Compliance Assessment Report

Report ID: CAR_NRW0033108

This form will report compliance with your permit as determined by an NRW officer					
Site	E & J Autospares Ltd	Permit Ref	AP3698FQ		
Operator/Permit holder	Mandy Jayne Rowland				
Regime	Waste Operations				
Date of assessment	15/03/2018	Time in	11:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	Site operations				
Lead officer's name	Lloyd, Cathy				
Accompanied by	Ellar, David				
Recipient's name/position	Mandy Rowlands / Operator	Date issued	04/04/2018		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	3.1.2 Table3.1 c) i)
B4 - Infrastructure - Containment of stored materials	C3	5.4.1
C1 - General Management - Staff competency/training	C2	2.3.1
	C2	1.2.2
D2 - Incident Management - Accidents, emergency and incident planning	C2	5.1.4 Table 5.1 d)i)

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	5	Total compliance score (see section 5 for scoring scheme)	101

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

Present

Shaun Rowland Manager E&J Auto Spares trading as Swansea Autospares

Dave Ella (NRW), Cathy Lloyd (NRW)

Following the inspection on the 27 March 2017, we provided a large quantity of advice and guidance and gave you plenty of time to enable you to bring the site into compliance. I was disappointed to find that there has been little to no improvement to site operations since that inspection.

I have tried on numerous occasions to contact the permit holder Mandy Galinsky (nee Rowlands) since the inspection on 15 March 2018 but have been unsuccessful.

C1 Staff competency Condition 2.3.1 Category 2 breach

In the previous Compliance Inspection Report (report ID CAR_NRW0031400) you were asked to provide details of the technically competent manager for the site. You have failed to provide this information. This is a breach of Condition 2 3 1 which requires you to notify NRW of the technically competent manager for the site. This has been assessed as a category 2 breach as site operations were found to be so poor.

C1 Staff Competency Condition 1.2.1 Category 2 breach

An inspection was carried out on some of the vehicles being stored on permeable ground to the west of the office building. All vehicles stored on permeable ground must undergo the full depollution process before being stored in this area. Most of the vehicles examined were found to contain fluids including engine oil and coolant. All fluids must be removed during the depollution process. This is a breach of permit condition 1.2.1 as the treatment of waste motor vehicles does not meet the standards set out in Schedule 5 of the End of Life Vehicle Regulations 2010. Guidance for depolluting ELVs and the depollution requirements under Schedule 5 of the End of Life Vehicle regulations were sent to you following the inspection in March 2017. This is highly unsatisfactory and has been marked as a category 2 breach as is poses a high risk of pollution to ground and the underlying aquifer.

D2 Accident, Emergency and Incident Planning, Condition 5.1.4 Category 2 breach

A number of spillages could be seen on permeable ground and there had been no attempt to clean them up. This is a category 2 breach of permit condition 5 1 4 Table 5.1 d) i) which states that minor spillages of oil, fuel or other end of life vehicle fluid shall be cleaned up immediately using sand or proprietary absorbent to clean up liquids and placed in alternative containers. Please produce an Accident Management Plan showing the control and remediation measures for leaks and spillages.

B4 Containment of Stored Materials, Condition 5.4.1 Category 3 breach

Batteries were being stored outside. Your permit condition requires batteries to be stored in a chemical resistant container with a lid to prevent the ingress of water. This has been marked as a category 3 breach of condition 5.4.1, residual waste shall only be handled and stored on site in accordance with the standards specified in Table 5.4 b) iii) lead acid batteries shall be stored in containers with impermeable, acid resistant base and a lid to prevent the ingress of water.

B3 Site Drainage Condition 3.1.2 Category 3 breach

The drainage tank appeared full and Shaun notified us that it has not been emptied for a year. The drains were overflowing and surface water collected in a pool just outside the site gate. This is a category 2 breach of condition 3.1.2 Table 3.1 c)i) where sealed sumps shall be inspected no less frequently than daily and after rain, emptied when the collected liquids reach 80% of the capacity of the sump as measured using a dipstick or equivalent gauge, and

constructed and maintained so as to collect and contain all liquids which run off the pavement. I will be asking for the hazardous waste transfer note to show that the drainage tank has been emptied.

I have attached some of the photographs that were taken at the time of the inspection.

I will be carrying out regular site inspections and will expect to see improvements during each visit.

We are considering what enforcement action will be taken with regard to the breaches noted on the 15 March 2018.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033108**

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Site	E & J Autospares Ltd	Permit Ref	AP3698FQ
Operator/Permit holder	Mandy Jayne Rowland	Date	15/03/2018

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.

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			
C1	C2	Provide details of the technically competent manager for the site and include their qualifications	03/05/2018
B4	C3	all batteries must be stored in a chemical resistant container with a lid to prevent the ingress of water.	03/05/2018
D2	C2	Please produce an Accident Management Plan showing the control and remediation measures for leaks and spillages.	03/05/2018
B3	C3	Empty the drainage tank and clean out the drains.	03/05/2018
C1	C2	All vehicles on site must be examined and treated to the standard required under Schedule 5 ELV Regulations	03/05/2018

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.