

Compliance Assessment Report CAR_NRW0037037

Permit being assessed: XP3495FC.

For: Bill Way & Co Ltd, held by Bill Way & Co Ltd

At: Tremorfa Industrial Estate, Rover Way, Cardiff, CF24 5SD.

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

On 07/10/2020 between 14:30 and 15:30.

Parts of permit assessed: Management and infrastructure

NRW Lead Officer: Loku Ranasinghe, accompanied by Craig Coleman, Robert Andrews.

Report sent to: Paul Way , Owner and Site Manager on 27/10/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	C3 Minor	1.3

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
C1	Operator to follow up based on information fed back by WAMITAB (Loku has directed initial query to WAMITAB via email and copied in the operator- WAMITAB has responded to Operator on 19/10/20 via email with a way forward) Extra time given in line with current NRW guidance on Covid, but breach scored due to expired before Mar 2020	01/10/2021

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

CAR comments

-

Weather- dry and sunny, low wind speeds

Hazardous Waste Officer Craig Coleman and Environment Officers Robert Andrews and Loku Ranasinghe attended site and met Site manager/owner Paul Way on site.

This was an announced visit.

Management and infrastructure were the main points covered by the EPR part of the visit, with Craig Coleman focussing on hazardous waste aspects.

While on site we observed a vehicle being depolluted, and this followed depollution steps to arrive at an acceptable level of depollution.

-

EPR Inspection :

Breach

(C1) Staff competency and training- Category 3- Condition 1.3

Paul Way has obtained WAMITAB in 2016. But there is no record of having completed the Continuing Competence Tests. Paul informed us that he has no knowledge of how to use a computer and queries whether it would be possible to allow have someone (ex: his daughter) help him use a computer at the test.

Action- Operator to follow up based on information fed back by WAMITAB (Loku has directed initial query to WAMITAB and copied in the operator- WAMITAB has responded to Operator on 19/10/20 with a way forward)

-

-

Other comments – No breaches

(B3) Site Drainage engineering (Clean and Foul)

Depollution takes place under cover on an impermeable surface with sealed drainage. Seen record of maintenance done on the Oil interceptor -06/12/19

(C2) Management Systems

Has a written EMS with separate sections covering various parts of the activity/permit This EMS has not

been reviewed as part of this compliance inspection.

-

(C4) Storage, Handling, Labelling and Segregation

Only depolluted vehicles on hardstanding. Batteries stored appropriately in a battery station. Waste oils stored in a bunded oil store.

(D1) - Incident Management - Site security

Fence round the parameter -in good condition

Hazardous Waste Inspection:

Operator: Bill Way & Co Ltd

Hazardous Waste Registration: CAJ912 (Expired)

Hazardous wastes that are derived as part of the depollution process undertaken on site, namely motor oils (13 02 XX) and break fluids (16 01 13*) are stored in a double bunded tank that is housed indoors, away from the depollution bay. The oil containment unit is in good condition and houses all waste liquids prior to their removal from site by Oil Monster. Oil filters are maintained within the engine block to prevent the system for drying out, as the engines from vehicles depolluted on site are sold and need to be in usable condition. Anti-freeze (16 01 04*) and radiator fluid (16 10 XX) are stored in a separate bunded container and are collected by Safety Kleen.

Batteries (16 06 XX) removed as part of the depollution process are stored in a bunded container that is resistant to acid corrosion. The container is clearly marked as a battery bin. Batteries are currently disposed of by Baylis Metals.

The catalytic converters (16 01 21*) are stored securely until they are disposed of. These are also taken to either Baylis Metals which is in on the same industrial estate as Bill Way & Co Ltd, or to Newbery Metals depending on purchase price.

Very few waste tyres (16 01 03) are generated as a result of the activities on site are sold either as part worn tyres, or if unusable are passed on to an authorised waste tyre site. The most recent collection was undertaken by Unipex tyre recycling.

All airbags (16 01 10*) are checked prior to depollution due to the danger they possess, any which remain armed are removed and discharged in a secure manner.

All municipal waste is removed from site by the staff member that generated it and it is taken home to be recycled or disposed of with their home waste.

Paul Way is the TCM for the site and holds the a WAMITAB certification. Which is currently lapsed and needs to be updated The site has an EMS available for staff to access in the event of an environmental emergency and all staff have been trained to this document.

The site has good waste segregation and labelling with no mixing between hazardous and non-hazardous waste types.

Consignment notes were readily available on site for inspection and the waste transfer notes inspected

were completed correctly.

Bill Way & Co Ltd is not currently registered as a hazardous waste producer. Thus far in 2020 the site has not produced and transferred >500kg of hazardous material. However, from the waste returns for Q1 and Q2 2020 the end of live vehicles removed from site are being done so under the wrong code. Between Q1 and Q2 2020 the site has consigned 170t of 16 01 04*. This is the code that vehicles should be being accepted under. After they have been depolluted and broken down to the vehicle shell for sale as scrap, the cars should be being consigned as 16 01 06 which is a non-hazardous code.

Craig Coleman

03000 65 4363

Craig.Coleman@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.

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.