

Compliance Assessment Report

Report ID:
CAR_NRW0033801

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

Site	The Old Transport Yard	Permit Ref	XP3694FN		
Operator/Permit holder	Mr M R Jackson				
Regime	Waste Operations				
Date of assessment	31/07/2018	Time in	10:40	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Containment of stored materials; Management system and operating procedures; Storage, handling, labelling and segregation; Reporting and notification				
Lead officer's name	White, Steven				
Accompanied by					
Recipient's name/position	Mike & Steve Jackson/ Owners/Directors	Date issued	17/09/2018		

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
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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)	0.1
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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

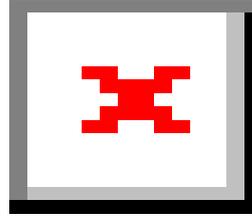
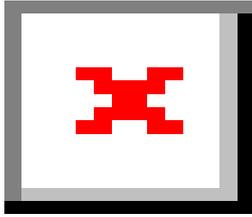
This was an unannounced inspection carried out by regulating officer Steven White who met with Mike and Steve Jackson on site.

There were a number of cars outside the permitted boundary at the entrance to the site (see photo below), it was unclear which were waste cars and which belonged to other businesses in the area. Of the vehicles located outside two were potentially un-depolluted waste vehicles; the storage of un-depolluted vehicles outside of the permitted area is a breach of permit condition 2.2.1 ("The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit"). However, Mike Jackson stated that they had just been dropped off that day and were due to be moved into the permitted area. As I was unable to prove how long the vehicles had been outside for it was agreed that I would carry out a 'drive-by' inspection later in the week to check if the same vehicles were still there - if they were still stored outside the permitted boundary then a permit breach would be scored against the permit. On returning to the site three days later the vehicles previously stored outside had been removed into the permitted area; subsequently no breach of the above permit condition will be scored on this occasion.



Potentially in-depolluted vehicles stored outside permitted boundary

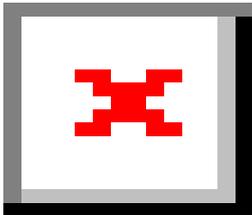
There were a large number of tyres stored on site, most of which were stored by the site entrance in anticipation of being picked up later in the week, however there were a number of tyres observed around the site along the perimeter fencing at various points these need to be removed along with the other tyres on site - this was brought to the attention of Mike Jackson at the end of the inspection. See photos below.



Tyres stored on site

All depolluted engines need to be stored under cover, as the photo below shows a number of engines were stored outside and not in the covered container that they are usually stored - this was brought to the attention of Mike and Steve Jackson who assured that they would be put into the correct container. (SCORE?)

Approximately 20 vehicles were checked for depollution - all were fully depolluted with no fluids left in the engine blocks, airbags were deployed - see photo below.



Deployed airbag

Site security was checked, the perimeter fence was in good condition and CCTV cameras cover the site entrance

MR Jacksons submits annual waste returns to Natural Resources Wales, on checking our database none have been submitted for 2017/18; this has subsequently been scored as a C4 breach of the permit condition below. Waste returns for 2017/18 must be submitted at the earliest opportunity; a date of 15th October 2018 has been set for this submission.

4.2.2: Within one month of the end of each year, the operator shall submit to NRW using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and received from it during the previous year.

Thank you for your time during the inspection, please find my contact details below.

Regards

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

EPR Compliance Assessment Report

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CAR_NRW0033801**

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Operator/Permit holder	Mr M R Jackson	Date	31/07/2018

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.

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			
G4	C4	Submit Waste Returns by the specified date	15/10/2018

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.