

Compliance Assessment Report

Report ID:
CAR_NRW0032080

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

Site	1st Choice Vehicle Dismantlers	Permit Ref	GP3095FF		
Operator/Permit holder	Malcolm David Harrison				
Regime	Waste Operations				
Date of assessment	28/07/2017	Time in	12:00	Out	12:30
Assessment type	Site Inspection				
Parts of the permit assessed	Management, paperwork and infrastructure				
Lead officer's name	Dearle, Nessa				
Accompanied by	Tye, Laoni				
Recipient's name/position	Malcolm David Harrison/ Site operator	Date issued	05/09/2017		

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	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	4.3.1
D1 - Incident Management - Site security	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

Environment officers Nessa Dearle and Laoni Tye attended site on the 28th July 2017 to complete a site inspection, to assess compliance with the permit. The weather was warm and wet at the time of inspection, and waste was not being accepted at the time of the visit.

Thank you for taking the time to show us around site and explain your waste activities. In general the site appeared well managed, with very low levels of oil contamination and good organization of scrap vehicles. However, one minor breach of the permit was recorded while on site, this breach and additional advice and guidance are outlined below.

Breaches

A1 – Specified by permit. Category 3 breach, condition 4.3.1 of the permit states that “No wastes shall be burned on site”. While on site we observed evidence of the burning of company paperwork on site near the depollution area. Although this waste is not directly from scrap metal activities, it is still considered waste and must not be burnt on site. Any burning of wastes on site will increase the risk of accidental fires and must be avoided as it is an unauthorized activity.

Action – All burning of wastes on site must cease immediately and a new method of disposing of paperwork must be put in place. All activities on site must be carried out in line with the sites Environmental Management System.

C2 – Management Systems. Category 3 breach, condition 1.1.1 (a) states that no waste operations shall be authorized by the permit unless specified in and undertaken in accordance with the limitations in Section 2.1 of the working plan.

As the burning of wastes on site is an unauthorised activity, the root cause of the above can be seen as a lack of efficient management in place on site. For this reason, you are also being breached for this condition. Please see action above.

Notes

While on site we observed that the assigned depollution area has been moved from the main building to an area in front of the building outdoors. Sections 3.2 and 5.4 of the site working plan state that the depollution bay will be permanently located at the designated area in the building.

As the current Environmental Management System reflects the use of the depollution bay indoors, a risk assessment will need to be submitted to the NRW outlining the associated risks with depolluting vehicles outdoors. If this risk assessment is accepted and the change is agreed with the NRW then the EMS will need to be updated to reflect the changes to these activities on site, these updates

must include Sections 3.2 and 5.4.

This risk assessment should be submitted within 1 month of the receipt of this CAR form. We have decided not to breach against the permit on this occasion. However, should the risk assessment and updated EMS not be submitted and if depollution continues to be carried out outdoors we will likely breach the site on this in the future.

Continued certificate of competency

Condition 1.4 of the permit requires technically competent management to be in place on site. The operator is required to have their continued certificate of Technical Competence up to date, this certificate expires every two years.

The continued certificate of technical competence must be completed by the operator as it has now expired. A link can be found below containing details of the WAMITAB continued competency and how to book a test.

<http://www.wamitab.org.uk/pg/continuing-competence>

We request that a new test be booked within 1 week of the receipt of this form. Please can you also send confirmation when a test date has been booked. If you have any queries relating to the information outlined in this form please do not hesitate to get in touch.

Nessa Dearle
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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032080**

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Site	1st Choice Vehicle Dismantlers	Permit Ref	GP3095FF
Operator/Permit holder	Malcolm David Harrison	Date	28/07/2017

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			
C4	C3	Burning of wastes on site	25/08/2017

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.