

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035258

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

Site	Broughshire Ltd	Permit Ref	MP3998FW			
Operator/Permit holder	Broughshire Ltd					
Regime	Waste Operations					
Date of assessment	03/06/2019	Time in	14:00	Out	15:00	
Assessment type	Audit					
Parts of the permit assessed	See Below					
Lead officer's name	Edwards, Michael					
Accompanied by						
Recipient's name/position	Paul Perry/ TCM/Director	Date issued	17/06/2019			

### 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	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	X	
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	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

Unannounced site inspection undertaken by Michael Edwards of Natural Resources Wales met on site by Director and TCM Paul Perry.

Variation is now in place to allow acceptance of catalytic converters, this had meant an improvement programme (**condition 2.5**) had been placed on Broughshire Limited to submit a Fire Prevention and Mitigation Plan (FPMP) using current and relevant guidance documents as required by **condition 3.4.2**. The FPMP has been submitted to NRW. The FPMP has not yet been assessed and will be done at a later date.

### Competent Persons

**Condition 1.1.1 b)** states that '*operator shall manage and operate the activities using sufficient competent persons and resources*'. WAMITAB Continuing Competence has been completed in accordance with the above condition and will expire **28/02/2021**.

### Site Records

At present the most up to date working plan that NRW has on system is dated 2012, which was used in the variation to extend the site boundary. Please can you confirm that this is the current working plan used on site. **See C2 management system and operating procedures required action.**

Records were shown to demonstrate the removal of waste waters from drainage system

### Waste Acceptance and Storage

During the inspection waste materials were stored in accordance with **condition 2.1**, referring to **Table S1.1**. With all wastes stored on an impermeable surface with sealed drainage.

No treatment of WEEE was identified on site during the inspection.

Batteries were stored in containers with impermeable, acid resistant bases, within the main building.

No unpermitted waste types were identified during the inspection.

### **Site infrastructure**

Site infrastructure was in good condition during the inspection with no signs of damage. Drains were kept clear of debris and no pooling water identified on site.

**Condition 2.2.1** states that *'The activities shall not extend beyond the site, being the land shown edged in green on the site plan at Schedule 7 to this permit'*. During the inspection, no activity was undertaken beyond the boundary of the site.

## EPR Compliance Assessment Report

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Operator/Permit holder	Broughshire Ltd	Date	03/06/2019

### 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			
C2	X	Please confirm what the most recent version of the working plan is.	21/06/2019

## 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.