

Compliance Assessment Report

Report ID:
CAR_NRW0035247

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

Site	Ivor Thomas & Sons	Permit Ref	AP3798FB		
Operator/Permit holder	Ivor Thomas & Dylan Thomas				
Regime	Waste Operations				
Date of assessment	17/05/2019	Time in	13:40	Out	15:05
Assessment type	Site Inspection				
Parts of the permit assessed	See criteria listed below				
Lead officer's name	Goddard, Jeremy				
Accompanied by					
Recipient's name/position	Dylan Thomas/ Permit Holder	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
A1 - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	C3	2.1.1
C2 - General Management - Management system and operating procedures	C3	2.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.1.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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	3	Total compliance score (see section 5 for scoring scheme)	12
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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

Jeremy Goddard (Senior Environment Officer, Natural Resources Wales) undertook a routine inspection of the former Ivor Thomas & Son Vehicle Dismantlers in Creuddyn Bridge, Lampeter where he was met by Mr. Evan Jones, director of EJ Metals Ltd the new site owners and operators.

The weather was dry at the time of the visit although it had rained earlier that day.

Permit Transfer:

EJ Metals Ltd purchased the site from Mr. Dylan Thomas and family in October 2018 and an attempt to transfer the permit from Mr. Thomas to Mr. Jones was made shortly afterwards. Unfortunately, the transfer application was not duly made and was returned to the applicant. Since then we have been in limbo with Mr. Jones running the site but the permit still under the name of Mr. Dylan Thomas. Donna Regan has remained involved with the site as Certificate of Technical Competency holder, on a part-time basis.

ACTION: The issue of the permit transfer has dragged on since October 2018 and whilst we appreciate you have had issues out of your control this needs to be resolved as a matter of priority. Please ensure that a new permit transfer application is submitted to Natural Resources Wales by Monday, 8 July 2019.

General site observations:

It was noted that EJ Metals have significantly invested in the site infrastructure since our last visit in October 2018.

A new boundary fence has been erected to the front of the site and a new compound for the storage of undepolluted vehicles is in the process of being constructed. Concrete panel walls have been erected and the floor in approximately half this area has been concreted with a drainage channel to the front which Mr. Jones stated has been directed into the existing site drainage system. (see photos below).



Depollution of ELVs has recommenced on site with this taking place inside the depollution building. The area was clean, tidy and organised. Spill kits and oil absorbant granules were present.

NON COMPLIANCE B4:

Condition 2.1.1 of the site permit states: 'The Operator is authorised to carry out the activities specified in Table 2.1.'

Table 2.1 states: 'Un depolluted vehicles shall only be stored on the area marked on the site plan referenced IT1.'

Unfortunately as Mr. Jones is reconfiguring the site for his own needs he is deviating from the plans appended to the site's environmental permit, which dates from 2004 and causing permit non-compliances.

ACTION: Once the permit has been transferred an application must be made to vary the permit so that it reflects current operations on site.

NON COMPLIANCE C2, C4:

Condition 2.1.1 of the site permit states: 'The Operator is authorised to carry out the activities specified in Table 2.1.'

Table 2.1 states: 'Un depolluted vehicles shall only be stored on the area marked on the site plan referenced IT1.'

As well as not being stored in the correct areas it was also noted that several un-depolluted ELVs were being kept on permeable ground to the east of the site. At present these vehicles pose a pollution risk to ground from uncontained oils and liquids (see photo below).



ACTION: These vehicles must be moved and stored in the concrete area served by a sealed drainage system. The vehicles should be moved by Friday, 28 June 2019.

Site Identification Board:

Condition 4.2.1 states 'No end of life vehicles shall be received at the site entrance unless an identification board is provided at or near the site entrance.'

ACTION: Once the permit has been transferred you will need to install a site identification board telling the public about the nature of the site and who they can contact for further information or who to notify if they have a concern. It needs to be easily readable from outside the site in daylight hours and must include:

- The permit holder's name (company name at least)
- The operator's name if different (company name at least)
- An emergency contact name and the operator's telephone number
- A statement that the site is permitted by Natural Resources Wales
- The permit number
- Natural Resources Wales national number, 0300 065 3000 or any other number we subsequently notify you about in writing.

We will not score this at present but the site Identification board should be replaced as soon as the permit is transferred.

Hazardous Waste Returns:

At present there are two Hazardous Waste Producer Codes covering the site:

CAC303 - Ivor Thomas & Sons - End date: 11/09/2019.

CAE979 - EJ Metals Ltd - End date: 19/11/2019.

Quarter 4 2018 and Quarter 1 Hazardous Waste Consignee Returns are outstanding for Ivor Thomas & Sons.

Details on how to submit hazardous waste returns can be found at the following link:
<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/hazardous-waste-returns-1/?lang=en>

ACTION: Hazardous Waste Consignee Returns for the required quarters need to be submitted by Friday, 28 June. If these returns have already been submitted under EJ Metal Ltd please contact me to discuss.

Should you have any questions or queries please do not hesitate to contact me on 0300 065 4022 or jeremy.goddard@cyfoethnaturiolcymru.gov.uk

ENDS

EPR Compliance Assessment Report

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Site	Ivor Thomas & Sons	Permit Ref	AP3798FB
Operator/Permit holder	Ivor Thomas & Dylan Thomas	Date	17/05/2019

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.

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.

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			
C4	C3	Mr. Jones is reconfiguring the site for his own needs and deviating from the plans appended to the environmental permit. Permit needs to be transferred and then varied to reflect current site operations.	08/07/2019
C2	C3	Mr. Jones is reconfiguring the site for his own needs and deviating from the plans appended to the environmental permit. Permit must be transferred and then varied to reflect current site operations.	08/07/2019
B4	C3	Undepolluted vehicles stored on permeable ground to the east of the site must be moved and stored in the concrete area served by a sealed drainage system.	28/06/2019

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. 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.