

Compliance Assessment Report CAR_NRW0036855

Permit being assessed: WP3395FT.
For: Twyn Dismantlers Ltd, held by Caleb Griffiths
At: Fleur-de-leys, Blackwood, Caerphilly, NP12 3UL.

Type of assessment carried out: Site Inspection, Reason: Routine.
On 28/07/2020 between 11:30 and 12:15.
Parts of permit assessed: Various

NRW Lead Officer: Jonathan Lee, accompanied by Alex Bowder.
Report sent to: Caleb Griffiths / Ashley Griffiths, Permit Holder / TCM on 11/08/2020.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
B3	Complete minor improvements to site drainage infrastructure. Monitor condition of sealed drainage system and maintain as necessary.	04/11/2020
C2	Continue to manage the site and its activities in line with permit condition 1.2.2, and all other relevant conditions.	04/11/2020

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

INTRODUCTION

Officers Jonathan LEE and Alex BOWDER in attendance of Twyn Dismantlers Ltd, The Twyn, Fleur-De-Lys to complete a compliance inspection of the environmental permit EPR-WP3395FT held by Mr Caleb Griffiths. It was warm and dry at the time of the inspection. Officers met with Caleb Griffiths, Ashley Griffiths and Ron Griffiths on site.

The site was previously inspected on the 22nd November 2019, see Compliance Assessment Report (CAR) reference **CAR_NRW0036069**. This CAR was issued with a further Regulation 37 Suspension Notice (dated 12th December 2019). This CAR and accompanying notice required Mr Caleb Griffiths to (in short) complete improvements to the areas of non-compliant site infrastructure by the 6th April 2020.

The site was not inspected following the expiry of the Regulation 37 Suspension Notice, due to government restrictions related to the Covid-19 pandemic. However, this notice was withdrawn and replaced with a Regulation 36 Enforcement Notice on the 1st May 2020, following information supplied on behalf of Mr Caleb Griffiths demonstrating significant improvements had been made to the area of non-compliant hardstanding on site.

REGULATION 36 ENFORCEMENT NOTICE (Served 1st May 2020)

The visit was made to assess compliance with a Regulation 36 Enforcement Notice served on the 1st May 2020, and to assess compliance with other conditions of the permit for the site.

Schedule 1 of the notice is shown below: -

Environmental Permitting (England and Wales) Regulations 2016 Regulation 36

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
Condition 3.1.2, table 3.1	<p>Areas of impermeable surface must be altered so as to prevent fluids running off the surface.</p> <p>Ensure that areas of impermeable surface are served by a sealed drainage system which does not leak.</p>	27 th July 2020

The single section of Schedule 1 was inspected for compliance as part of the inspection.

It was noted during the inspection that the operator had recently made significant improvements to site drainage infrastructure. A new interceptor had been installed and alterations to the **majority** of the perimeter of impermeable pavement had been made to prevent fluids running off the surface. Concrete channels had been installed to direct run-off towards the new interceptor on site.

Therefore, the Regulation 36 Enforcement Notice has been complied with by the deadline specified.

Natural Resources Wales do not intend to take further enforcement action at this stage. However, it remains imperative that condition 3.1.2 of the permit is adhered to. The management of the site activities and maintenance of site drainage infrastructure is critical to ensure the chance of pollution of the nearby River Rhymney from site activities is eliminated/reduced.

COMPLIANCE

The following compliance observations were made during the inspection.

B3 – Site drainage and engineering – Permit Condition 3.1.2 – Action only

Permit condition 3.1.2 states that ‘the engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in Table 3.1’. Table 3.1. stipulates prescriptive requirements for site drainage and the engineered surfaces of the site.

The following observations of compliance with permit condition 3.1.2 were made: -

- The area of hardstanding on site had been significantly improved since the previous inspection, the area was level and consisted of a suitable granular material. A small gravel bund had also been constructed on the perimeter of the area. The area of hardstanding was compliant with the conditions specified in Table 3.1.
- The **majority** of portions of impermeable surface on site were now served by a sealed drainage

system. Some minor portions of impermeable surface on site (some of areas of the upper yard where depolluted ELVs are stored, for example) were not sealed along their perimeter. However, it was noted that improvements to these areas were to be made to this area imminently. Please see that this is completed.

Given that large improvements had been made to site drainage infrastructure, no permit breach has been scored. However, an **action** has been scored to complete minor improvements and maintain site drainage as per the relevant permit conditions.

Actions:

- **Complete minor improvements to site drainage infrastructure (installation of bunding along upper yard).**
- **Monitor condition of sealed drainage system and maintain as necessary.**

A deadline of the **4th November 2020** has been set for these actions to be completed.

C2 – Management systems – Permit Condition 1.2.2 – Action only

Permit condition 1.2.2 states that the 'storage and treatment of waste motor vehicles shall meet the requirements of Schedule 5 of the ELV Regulations. Infrastructure and equipment provided to meet these obligations shall be maintained in working order and shall be used to give effect to their purpose'.

Site management had been significantly improved since the previous compliance inspection. All wastes present on the previously non-compliant area of hardstanding had been moved to areas of impermeable pavement. The storage of ELV's and wastes arising from their processing (tyres, batteries, oils) was compliant with the permit conditions. General housekeeping of the site had improved significantly.

Action:

- Continue to manage the site and its activities in line with permit condition 1.2.2, and all other relevant conditions.

Summary

- **The single section of Schedule 1 of the Regulation 36 Enforcement Notice dated 1st May 2020, with deadlines of the 27th July 2020, has been complied with.**
- **There are minor improvements required to some elements of site drainage and site management required. Two action points have been scored regarding this.**

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@naturalresourceswales.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.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.