

Compliance Assessment Report

Report ID:
CAR_NRW0026926

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

Site	Heads Of The Valley Salvage Limited		Permit Ref	YP3992EN	
Operator/Permit holder	Heads Of The Valley Salvage Limited				
Regime	Waste Operations				
Date of assessment	19/01/2017	Time in	10:30	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Operational area				
Lead officer's name	Tye, Laoni				
Accompanied by	Harvey, Caitriona				
Recipient's name/position	Neil and Colin Williams/ Site director and TCM		Date issued	30/05/2017	

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	3.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	3.1.1
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3 - Suspended	2.2
C4 - General Management - Storage, handling labelling and Segregation	C3	3.111 and 2.111

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	5	Total compliance score (see section 5 for scoring scheme)	16
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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

Environment officer Laoni Tye and Caitriona Harvey (team leader) visited site on the 19th January 2017 and met with John Harrison, Environmental consultant, Colin and Neil Williams, site directors. The purpose of the visit was to discuss progress with the Emissions Management Plan and to conduct a site inspection. There were a number of breaches recorded which have been outlined below. We understand that an application for a bespoke permit is currently in progress but until a new permit is issued and the issues are rectified there will still be breaches recorded against the permit for any non-compliance.

Update on EMP

The oil interceptor survey has been complete and the design is currently being carried out by a contractor. You have confirmed that the integrity of the interceptor is good and that oil filters will need to be installed. As discussed, we will be including an improvement plan once the bespoke permit has been issued for the works to be complete within 2 months, which you have agreed is reasonable.

The area of impermeable surface has now been complete which we were pleased to see. This will ensure that there are no pollutions to ground from this area as it is now an impermeable surface.

You have indicated that you wish to get waste engines stored in the sealed skips as soon as possible. This should be prioritised to reduce the risk of oil pollution currently discharging into the land drain.

Breaches recorded

B1 infrastructure - Engineering for prevention and control of emissions. Category 3 breach.

Table 3.1 states that all other wastes must be stored on an impermeable surface with a sealed drainage system. The drainage system on site is not a sealed drainage system which is not in line with the conditions of the standard rules permit.

Action: A Bespoke permit application has been submitted and is in the process of being determined.

B3 infrastructure – Site drainage (Clean and foul). Category 3 breach.

Condition 3.1.1 states that emissions not controlled by emissions limits (excluding odour) shall not cause pollution. During the visit oil could be seen in the land drain after the oil interceptor which is not permitted. This indicates that the oil interceptor is not working effectively and that oil spills are not being cleaned up appropriately on site. There was evidence of this with large areas of oil contamination around the crusher and interceptor that have not been cleared up. This can be seen as a maintenance and management failure which is outlined below under management systems and operating failures.

Action: The oil interceptor is due to be upgraded to a class 1 interceptor. The deadline for this improvement will be 2 months from the date of the new permit being issued, as discussed.

Action: You will need to clean up the impermeable yard so that there are no areas contaminated with oil. The deadline for this will be formalised in a notice once the new permit is issued. In the meantime you

must begin cleaning up the yard as this request has now been made on several occasions with no action taken. Oil spills need to be cleaned up as soon as possible after a spill occurs to reduce risk of pollution.

Action: The land drain will need to be cleared out to remove oily sediments. The oily waste will need to be classed as hazardous waste and will need to be taken to an authorised facility. Deadline for works will be formulated in a notice once the new permit is issued.

C2 Management – Management systems and operating procedures. Category 3 breach.

Condition 1.1.1 states that the operator shall manage the activities in accordance with a written management system that identifies and minimises risks of pollution. The root cause of the breaches recorded above can be attributed to a lack of management and maintenance on site.

We understand that a management system is now in place and that daily and monthly checks are beginning to take place. These checks will make a substantial difference to the site if used and carried out effectively. We will be checking this paperwork during our next inspection so please ensure it is not only completed but that any non-compliances are noted and rectified. This is essential in demonstrating operator competence and compliance with the management system.

Action: see comments in breaches above.

C3 Management – Waste Acceptance. Category 3 breach – *score suspended

Condition 2.2 specifies that waste shall only be accepted if it is of a type and quantity listed in Table 2.2. You have been storing and importing scrap metal which is not authorised under this permit. We have agreed to keep this score suspended whilst we await determination of the Bespoke permit. However, there is scrap metal spilling over the impermeable surface onto the bank of unmade ground.

Action: You must ensure clean, uncontaminated scrap metal is stored on either an impermeable surface or hardstanding. This will also be a condition of the bespoke permit once it is issued and therefore it is essential that these works are done.

C4 Management – Storage, handling, labelling and segregation. Category 3 breach.

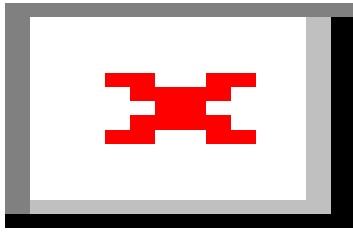
Permit condition 3.1.1 Table 3.1 states that all glass, ferrous and non-ferrous metals arising from the treatment of end of life vehicles shall be stored on hardstanding or an impermeable surface with sealed drainage system. All other wastes shall be stored on an impermeable surface with sealed drainage system. There is a large pile of tyres stored on unmade ground on a bank to the south east of the site. Waste tyres must be stored on an impermeable surface with a sealed drainage system. Please ensure these are stored correctly or removed from site.

There are also car shells being stored on unmade ground which is not in line with this condition. By unmade ground we are referring to the area to the north of the site that would have once been hard standing but due to lack of maintenance it is overgrown and is not currently regarded as hardstanding.

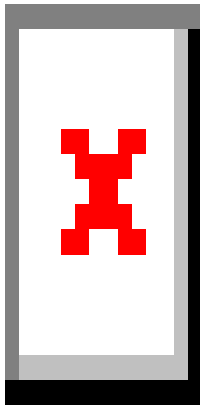
Permit condition 2.1.1 states that wastes shall be stored for no longer than 1 year prior to disposal and 3 years prior to recovery. There are car shells to the north of the site that have been stored for a number of years, exceeding 3 years, which will need to be removed from site. We understand this will take some time but we need to see this starting to progress. No car shells have been moved from site at all even though it has been noted on several occasions and agreements made in your EMP to move these wastes.

Action: Please start moving the car shells to areas of hardstanding (if stored for less than 3 years) or remove from site (more than 3 years). We will be requesting regular updates to ensure progress is being made.

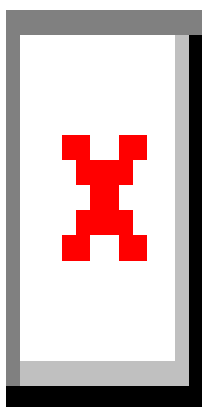
Photographs



Historical oil contamination next to the crusher



Oil contamination in land drain after oil interceptor



Tyres stored on unmade ground

EPR Compliance Assessment Report

**Report ID:
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Site	Heads Of The Valley Salvage Limited	Permit Ref	YP3992EN
Operator/Permit holder	Heads Of The Valley Salvage Limited	Date	19/01/2017

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.

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.

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			
C3	C3	You must ensure clean, uncontaminated scrap metal is stored on either an impermeable surface or hardstanding. This will also be a condition of the bespoke permit once it is issued and therefore it is essential that these works are done.	22/02/2017
C2	C3	See notes under relevant section	25/01/2017
B3	C3	See under relevant section	01/03/2017
B1	C3	A Bespoke permit application has been submitted and is in the process of being determined.	01/02/2017
C4	C3	Remove from site and store on hardstanding	22/03/2017

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.