

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0033769**

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

|                              |                       |             |            |     |       |  |
|------------------------------|-----------------------|-------------|------------|-----|-------|--|
| Site                         | Brynna Scrapyard      | Permit Ref  | WP3698FY   |     |       |  |
| Operator/Permit holder       | Brian Perry           |             |            |     |       |  |
| Regime                       | Waste Operations      |             |            |     |       |  |
| Date of assessment           | 18/07/2018            | Time in     | 10:30      | Out | 11:15 |  |
| Assessment type              | Site Inspection       |             |            |     |       |  |
| Parts of the permit assessed | All                   |             |            |     |       |  |
| Lead officer's name          | Bowder, Alex          |             |            |     |       |  |
| Accompanied by               |                       |             |            |     |       |  |
| Recipient's name/position    | Brian Perry/ Director | Date issued | 08/08/2018 |     |       |  |

### 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 |
|------------------------------------------------------------------|--------------|-----------------------|
| A1 - Specified by permit                                         | A            |                       |
| B2 - Infrastructure - Closure and decommissioning                | A            |                       |
| B3 - Infrastructure - Site drainage engineering (clean and foul) | A            |                       |
| B4 - Infrastructure - Containment of stored materials            | A            |                       |
| C3 - General Management - Materials acceptance                   | A            |                       |

**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>0</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>0</b> |
|------------------------------------|----------|---------------------------------------------------------------------|----------|

**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

Officer Alex BOWDER attended Brynna Scrapyard at 10:30 on Wednesday 18<sup>th</sup> July 2018 to carry out a routine inspection of permit **EPR-WP3698FY**. The weather was warm and dry at the time of visit. Met with business director Mr Brian Perry and was shown the permitted area.

### GENERAL OBSERVATIONS

The business was issued the permit under the old Environment Agency reference number EAWML 34228. The site has been inactive in recent years.

Officer Bowder was shown the concrete surface where any depolluting would take place. The site was secure and there was no activity at the time of inspection. Inspected the area

The permit specifies a maximum storage time of 1 year prior to disposal or 3 years prior to recovery with an overall annual throughput shall not exceed 2,500 tonnes. It was stated that all units are dealt with in a short time period.

#### Permit surrender

It was discussed about surrendering the permit as the site has been non-operational for some time. Because the site was issued with is an older bespoke permit the surrender charge is based on the fixed cost for a Tier 2 bespoke permit of **£3,588**.

However, if you can demonstrate that there has been no pollution and that groundwater monitoring is not required, then the site could possibly qualify for a **low risk surrender**. If we agree to this, you may be entitled to the low risk surrender fee which is set at **£2,532**.

You will need to show through the Site Condition Report and records that there has been no pollution or contamination and that we wouldn't need to carry out any intrusive investigation on the land:

<https://naturalresources.wales/permits-and-permissions/environmental-permits/horizontal-guidance/?lang=en>

You would also need to provide evidence via CAR Forms, photos and incident diary records to demonstrate the current condition of the site and that there has been no pollution. We will need assurance that there has been no flytipping on the land and will state that we are satisfied that the site has been cleared to a reasonable standard.

We would require to do a final inspection to confirm these factors.

Here is the link to our websites that details the requirements and forms required to be submitted for a permit surrender:

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-waste-permit/?lang=en>

## WASTE RETURN DOCUMENTS

Waste return documents are written by hand and sent in to NRW. Please ensure these are submitted on time within the one-month grace period even for a nil return.

If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or [alex.bowder@naturalresourceswales.gov.uk](mailto:alex.bowder@naturalresourceswales.gov.uk)

Thank you.

***In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012***

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0033769**

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

|                        |                  |            |            |
|------------------------|------------------|------------|------------|
| Site                   | Brynna Scrapyard | Permit Ref | WP3698FY   |
| Operator/Permit holder | Brian Perry      | Date       | 18/07/2018 |

### 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.

### 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 |              |                         |          |

## 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.