

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

Site	Pen Y Bont Scrapyard, Bala	Permit Ref	NP3094FV		
Operator/Permit holder	B M Rowlands, G A Rowlands, S Rowlands & W G Rowlands				
Regime	Waste Operations				
Date of assessment	17/02/2020	Time in	12:15	Out	12:45
Assessment type	Site Inspection				
Parts of the permit assessed	see below				
Lead officer's name	Grant, Daniel				
Accompanied by	Hughes, Julie, Muirhead, Donna				
Recipient's name/position	Gary Rowlands/ Director	Date issued	09/03/2020		

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
A1 - Specified by permit	C3	2.1.1. Licensed Activities
B4 - Infrastructure - Containment of stored materials	A	
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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Officers arrived at site at 12:15

This was an unaccompanied site inspection carried out by Natural Resources Wales officers Daniel Grant (Hazardous Waste Regulation Officer), Donna Muirhead (Industry & Waste Regulation Officer) and Julie Hughes (Tackling Waste Crime Officer).

Weather conditions were overcast with a slight breeze, very wet underfoot.

Evidence of continued competency was supplied to NRW from Gary Rowlands prior to site visit. This competency soon expires on the 08/03/20, therefore, please ensure that competency is retained before the expiry date.

Officers met a site operative who permitted NRW to carry out their inspection unaccompanied.

Access to various parts of the site was difficult. For example, access to the depollution shed was restricted due to the amount of waste in front of it (see photo 1). It was possible to ascertain that this section of the site benefitted from an impermeable surface and sealed drainage, but it wasn't possible to ascertain whether the surrounding area had an impermeable surface due to the amount of waste on the ground. As it states in condition 2.1, schedule 2, table 2 "Treatment of non-hazardous waste must be carried out on an impermeable surface with sealed drainage". Could you provide information on exactly where treatment occurs and where the area of impermeable surface extends to.



Photo 1.

There were several vehicles parked on permeable ground at various locations around the site (see photo 2). As a site that is permitted to depollute end-of-life vehicles you should be compliant with Articles 6(1) and (3) of the End-of-Life Vehicles Directive. These articles refer to Annex I of the directive which states that end-of-life vehicles prior to treatment (undepolluted) must be stored on "impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers". This further reiterates the above point regarding clearing waste around the depolluting area for appropriate storing of ELV's on site. By reducing the amount of waste in and around the depolluting area there will be more room to store depolluted ELV's prior to treatment.



Photo 2.

Oil on-site was stored in raised tanks surrounded by a walled bund. As seen in photo 3 there was a collection of water within the bund. As this area is not beneath a roof, water collects in the bund which means that the bund's capacity to collect any oil would be reduced. Furthermore, this oil tank is not stored on an impermeable surface with sealed drainage, therefore, any oil overtopping the bund would not be contained with a risk of draining to the nearby watercourse. I would recommend that this bunded oil tank is monitored during heavy rain. I have since reviewed your EMS to see if there is any monitoring associated with these tanks. It seems like we are missing section 2.2 -2.5 of your EMS which I can see in your content page refers to Oil tanks in section 2.4. Could you send a copy of these missing sections to NRW by 06 April 2020.



Photo 4.

There were several piles of waste tyres across the site. As the site operative explained it is good practice to leave space between these piles. Please ensure that all tyres are stored correctly as per industry guidance.

The following breaches were observed whilst on-site:

Breach of condition 2.1.1 Licensed activities. Compliance Classification Scheme Category score 3.

This permit condition authorises the operator to carry out the activities specified in schedule 2, table 2.1.

Specifically, this allows a "maximum storage time of 7 days and 28 days for biodegradable and inert wastes respectively".

Whilst on site it was clear that some waste had been on site for a greater amount of time than the specified permitted time. Concerns for similar piles of waste have been raised in previous CAR forms in the past.

There are piles of inert waste with vegetation growing across the surface indicating that these piles have been on site for a greater period than 28 days (see photos 5-6)

Furthermore, there are very large piles of waste wood on site that should only have been stored for 7 days (see photo 7)

Please ensure that these piles are removed by 24 April 2020 followed by evidence to NRW at this date that this has been completed.

Officers left site at 12:45



photo 5.



Photo 6.



Photo 7.

Thank you for your time. If you would like to discuss anything mentioned in this report, please contact Daniel Grant using the below details.

Regards,

Daniel Grant, Hazardous Waste Regulation Officer.

daniel.grant@cyfoethnaturiolcymru.gov.uk

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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036406**

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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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
A1	C3	Please see text in description	24/04/2020

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. 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.