

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

Site	M & R Commercials Vehicle Dismantling & Recycling Facility	Permit Ref	GP3193MV		
Operator/Permit holder	T M Wiberg Limited				
Regime	Waste Operations				
Date of assessment	11/03/2020	Time in	11:20	Out	12:10
Assessment type	Audit				
Parts of the permit assessed	Site				
Lead officer's name	Lloyd, Cathy				
Accompanied by	Morgan, David				
Recipient's name/position	T M Wiberg/ Operator	Date issued	23/03/2020		

### 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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	2.3.1 Table 2.3
B4 - Infrastructure - Containment of stored materials	C2	3.1.3
C4 - General Management - Storage, handling labelling and Segregation	C2	2.4.1

**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>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	93
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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

Present was Mark Wiberg (M&R Commercials)

Cathy Lloyd Dave Morgan (NRW)

The purpose of the unannounced visit was to inspect the drainage system which has been in the process of being upgraded since June 2018.

At the time of the inspection the yard appeared to be at full capacity. Housekeeping was generally poor. Officers are concerned with the current storage practices on site. Numerous vehicles were stored at height and do not appear to be safe. Natural Resources Wales will be referring this matter to the Health & Safety Executive.

### Site drainage

During our inspection we noted waste was being stored in areas which does not benefit from a hard standing or impermeable surface with a sealed drainage system. Improvements to the drainage system was expected to be completed by the end of August 2019. During our inspection on 11<sup>th</sup> March 2020, we noted that the infrastructure works have not been completed and the drainage system is not yet installed. This is a Category 2 – Significant breach of condition 2.3.1 of the Environmental Permit. This breach was noted during our inspection on 11 July 2019, but the score was suspended as improvements to the drainage system was expected to be completed within three weeks of that inspection. As the site remains non-compliant with condition 2.3.1, the score that was suspended on the 11 July 2019 will now be applied.

In its current state, the site is not compliant with the fundamental infrastructure requirements needed to operate this facility. If the site does not improve its operations and infrastructure, we will consider using a notice to bring the site into compliance.

### Action

Please provide an action plan to enable you to comply fully with the operating techniques described in table 2.3. The action plan should include timescales.

### Secondary containment

Containers containing potentially polluting liquids were not provided with secondary containment. This is a Category 3 – breach of condition 3.1.3 of the Environmental Permit. This breach was also highlighted during the inspection in August 2018. As a pollution prevention control measure, the Environmental Permit requires that all liquids, whose emission to land or water could cause pollution, are stored in containers provided with secondary containment.

**Action**

Provide secondary containment for potentially polluting liquids

**Permitted waste area**

Waste vehicles (busses) were being stored adjacent to the Brenntag chemical site. This waste is being stored outside of the permitted boundary. This is a Category 2 – Significant breach of condition 2.4.1 of the Environmental Permit. No waste can be stored adjacent to the Brenntag site. You have purchased large water containers which you intend to install along the boundary to Brenntag.

**Action**

Site activities shall be carried out only within the site boundary, being land edged in green on your site plan.

Natural Resources Wales has identified numerous significant breaches of the Environmental Permit. Infrastructure is insufficient for the activities taking place and waste is being stored outside of the permitted area. It is likely that we will now serve a Notice to secure compliance with the Environmental Permit. We will now consider an enforcement response to these non-compliances of the Environmental Permit and will contact you in due course.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036455**

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Operator/Permit holder	T M Wiberg Limited	Date	11/03/2020

### 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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

### 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			
B4	C2	Provide secondary containment for all potentially polluting liquids	01/12/2020
C4	C2	Remove all waste being stored on land adjacent to the Brenntag site boundary	01/12/2020
B3	C2	Comply with the operating techniques described in Table 2.3	01/12/2020

## 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.