

	EPR Compliance Assessment Report	Report ID: 30326/0210439
This form will report compliance with your permit as determined by an NRW officer		
Site	Weaver Autosalvage	Permit Ref 30326
Operator/ Permit holder	Weaver Kevin	
Date	04/06/2014	Time in 10:00 Out 11:00
What parts of the permit were assessed	2. Specific considerations 3. Site engineering for pollution prevention & control 4. Site infrastructure 5. Site operations 6. Site records	
Assessment	Audit	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Kevin Weaver	
Officer's name	Peter Morrison, Sarah Lund	Date issued 27/06/2014

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	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	A	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	A	
	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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.

An audit was conducted on the 4th of June 2014. Peter Morrison and Sarah Lund met with Kevin Weaver on site. Kevin accompanied Peter and Sarah around the site. The purpose of the audit was to provide Kevin with advice and guidance about permit requirements which must be met before depollution activities restart. There was persistent light rain during the audit.

Kevin has previously stated he is considering surrendering or transferring the permit. During the audit Peter and Sarah also provided permit transfer information to Kevin. Permit surrender information has been provided previously.

During the audit Kevin confirmed depollution activity currently aren't taking place and haven't been for at least the last 2 years. Kevin confirmed the vehicles on site during the audit were collected following road accidents and will be removed from site for disposal or repair after assessment by the insurance company.

As a result of the audit we provide the following advice and guidance on permit requirements which were not complied with during the audit. As you are not currently undertaking depollution activities, we do not intend to take any action against you for these current permit non-compliances. However, these permit requirements must be met before depollution activities restart. If depollution restarts before these permit requirements are met, you will be breached for these non-compliances which will count towards your compliance rating.

ADVICE AND GUIDANCE

B3 Infrastructure - Site drainage engineering (clean & foul) - Permit condition 3.1.2

You are in breach of the above permit condition because during the audit it was observed that the impermeable pavement, where treatment and storage of End of Life Vehicles has previously taken place, does not have a sealed drainage system and liquids run off the pavement to unmade ground. Permit condition 3.1.2, Table 3.1 c) requires drainage to areas of impermeable pavement to be provided by a sealed drainage system, that is comprised of a drainage system with impermeable components which does not leak and which ensures that; no liquid will run off the pavement other than via the system and except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump.

Having no sealed drainage systems can have a significant environmental effect. Therefore if depollution activities restarts before suitable site drainage has been installed we would likely issue an enforcement notice requiring the installation of a suitable sealed drainage system. A drainage system must meet the construction quality assurance of new site containment and drainage systems' as set out in section 3.1.3 of your permit.

C1 General management - Staff competency/training - Permit condition 2.3

You are in breach of the above permit condition because during the audit we observed you do not have a technically competent person to direct activities on site. Permit condition 2.3 requires you to have a technically competent person to direct activities on your site. The technically competent person must attend the site for a minimum period each week. The technically competent person demonstrates their competence by satisfying one of the accepted industry schemes, for example WAMITAB scheme. All technically competent people must demonstrate continuing competence by passing a periodic assessment which tests candidate's understanding of recent developments within the waste industry.

C2 General Management - Management systems and operating procedures

The management system must identify the risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. An effective management system will enable you to manage compliance with your permit and any other legal requirements to protect the environment.

During the audit it was observed there is no Environment Management System (EMS) for your site. As you have a permit, you are required to have an EMS. An EMS is a structured management system which helps a business identify, evaluate, manage and improve the environmental impacts resulting from its activities. It must identify the risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. An effective management system will enable you to manage compliance with your permit and any other legal requirements to protect the environment.

D1 Incident management - Site security - Permit condition 4.1.1 and 4.2

You are in breach of the above permit condition because during the audit it was observed the fence in the top yard is not secure. Permit condition 4.1.1 requires the site to be secure.

You are in breach of the above permit condition because during the audit it was observed there is no site identification board. Permit condition 4.2 requires all sites receiving end of life vehicles to have an identification board at or near the site entrance that is easily readable from outside the site entrance in daylight hours. Permit condition 4.2.2 identifies what information should be displayed on the board.

G2 Monitoring and records, maintenance and reporting - Records of activity, site diary, journal & events - Permit condition 6.2.1

You are in breach of the above permit condition because during the audit it was observed there is no site diary. Permit condition 6.2.1 requires site diary to be kept secure and made available for inspection. Permit condition 6.2.1 identified what should be recorded in the site diary.

If you intend to restart depollution activities we strongly recommend you familiarise yourself with all the permit conditions to ensure that you are able to comply. A copy of the permit is enclosed.

Other Comments

During the audit it was observed there were a number of piles of construction and demolition waste on site, namely slate, brick, soil and tiles. Kevin confirmed this waste is being used to build up the land, construct a road and maintain the yards. In order to use waste in this way you need to apply for an exemption. The exemption you require is free of charge. Please see the enclosed letter for details about how to register for the required exemption.

During the audit it was observed in the top yard there were items of general waste, including old furniture. Kevin confirmed these items were brought onto site for storage whilst he determined if they were to be reused. Kevin confirmed these items are no longer to be reused and are awaiting removal to landfill. We strongly recommend that you remove this waste from site as soon as possible as you are not authorised to store this waste type at this location.

During the audit it was observed in the top yard there were a number of piles of wood. Kevin confirmed this wood is not waste. It is to be used to fix the fencing in the top yard.

As discussed during the audit we strongly advise an improvement in housekeeping and organisation, removing any waste from site. It is important you ensure different waste types are stored separately and appropriately. Furthermore, ensure parts recovered from vehicles are stored in a way that will not detrimentally affect their reuse, so they remain a product and do not become a waste type.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	☐
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			

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.