

Compliance Assessment Report CAR_NRW0036901

Permit being assessed: ZP3199VK.

For: K G Matthews Auto Salvage, held by Mr Lee Matthews & Mr Sion Matthews

At: Pentre Berw, Gaerwen, Ynys Mon, LL60 6LF.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 03/08/2020.

Parts of permit assessed: see below

NRW Lead Officer: Daniel Grant.

Report sent to: Lee Mathews, TCM on 07/09/2020.

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)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
C2	Please update the EMS (V.3) with the recommendations made in Section 4 where you see fit. Please send us an updated copy by the due date on the right.	31/10/2020

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

This was a desk-top based inspection carried out on Monday 3rd August 2020 by Natural Resources Wales officer Daniel Grant (Hazardous Waste Regulation Officer). During this inspection waste returns submitted over the past year were reviewed, the current Technical Competent Manager (TCM) status of the site as well as any outstanding actions from the previous CAR form (issued 11/02/2020)

Discussions initially took place over the phone with Lee Mathews on Friday 26th June 2020.

Waste returns- Waste returns from Quarter 1-4 in 2019 were reviewed. I am pleased to announce that there were no issues found with these waste returns. Please continue to send all waste returns on time. Thank you for your compliance with this.

TCM- Evidence of Technical Competence Certification was sent to NRW on the 19/08/20, showing evidence of competency until the 17/08/22 and 31/07/22 for Lee Mathews and Sion Mathews, respectively. Thank you for your compliance with this.

Previous CAR form actions (EMS Review)- As per the previous CAR form issued on the 11th February 2020 it was a requirement to “send your EMS to NRW by 29 February 2020”. No EMS was received by this deadline.

This was raised with Lee Mathews and it was explained that he and his son were off due to illness for a period of time around this deadline which was then followed by the Covid-19 impact.

Natural Resources Wales received Mathew Autosalvage’s EMS (version 3 dated as the 1st March 2020) and associated documents on July 18, 2020. This was the document which has been reviewed. The document was reviewed against the standards set out in the current Natural Resources Wales “how to comply with your environmental permit” document dated October 2014 as well as your environmental permit. This Natural Resources Wales guidance sets out what must be and should be included within a site EMS. Findings and actions from the review are summarised below:

1. Site Plans

Your EMS makes reference to site plan maps throughout the document. However, the site plans aren’t clearly signposted, and we couldn’t find any within the EMS document.

Are the site plans which are attached to the FPMP document the same? We would recommend that site plans are kept with the EMS which should also include the location of any emergency kits or equipment for fire, spill kits and drain caps.

2. Operations

Permitted waste types that can be accepted at your site have been clearly listed in Operational Procedure 1, but the EMS should also clearly state the permitted waste quantities allowed on site. We suggest that this is made clear where you see fit in your EMS.

Operational Procedure 4 outlines waste storage details and includes where all waste types are stored on site. However, this section is missing some key waste streams such as Catalytic converters and oily wastes and waste of liquid fuels. It is suggested that you consider any missing waste streams.

Operational Procedure 5 details what aspects are inspected. However, there doesn't seem to be a checklist containing timescales to outline how often each item needs to be inspected. We advise that this is something that you should revisit.

Operational Procedure 16 provides an overview of the ELV depollution process. However, depollution of ELV's is just one of your permitted treatment activities as per Table S1.1 of your permit which includes cutting, baling compacting and more. We recommend that you revisit this section and implement the other treatment activities in to your EMS.

3. Accidents and incidents

Your Accident/ incident management plan within the "ATF Toolkit" document highlights some potential accidents/ incidents, what the risks are and what to do in such situations. However, some of these make reference to other documents to know what to do in such situations, such as the spill response procedure, flood procedure and utility supply failure procedure. There is no reference here to where these documents are kept and in particular the only response procedure we could find was the spill response procedure which was in a separate document (Operational procedure 12 in the "EMS MAS" document). We suggest that all documents relevant to the EMS are clearly signposted for ease of finding.

Key site and emergency contacts is an essential part of the EMS, it is good to see that you have incorporated one into your EMS, however, we would typically advocate that this is something that should be implemented in an easily accessible area of the EMS in case of an emergency.

Another important aspect of dealing with accident and incidents is having a site board with contact emergency numbers. You could consider implementing this into your EMS which might include an inspection/ maintenance checklist for the site board.

4. Site security

You must take a risk-based approach to decide the level of security needed on site to prevent unauthorised access. You should be clear about the level of security needed at your site and make a written assessment of your control measures in your EMS.

Your accident/ incident plan makes reference to how you would reduce the chances of vandalism occurring, however, this does not address what approaches you actually take on site. We suggest

that you consider adding further thought and detail to this section.

5. Non-compliance

Non-compliance or non-conformance refers to any activity on a permitted site that does not meet the relevant permit condition or relevant legislation. Operational procedure 1-3 describes the process for dealing with non-conforming wastes and rejecting loads on site. You should also consider whether you need to change any operations on site in response to the finding of any non-compliances on site (part of your continuous improvement process), such as:

- amend the EMS to reflect changes
- make sure staff and managers are aware of changes
- tell NRW about the changes.

6. Closure

It is inevitable that at some point your operation will close, but we understand it is probably the last thing on your mind when you first apply for an environmental permit and start operating. However, this is the time when you can put plans in place that could make closing the site far easier and cheaper. This is because when you apply to surrender a permit, you will be asked to show that the state of contamination of the land when you close your site is no worse than when you began your operations. We recommend that you think about implementing this into your EMS.

7. Records

You must keep records to demonstrate that you are operating and managing the activities in compliance with your EMS. You could incorporate a section in your EMS to explain what records you are going to keep and where they will be held. Then make sure you keep the relevant records up to date.

Particularly, as per your permit, there is a requirement to send waste returns to NRW at the end of each quarter. We found no reference to the procedure for this requirement in your EMS.

8. Other

You need to ensure that the EMS is kept up to date, it must be continually assessed to monitor its effectiveness against your operations, and you should make changes to it if it fails or when you can see ways of improving it. This should help you to achieve and maintain compliance with your environmental permit(s). Considering this, you might want to consider keeping a log of version changes and dates at the beginning of your EMS?

There is no requirement for your EMS to all be in one document. However, upon reading your EMS many documents, plans and procedures were not signposted clearly enough, we recommend that the EMS becomes more user-friendly as any employee or inspector should be able to pick it up and read and understand the document.

It is recommended that you consider adding or amending the information and procedures mentioned above. Could you please make the changes to your EMS where you see fit and send us an up to date copy by the 31st October 2020.

Should you wish to discuss any of this information please do not hesitate to contact me.

Thank you for your time.

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.

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.