Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0034430

This form will report compliance with your permit as determined by an NRW officer					
Site	Clwyd Breakers Ltd	Permit Ref	NP3290VM		
Operator/Permit holder	Clwyd Breakers Ltd				
Regime	Waste Operations				
Date of assessment	02/01/2019	Time in	14:25	Out	15:05
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted areas A and B				
Lead officer's name	Peel, Louise				
Accompanied by	White, Steven				
Recipient's name/position	Neil Bennett/Jeremy Wells/ Directors	Date issued	10/01/2019		

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 a routine site inspection conducted by Senior Environment Officer Louise Peel and Environment Officer Steven White to assess the progress of site clearance to comply with the revocation notice. The weather was overcast. Officers met Director, Jeremy Wells on site who accompanied officers throughout most of the inspection. Breaches were discussed with the operator on site. Photos were taken throughout the site inspection.

An EPR Revocation notice is in place with the effective from date being **today, 2nd January 2019**. This means that the permit no longer exists for this site. The condition of the revocation notice was that all waste was to be cleared from the site by today. However, as discussed with Mr wells during the last site inspection on 18th December 2018, the site is more likely to be cleared by 10-11th January 2019.

Some waste remains on site. The majority of Area A has been cleared, apart from some tyres and car parts.



Area A

Area B has approximately 15 ELVs remaining on site, along with engines, tyres and car parts. Work was underway to clear the site. Large pools of oil were visible on site. Advice was given to Mr Wells on cleaning up the oil spills and disposing of any absorbents as hazardous waste. Mr Wells stated that he would employ a hazardous waste contractor to clean up the site and empty the interceptor and any IBCs containing oil contaminated water. Mr Wells also confirmed that all wastes would be cleared from the site within the next week.

The two IBCs of oil contaminated water seen outside the permitted area in the car park had been moved back into Area B of the permitted site.

The hole observed in the kerbing along the perimeter of Area B was still present and means that Area B does not benefit from a sealed drainage system. It is highly likely that oil contamination can leave the site via this hole and cause contamination of the neighbouring ground, and even the

Afon Goch river at the back of the site. Mr Wells was again requested to block this hole up before any washing down of Area B is undertaken as part of the site clearance.

End of life vehicles and car parts were observed still being stored outside of the permitted area.

NRW officers agreed to visit the site again next week to inspect progress. Mr Wells estimated that the site would be cleared of all waste and non-operational by 10-11th January 2019.

The site no longer has an Environmental Permit, therefore no breaches of permit have been recorded on this CAR form.

Photographs of Area B:















Photo of estate access road (outside the permitted area)



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

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034430**

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Site	Clwyd Breakers Ltd	Permit Ref	NP3290VM
Operator/Permit holder	Clwyd Breakers Ltd	Date	02/01/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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.