

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

Site	Diggers Dismantlers	Permit Ref	ZP3295FH		
Operator/Permit holder	William David Roberts				
Regime	Waste Operations				
Date of assessment	31/08/2017	Time in	10:30	Out	11:00
Assessment type	Site Inspection				
Parts of the permit assessed	Paperwork, management & infrastructure				
Lead officer's name	Dearle, Nessa				
Accompanied by	Tye, Laoni				
Recipient's name/position	William David Roberts/ Site operator	Date issued	29/09/2017		

### 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	5.4
C3 - General Management - Materials acceptance	C3	5.3
D1 - Incident Management - Site security	A	
D2 - Incident Management - Accidents, emergency and incident planning	C3	5.1.3

**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.

<b>Number of breaches recorded</b>	<b>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	12
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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 officers Nessa Dearle and Laoni Tye completed a site inspection on the 31/08/2017, to assess site management and compliance with your waste permit. The weather was warm and dry at the time of inspection and waste was being accepted on site.

Thank you for taking the time to show us around site and explain the site activities. Several waste management and compliance issues were detected on site. The relevant permit breaches and advice and guidance are outlined below.

### Breaches

#### **C3) Material acceptance**

Table 5.3 of your permit states that “any items of non-permitted waste which are detected on site, shall be placed immediately in a designated quarantine zone” and that “Quarantine wastes shall be removed from site within 7 days”. While on site we noted that a large accumulation of WEEE (Waste Electrical and Electronic Equipment) had formed at the front of the site, near the entrance. It has clear that some of these materials had been on site for a longer period than 7 days. WEEE is not a permitted waste and as such should not be accepted on site. A category 3 breach has therefore been scored against this permit condition.

Action – We were informed while on site that WEEE items were being left at site, outside of operating times. Measures will need to be put in place to prevent this. We advise that you put signs in place to inform visitors that WEEE is not accepted on site.

All WEEE that is currently on site must also be removed within 2 weeks of receipt of this form and a specific quarantine container should be put in place to store any WEEE that does get left on site. In the future WEEE must be removed from site within 7 days.

#### **D2) Accident, emergency and incident planning**

Condition 5.1.3 states that “all areas of impermeable pavement shall be provided with suitable degreaser equipment”. Condition 5.1.4 also states that “in the event of any potential polluting leak or spillage

occurring on site, documented control and remediation procedures shall be implemented immediately". While on site, we noted problems with oil contamination. Large oil spills could be seen on the impermeable surface with no attempts made to clear these spills. No procedures appeared to be in place to minimise spills on site. A category 3 breach has therefore been scored against this permit condition. Action – Effective procedures for managing leakages and spills are required on site. Spills kits must always be available and in use on site. Staff should be made aware of the requirements and procedures for using these spill kits. Procedures for managing spills should be outlined in an environmental management system for the site.

Any current oil contamination must be cleared from site and effective procedures for managing spills be put in place within one month of receipt of this form.

### **B1) Engineering to control emissions**

Table 5.4 of your permit outlines that end of life vehicle fluids "shall only be stored in areas provided with an impermeable pavement and a sealed drainage system".

During our site inspection, we noticed that oil containers were being temporarily stored in an area outside of the impermeable surface while awaiting collection. All end of life vehicle fluids must always be stored on the impermeable surface, to reduce impacts from potential leaks or spills. A category 3 breach has therefore been scored against this permit condition.

Action – Oils containers must be moved immediately to a secure area within the impermeable surface and sealed drainage system. An appropriate procedure for storing hazardous substances should be outlined in an environmental management system for the site. Oils and other fluids from depollution must also always be stored in an appropriate container, this requires secondary containment.

### **Advice and guidance notes**

While on site it was brought to our attention that no environmental management system (EMS) or technically competent management (TCM) was in place on site. This is a breach against Directly Applicable Legislation, the Environmental Permitting Regulations 2010 now require all permitted waste sites to have an EMS and TCM on site. A category 3 breach has therefore been marked under the Environmental Permitting Regulations 2010.

Technically competent management (TCM) describes the requirement for a certificate of continued competency to be completed by a person that regularly attends site. The link below provides information on the WAMITAB continued certificate of competency and details on how to book tests.

Action - It is important for a member of staff to work towards achieving this certificate, we request that a plan for achieving this certificate be put in place within a month of receipt of this form.

<http://www.wamitab.org.uk/pg/continuing-competence>

An environment management system is a system used to monitor the risks of waste sites to the environment and setting procedures to manage these risks. These documents act as a working plan to

manage pollution risks on permitted sites.

Action - We request that you develop an environment management system for the site. I have attached a link below to our toolkit for developing an EMS for end of life vehicle sites.

<https://www.naturalresources.wales/media/2097/cy-301867.pdf>

While on site we requested to see the interceptor, however, the area had been blocked by car parts at the time of inspection. It was clear that those parts had been there for some time and that we were advised that the interceptor had not be checked in several months. The interceptor should be checked regularly to ensure that it is working correctly. This area should be kept clear to ensure that the interceptor is accessible.

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

**Nessa Dearle**

**03000653352**

[Nessa.dearle@naturalresourceswales.gov.uk](mailto:Nessa.dearle@naturalresourceswales.gov.uk)

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0032217**

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

Site	Diggers Dismantlers	Permit Ref	ZP3295FH
Operator/Permit holder	William David Roberts	Date	31/08/2017

### 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.

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.

### 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	Removal of wastes and installation of a quarantine zone	16/10/2017
B1	C3	Permanent storage of oil on the impermeable surface	02/10/2017
D2	C3	An effective spill procedures needs to be put in place	31/10/2017

## 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.