

Compliance Assessment Report

Report ID:
CAR_NRW0027027

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

Site	T R H Salvage Recovery		Permit Ref	NP3495FS	
Operator/Permit holder	Tyrone Hallett				
Regime	Waste Operations				
Date of assessment	10/01/2017	Time in	11:00	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Storage				
Lead officer's name	Tye, Laoni				
Accompanied by					
Recipient's name/position	Mr Tyrone Hallett/ Director	Date issued	10/04/2017		

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
C3 - General Management - Materials acceptance	C2 - Suspended	2.1
C4 - General Management - Storage, handling labelling and Segregation	C3 - Suspended	5.4.1 and 3.1.2
D1 - Incident Management - Site security	C3 - Suspended	4.1.1

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.

Number of breaches recorded	3	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

Environment officer Laoni Tye visited site on the 10th January 2017. The site is non-operational and has been for a number of years and there was no one on site. We are currently looking into the status of the permit and permit holder and we are considering removal of the permit. There were breaches recorded but due to the uncertainty of the operation we are suspending the scores until further notice. The details of the breaches can be found below along with the actions that will be required on site. Please note, the actions remain relevant even when the scores are suspended.

C3 – Management – materials acceptance. Category 2 breach. Score suspended*

Table 2.1 lists the permitted waste types that can be accepted onto site. There were various waste materials on site that are not permitted waste types and therefore the storage of them in this case is non-compliant. There are sheets of asbestos on the yard which pose a serious risk to people and the environment and in which case will need to be dealt with appropriately. Unauthorised access can also lead to other serious pollutions such as fires.

Action: Asbestos will need to be removed by an approved contractor and disposed of as hazardous waste at a site authorised to accept asbestos.

Action: Any other waste deposited or stored on site that is not in line with the conditions of the permit must be removed and taken to an authorised facility for disposal or further treatment.

C4 – Storage, handling, labelling and segregation. Category 3 breach. Score suspended*

Permit condition 5.4.1 Table 5.4 states that tyres shall be stored on an impermeable surface with a sealed drainage system. There is a stockpile of tyres being stored on an area of the site which does not benefit from a sealed drainage system.

Action: Please ensure the tyres are stored in line with the conditions of the permit or are removed from site and taken to an authorised facility.

Please note, any waste destined for recovery can only be stored on site for a maximum of 3 years and any waste destined for disposal 1 year. Therefore any waste exceeding this needs to be removed from site.

Permit condition 3.1.2 Table 3.1 states that covered buildings or roofed areas shall be designed, constructed and maintained as to prevent the ingress of water. Whilst on site the building to the North of the site where waste oils and chemicals are stored is full of water. I could not go into the building for health and safety reasons but I could see that there were containers of waste oils in the building, deep in water. Due to this, the water now in the building may be contaminated with oils and will need to be tankered off site by an appropriate contractor.

Action: Please ensure buildings remain free from standing water and remove any contaminated water off site as above. Any waste oils or other fluids will need to be removed from site by an authorised contractor.

D1 – Security. Category 3 breach. Score suspended*

Permit Condition 4.1.1 states that the site shall be kept secure. The site was not locked or secured which has led to what appears to be fly-tipped waste deposited on the yard. This has led to fly tipping in the operational area of the permit, some of which is hazardous in nature. Unauthorised access can also lead to other serious pollutions such as fires.

Action: You need to secure the gates and perimeter fencing to ensure there is no unauthorised access by people or animals. This should be done with immediate effect to prohibit any further fly tipping before the site is cleared.

Please note, we are still looking into the situation on site and will be in touch soon to discuss any options and removing (revoking) the permit. If this happens then there will be steps required to return the site to its original state which will include but may not be limited to all of the actions included in this CAR form.

Photographs







EPR Compliance Assessment Report

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Operator/Permit holder	Tyrone Hallett	Date	10/01/2017

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			
D1	C3	Site needs to be locked and secured	30/01/2017
C4	C3	Removal of waste from site and/or to be stored correctly	27/03/2017
C3	C2	Removal of waste from site	27/03/2017

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.