

Compliance Assessment Report

Report ID:
CAR_NRW0034104

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

| | | | | | |
|------------------------------|--|-------------|------------|-----|-------|
| Site | I Hayward Ltd | Permit Ref | EP3794FY | | |
| Operator/Permit holder | I Hayward Limited | | | | |
| Regime | Waste Operations | | | | |
| Date of assessment | 28/09/2018 | Time in | 14:15 | Out | 15:00 |
| Assessment type | Site Inspection | | | | |
| Parts of the permit assessed | Specified by permit; Containment of stored materials;Staff competency/training; Management system and operating procedures; Materials acceptance; Storage, handling, labelling segregation; Surface water emissions; Reprting and notification | | | | |
| Lead officer's name | White, Steven | | | | |
| Accompanied by | Lombardi, Karl | | | | |
| Recipient's name/position | Cari/Chris Hayward/ Owners/Directors | Date issued | 29/10/2018 | | |

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 |
|--|--------------|-----------------------|
|--|--------------|-----------------------|

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 | 0 | Total compliance score (see section 5 for scoring scheme) | 0 |
|------------------------------------|----------|---|----------|

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 officers Steven White and Karl Lombardi, officers met with Chris Hayward who accompanied during the visit.

On arrival it was observed that there was a lot of waste (predominantly End of Life Vehicles (ELV) - see photo below) on site; during discussions with Chris Hayward it was found that the crusher had broken and was waiting on a part to be fixed - this caused a backlog of waste on site. Officers estimated that, at the time of the inspection, the storage limits for waste specified in the permit had not been breached; you must ensure that the crusher is fixed as soon as possible (if not done already) so that the relevant permit condition with regards to storage limits is not breached.



ELV's observed on site

The site drains to a large interceptor which discharges (following treatment) to the stream at the bottom of the hill. You must ensure that the interceptor is regularly checked, maintained and emptied when necessary; failure to do so could cause a pollution incident which NRW would take enforcement action for.

Technical Competence for the site was discussed; Cari is currently undergoing the relevant WAMITAB course and assessment to become the Technically Competent person for Haywards. This is ongoing and an update on progress will be discussed in the next inspection; as soon as the course is complete can you send a copy of the certification to me for our records.

The current Environment Management System (EMS) for Haywards is based heavily on the Environment Agency 'Environment Management Toolkit for the metal recycling industry'; it is recommended that the site EMS is updated (especially if you are thinking of expanding the site operations as discussed). Table S1.3 in the permit states that 'The operator is required to provide an EMS in line with How to Comply and H6 Environmental Management Systems Guidance' within 4 months of the date of issue of the updated permit (that is from 31/01/2013). The two guidance documents mentioned above can be found on the NRW website.

It may be worth also getting a Fire Prevention and Mitigation Plan (FPMP) written up for the site; at the time of this inspection this is not a permit condition for this specific site. However, numerous other waste sites with similar operations have had to implement FPMP's for their site and this may happen in the future for Haywards too. A FPMP details what actions (both preventative and reactive) would be taken to prevent a fire occurring and methods in place to tackle a fire on site. Guidance on how to write a FPMP for a waste site can be found on our website by searching for 'Fire Prevention Plan' in the search box, North Wales Fire and Rescue Service can also offer assistance in this. Some sites have employed environmental consultants to write their EMS and FPMP up for them - this is obviously not something that they do for free.

Waste Returns for the site were checked, the annual return for 2017 was submitted on 12/04/18; there were no issues found.

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_NRW0034104**

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| Site | I Hayward Ltd | Permit Ref | EP3794FY |
| Operator/Permit holder | I Hayward Limited | Date | 28/09/2018 |

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 | | | |

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.