPRA can be raised by the service of a notice to 3, 6 and 9 respectively. Scores of 1 raised, by service of a notice to 3 should be recorded on the Site Inspection Report Form as 3N to differentiate between the two possible ways that a score of 3 is applicable. The basal score is the score before there was an increase because of such an action.