

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033765

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

Site	Bayliss Recovery Ltd	Permit Ref	WP3798FQ		
Operator/Permit holder	Bayliss Recovery Ltd & D Hales Ltd				
Regime	Waste Operations				
Date of assessment	01/08/2018	Time in	11:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	schedule 2.				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Ian Lewis/ Site Manager	Date issued	07/08/2018		

### 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	
F2 - Amenity - Noise	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.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This Compliance Assessment Report form has been completed following a site inspection undertaken on 1<sup>st</sup> August 2018.

The visit was part of routine compliance inspections but was done as an announced visit to follow up on operator lead investigations into noise complaints received.

### **Present**

Ffion Thomas

Ian Lewis, Environment Manager.

### **Agenda:**

Noise investigation findings

Site inspection/confirm of site plant

Review of returns/reporting

AOB – permit review

### **Findings:**

#### **Noise investigations.**

NRW received 2 WIRS reports dated 5<sup>th</sup> and 26<sup>th</sup> July reporting intermittent and excessive noise

emanating from the Bailys site. Both reports were forwarded to the operator to investigate. The operator's findings unsubstantiated the reported descriptions and timings.

### **Site inspection/confirm of site plant**

A visit was undertaken to verify sit operations and plant used on site and to investigate further into the WIRS reports.

During the visit it was confirmed that no additional plant nor new equipment has been brought to the site. The operations continue to be at lower levels than those historically undertaken at the site, waste acceptance has reduced, and the area involved in waste management is less than historic with only the plot 12 and plot 13 being used (areas to the west of the site) yard areas plot 9 and 10 are not used by the operator in waste management activities.

There is only 1 decontamination bay at the site (compared to a historic 4)

There is no crushing, bailing of cars undertaken on site. No new cutting equipment has been brought. Cutting of cable and some acetylene cutting is undertaken intermittently.

The operator did identify that a load of alloy wheels was loaded on the 26<sup>th</sup> July, but the timing did not correspond with the time within the WIRS report.

The operators confirmed that the noise management plan dated 2009 is the current document. It is suggested that this document be reviewed and amended to ensure it reflects current site operations.

NRW have unsubstantiated these WIRS. No permit breaches have been identified at this time.

The site has had maintenance undertaken to the impermeable pavement and sealed drainage at plot 13. The drainage improvements will reduce the risk of blockages. The drainage system passes through an interceptor within plot 13 before draining and connecting to the sealed system at plot 12 and passing through a further 3 stage interceptors before discharge to SW. A check of the discharge point was undertaken ahead of entry onto the site. The discharge point and associated pipework were visibly clear and no staining present.

Of the areas that were inspected all wastes were stored in compliance with the permit.

Prior to the inspection checks were made of waste return submissions, the previously recorded matters related to destination to non-UK sites has been acted on and the operator is now completing the returns correctly.

Hazardous waste returns have been received but due to NRW internal computer system access issues it was not possible to check the returns. The operator confirmed that oil filters are now being recorded and disposed of via hazardous waste returns.

A copy of the sites EMS was requested. As the document is an electronic system the operator has sent, received 7/8/18 the content pages which on review include environmental procedures required by the permit.

**AOB:**

NRW are required to periodically review permits, given the age of the Baylis permit (2006) the site regulatory officer will put the permit forward for internal review and modernisation to EPR standards. This was discussed with the operator who did not object to the modernisation and understood this would bring about new conditions such as the requirement for a fire prevention and mitigation plan. The operator has recently applied for a new permit at a new site and so is aware of the needs and guidance to produce such a management plan.

Ffion Thomas will communicate when any modernisation is implemented.

**Any compliance criteria not highlighted in the above summary should be considered as not assessed.**

**END**

## EPR Compliance Assessment Report

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### 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.