

## Compliance Assessment Report CAR\_NRW0044513

**Permit being assessed:** XP3694FN.

**For:** The Old Transport Yard, **held by:** Mr M R Jackson

**At:** Old Aston Hill, Ewloe, Deeside, Flintshire, CH5 3AH.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 20/05/2024 between 14:05 and 14:50.

**Parts of permit assessed:** 1.1.1.

**NRW Lead Officer:** Ian Thomas2, accompanied by Joe Weatherley.

**Report sent to:** Steve Jackson, Owner, on 07/06/2024.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2F - Waste - Operations - Technical requirements	C3 Minor	1.1.4 The operator shall comply with the requirements of an approved competence scheme.
W2C - Waste - Operations - Operating techniques	C3 Minor	1.1.1 : The operator shall manage and operate the activities (a) in accordance with a written management system which identifies and minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints
W1A - Waste - Management - General	C3 Minor	2.1 Permitted activities specified in Schedule 1

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
management		table S1.1
W4A - Waste - Information - Records	Action only (X)	
W4A - Waste - Information - Records	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
3	12

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

## 2. What action is required?

Criteria	Action needed	Complete by
W2F	Complete relevant qualification as soon as possible	31/08/2024
W2C	Use correct spillage kits if required. Clear drainage channel to ensure oil is not running onto unmade ground	31/08/2024
W1A	Engines and parts to be stored under covered area. Depolluted cars to be stored on impermeable ground	31/07/2024
W4A	Site diary to be used to record TCM hours and any relevant incidents relating to the permit	31/07/2024
W4A	Ensure waste returns are completed as required in a timely manor	Already completed

Compliance criteria codes are listed in the 'Important information' section below.

## 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

### **At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

## 4. Details of our assessment

On Monday 20th May 2024, a routine site inspection took place. Waste Regulation Officers, Ian Thomas and Joe Weatherly met with Site Manager, Steve Jackson. The weather at the time was sunny and dry. Before having a look around the site i checked with Steve the status of the TCM (Technically competent Manager), Steve told us that his TCM certificate had expired and that he was booked onto a course on the 25<sup>th</sup> of June 2024. Confirmation was sent to NRW showing a course booked for 18<sup>th</sup> June 2024, however, the TCM qualification had lapsed and ran out October 2019. Thus, the site had been without a qualified TCM for over 3 years. **As a result, the site has been scored C3 for this permit breach as it has the potential to have a minor environmental effect.**

**Permit Condition 1.1.4: The operator shall comply with the requirements of an approved competence**

**scheme.** Please confirm as soon as this course is completed and send a copy of the certificate to evidence this competency. This was raised on the last CAR form in April 2023.

Officers carried out a walk around the site, Steve explained that most of the site has now been re-surfaced with concrete, this was in the process of being completed during the last visit from NRW. On the previous visit Luke Jackson stated the site drainage has also been overhauled with a new Kingspan interceptor at the top end of the site. Luke explained this should result in 4 interceptors in total. A request was made that once site renovation works are complete, a revised drainage plan is submitted to NRW which maps the drainage network, where the interceptors are and where the site discharges to. To date there has been no updated drainage plans submitted to NRW. **Recorded as an action to submit up to date drainage plan for the permitted site.**



De polluted ELV's on un-made ground.

On entry to the yard there were some ELVs being stored on un-made ground. All depolluted vehicles should be stored on an impermeable surface with sealed drainage or hardstanding. ACTION: Ensure all non-hazardous waste is stored on impermeable ground with sealed drainage or on hardstanding surface.



In addition to this, oily engine parts were also observed being stored on un-made ground. **As a result, the site has been scored C3 for this permit breach as it has the potential to have a minor environmental effect.** Old Engine parts and other parts contaminated with oils should be kept under cover. The parts shown above should be moved and stored within a weatherproof container /building, this area is available for use with space available for storage. This was an action on the previous CAR form April 2023.



Undercover storage available for engines and parts.

The new depollution shed has been constructed. This is where all oils, batteries, tyres etc are removed from vehicles. This area is well maintained with a bunded drain across the bay doors.

**Permit Condition 1.1.1 : The operator shall manage and operate the activities (a) in accordance with a written management system which identifies and minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.** The older depollution shed was inspected, this is located at the entrance to the site and is being used to remove parts from vehicles which are being sold or stored. Oil was visibly running from the shed onto the unmade ground adjacent. Inside the shed, noticeable spills of oils and liquids from vehicles was evident. There were 3 or 4 small pads from a spill kit that were on the floor, but these pads were nowhere near sufficient to contain any spills.



The grid/drain at the entrance to the shed remains blocked so was not capturing any of the oil run off. This was raised on the previous inspection. The site's Environmental Management System states 'All parts of the drainage system (e.g. surface water gullies & drains, and the oil content of the interceptor) are checked for correct operation on a weekly basis and any remedial corrective action is taken immediately'. As this drain at the front of the building still remains blocked, it is clear that the site is not thoroughly checking drainage to ensure it is working as it should. Oil should not leak from the depollution shed, thereby contaminating the ground adjacent. **As a result, the site has been scored C3 for this permit breach as it has the potential to have a minor environmental effect.**



**Permit Condition 4.2.2:** Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year. It was raised on the site inspection, that annual waste returns had not been received for 2021, 2022 or 2023. As an action, please re-submit waste returns for 2021 and 2022, by sending these to [waste.returns@naturalresourceswales.gov](mailto:waste.returns@naturalresourceswales.gov).

Upon completion of the site check we returned to the office, Waste Transfer Notes were checked showing scrap collected by Naughtons in Liverpool. No site diary was in use, we advised to implement the use of a site diary to record any relevant occurrences and time dedicated to TCM work.

Observations of the site show that various aspects need attention, more time and planning need to be spent on housekeeping. Ensuring depolluted vehicles and engines are stored in the correct manor. Administration of the permit and please take steps to clear the blocked drainage on the older depolluting shed.

Thank you for assisting with the site inspection. Should you wish to discuss or query anything in this report, please make contact using the details below. Kind Regards, Ian Thomas

Email: [ian.thomas2@cyfoethnaturiolcymru.gov.uk](mailto:ian.thomas2@cyfoethnaturiolcymru.gov.uk)

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

**If your assessment result in Section 1 is suspended, what does this mean?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

**Full list of Waste compliance criteria (used in section 1 and 2):**

**1. Management**

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

**2. Operations**

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

**3. Emission and Monitoring**

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

**4. Information**

- W4A – Records
- W4B – Reporting
- W4C – Notification

**Enforcement response**

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

**Data protection notice**

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

### **Disclosure of information – this report will be available to view on-line**

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

### **What do I do if I disagree with the report or have a complaint?**

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

### **Welsh Language Standards**

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.