

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033159

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

|                              |                                        |             |            |     |       |  |
|------------------------------|----------------------------------------|-------------|------------|-----|-------|--|
| Site                         | Twyn Dismantlers Ltd                   | Permit Ref  | WP3395FT   |     |       |  |
| Operator/Permit holder       | Caleb Griffiths                        |             |            |     |       |  |
| Regime                       | Waste Operations                       |             |            |     |       |  |
| Date of assessment           | 15/02/2018                             | Time in     | 14:00      | Out | 14:50 |  |
| Assessment type              | Site Inspection                        |             |            |     |       |  |
| Parts of the permit assessed | Management, paperwork & infrastructure |             |            |     |       |  |
| Lead officer's name          | Dearle, Nessa                          |             |            |     |       |  |
| Accompanied by               | Ward, Adam                             |             |            |     |       |  |
| Recipient's name/position    | Ashley Griffiths/ Site manager         | Date issued | 01/05/2018 |     |       |  |

### 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           | Condition 3.1.2, table 3.1 |
| D2 - Incident Management - Accidents, emergency and incident planning     | C3           | Condition 5.1.4, table 5.1 |
|                                                                           | C3           | Condition 3.1.2, table 3.1 |

**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 | 3 | Total compliance score<br>(see section 5 for scoring scheme) | 12 |
|-----------------------------|---|--------------------------------------------------------------|----|

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

Officers Nessa Dearle and Adam Ward completed a site inspection on the 15<sup>th</sup> of February, to assess compliance with your environmental permit. We were shown around site by the sites technically competent manager, Ashley Griffiths.

Thank you for taking the time to show us around site. The weather was cold with heavy rainfall at the time of the inspection. It was clear at the time of inspection that large volumes of waste had accumulated on site and that waste management was poor. Large amounts of oil contamination could be seen throughout the site. Significant improvement works are required to achieve compliance with your environmental permit. Permit breaches and advice and guidance are outlined below.

### Breaches

**B1)** Engineering to control emissions, Category 3 breach.

**Condition 3.1.2** of your permit outlines that "The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded to be fit for purpose and meet the standards specified in table 3.1". **Table 3.1** of your environmental permit outlines that "Areas of hardstanding shall be constructed of granular material (eg. Crushed stone, aggregate, road planings or other similar materials).

The surface must be composed of appropriate materials to prevent rutting and allow for cleaning or removal of the surface when there is a spillage. It was noted that the hardstanding surface, where depolluted vehicles are stored, is not fit for the purpose. The ground in this area consists mainly of contaminated materials, including oily mud, gravel and water. The materials are not suitable to retain any residual contamination from depolluted vehicles.

**Action:** The contaminated materials in this area will need to be removed from site and disposed of correctly. As these materials will contain hazardous waste their disposal needs to be reported as a hazardous waste consignee return. They must be included in your quarterly consignee returns which report all hazardous wastes removed, received or disposed of from site.

New materials must be put in place, which meet the requirements of your permit, as outlined above. NRW requests that you have these improvement works completed by the 18<sup>th</sup> of October 2018.

**D2)** Accident, emergency and incident planning, Category 3 breach.

**Condition 3.1.2** of your permit outlines that “The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded to be fit for purpose and meet the standards specified in table 3.1”. **Table 3.1** of the permit states that “sealed sumps shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 80% of the capacity of the sump as measured using a dipstick or equivalent gauge”.

This condition of your permit outlines that the interceptor must be regularly inspected. However, at the time of our site inspection the sealed drainage system was inaccessible and blocked with waste from ELVs, suggesting that the system had not been inspected in some time.

**Action:** On site, you advised officers that you would be clearing this area by the end of the week. For this reason, NRW expects these materials be removed on receipt of this form. Access must always be kept clear for the maintenance of your sealed drainage system in the future.

**Condition 5.1.4** of your permit outlines that “in the event of any potentially polluting leak or spillage occurring on site, documented control and remediation procedures shall be implemented immediately and recorded and shall meet the standards specified in table 5.1 below. **Table 5.1** outlines that “Minor spillage of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately, using sand or proprietary absorbent you clean up liquids and placed in alternative containers.

It was clear that oil spillages were not being adequately managed on site, as oil contamination could be seen throughout the site. Large amounts of oil entering the sealed drainage system on site can put pressure on the system and reduce its effectivity, as such it is important to minimise oil contamination on site.

**Action:** Please ensure that suitable spill kits are available on site at times and in use by all staff, where required. Staff should be trained in the use of spill kits.

**Notes**

An environmental management system (EMS) is required to effectively manage your site, detailing the procedures for managing pollution and risks on site. Upon inspection of the sites environmental management system (EMS), it was clear that this is not fit for the purpose. The EMS does not adequately assess the risks associated with the sites activities.

Action: An effective, written management system is required to be put in place to improve waste management and compliance with your permit. NRW requests that this be submitted within 2 months of receipt of this CAR form.

This management system should include risk assessment, operating procedures and include measures to prevent pollution from your site. Guidance on developing an effective Environmental Management System is available by following the link below.

<http://www.naturalresourceswales.gov.uk/media/2110/how-to-comply-with-your-environmental-permit.pdf>

Measures for fire prevention should also be outlined in your environmental management system (EMS). While on site, officers observed that a large pile of tyres had accumulated on site and were stored close to the depollution bay. It is best practice to store combustible wastes a safe distance from any ignition sources.

Action: For this reason, NRW requests that you move your tyre storage to an alternative location, to ensure that tyre stockpiles are stored a safe distance from any ignition sources. You should also ensure that tyres generated from end of life vehicles are regularly removed from site as to prevent large stockpiles accumulating.

I have included a link to NRW fire prevention & mitigation plan guidance below, to assist you in adequately assessing fire risks on site.

<http://www.naturalresourceswales.gov.uk/guidance-and-advice/environmental-topics/consultations/our-own-consultations-closed/informal-consultation-fire-prevention-mitigation-plan-guidance-waste-management/?lang=en>

NRW has not yet received an up to date WAMITAB certificate for technically competent manager, Ashley Griffiths. Please submit an updated certificate as soon as possible.

If you have any queries in relation to this form or your permit, please get in contact on the details below.

**Nessa Dearle**

**Tel: 03000653352**

**Email: [nessa.dearle@naturalresourceswales.gov.uk](mailto:nessa.dearle@naturalresourceswales.gov.uk)**

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0033159**

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

|                        |                      |            |            |
|------------------------|----------------------|------------|------------|
| Site                   | Twyn Dismantlers Ltd | Permit Ref | WP3395FT   |
| Operator/Permit holder | Caleb Griffiths      | Date       | 15/02/2018 |

### 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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

### 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 |              |                                                                                                                                                                                       |            |
| D2                  | C3           | Ensure that suitable spill kits are available on site at times and in use by all staff, where required. Staff should be trained in the use of spill kits.                             | 19/04/2018 |
| D2                  | C3           | NRW expects these materials to be removed on receipt of this form. Access must always be kept clear for the maintenance of your sealed drainage system in the future.                 | 19/04/2018 |
| B1                  | C3           | The contaminated materials in this area will need to be removed from site and disposed of correctly and new materials must be put in place which meet the requirements of your permit | 18/10/2018 |

## 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](mailto: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.