	EPR Compliance Assessment Report	Report ID: 30039/0209179
This form will report compliance with your permit as determined by an NRW officer		
Site	Polar Place Scrap Yard	Permit Ref 30039
Operator/ Permit holder	Davies Nigel	
Date	16/05/2014	Time in 10:00 Out 11:15
What parts of the permit were assessed	De-pollution process; TCM and management systems	
Assessment	Audit	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Darren Davies	
Officer's name	Ella Williams	Date issued 20/05/2014

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C4	1.1.1;
	2. Management system & operating procedures	C3	1.1.1;
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	A	
	2. Land & Groundwater	A	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	NA	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4.1
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Introduction

Site visit undertaken by Officer Ella Williams and was accompanied on site by Darren Davies. Weather was dry and sunny at time of visit. Purpose of visit was to conduct an audit of the de-pollution process and to check consignment notes. An audit was also carried out to ensure the Technically Competent Manager requirement of the permit is being complied with.

The site was clean and tidy during the visit. A Ford KA was de-polluted during the visit and the process was found to be fully compliant with the ELV Regulations 2003. However, two other breaches were noted. Please see further comments on this below.

Breaches

Technically Competent Manager

C1 - CAT 4 Breach under Condition 1.1.1

You have been given a cat 4 breach under the above condition as Darren Davies currently holds a continuing competency certificate but does not hold the original award. As discussed on site, the continuing competency certificate is not valid without the original award to which it should relate to, and therefore you are not in compliance with this condition of your permit.

For the standard rules permit SR2001No3 which you hold, the WAMITAB qualification 4MTEL6 is suitable. Darren expressed concerns on the timescale to achieve the full award, having been told previously by a provider that it would take a year to achieve. As discussed post site visit, I have checked, and shorter courses are available that still meet the requirements.

There are a number of providers for this course which you can search for on the WAMITAB website available from <http://www.wamitab.org.uk/pg/registered-wamitab-centres/&?qualification=68®ion=Wales&submit=Go>
As the site was found to be well managed on this visit, this non compliance has been classified as a category 4 breach. However as a condition of your permit it must be complied with and as such we may escalate this response if you do not take the following action:

Action: You must either sit and pass an approved course by the date listed on section 4 of this form; or at the very least we expect you to be booked onto a course and confirmation sent through. Alternatively you can employ someone with the relevant qualification to come to your site to fulfil the TCM condition.

Environment Management System (EMS)

C2 - CAT 3 Breach under Condition 1.1.1

As mentioned on Officer James Williams last visit, your working plan is no longer fit for purpose. Your permit states that you must operate in accordance with a management system that identifies and minimises the risks of pollution from your activities.

For standard rules permits you must use the generic risk assessment and decide what appropriate measures you need and describe them in your management system.

The generic risk assessment for your permit is available from:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296587/LIT_7155_1cbb17.xlsx

I have attached a template EMS for ELVs to this CAR form to aid you in completing this.

Action: Please provide a copy of your EMS by the date listed in section 4 of this form.

General Observations

De-pollution process

Vehicle dismantling at this site is not done on a regular basis. Site waits until there around 12-15 cars ready and then has a day of de-polluting. Equipment for air con is used from ABBA Scrap and this has been confirmed. Please note that as ABBA scrap do not currently have a TCM, and neither do you, and therefore you do not have a technically competent person overseeing this (please see breach and rectify).

Vehicles are put onto a rig and gravity used to drain the fluids into plastic buckets and this is then decanted into drums.

The infrastructure on site was well maintained, the whole yard is concreted and the de-pollution area itself has extra containment and there are also spill kits available. Liquids are stored in labelled drums in a double bunded store next to the de-pollution area. The site slopes towards a curb with a drain that runs to the interceptor.

Action: Ensure that you keep a log of when equipment is used from other sites and on what vehicles.


Consignment Notes

Consignment notes were checked and found to be fully completed and retained.

Envirowales take lead acid batteries; Eco Oil or OSS group take liquids; De-polluted vehicles go to SIMS or EMR. Please note if vehicles are not fully de-polluted then they will be considered hazardous waste and must leave on a consignment note.

As discussed, please submit null returns if no hazardous waste has been accepted to the site. NRW will be putting extra resource into ensuring this requirement of the Hazardous Waste Regulations is complied with.

More information on hazardous waste is available from <https://www.gov.uk/dispose-hazardous-waste/overview>

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
<p>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.</p>	
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.	X
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
C1	C4	You must either sit and pass an approved TCM course ; or at the very least we expect you to be booked onto a course and confirmation sent through. Alternatively you can employ someone with the relevant qualification to come to your site to fulfil the TCM condition.	12/08/14
C2	C3	Please provide a copy of your EMS	12/08/14

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.