Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 37154/0234443

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

Site	Legacy Car Dismantlers			Permit Ref	37154		
Operator/ Permit holder	Kelly David Ithel						
Date	27/02/2015			Time in	10:00	Out	10:45
What parts of the permit were assessed	Permitted Area						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	David Kelly						
Officer's name	Andrew Sowerby, Alys Jones			Date issued	06/03/2015		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	A		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	A		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	A		
	3. Materials acceptance	NA		
	4. Storage handling, labelling, segregation	NA		
d) Incident management	**1**. Site security	NA		
	2. Accident, emergency & incident planning	NA		
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	A		
	3. Surface water	N		
	4. Sewer	N		
	5. Waste	NA		
f) Amenity	**1**. Odour	A		
	2. Noise	A		
	3. Dust/fibres/particulates	A		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	A		
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	N		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	C4		**G.1.2;**
h) Resource efficiency	**1**. Efficient use of raw materials	NA		
	2. Energy	NA		

KEY: **C1, C2, C3, C4** = CCS breach category **(* suspended scores are marked with an asterisk),**
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

Number of breaches recorded	1	**Total compliance score** (see section 5 for scoring scheme)	0.1

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

No ELVS on site. The site is now no longer operational.

Breach

G4 - MRMR - reporting and Notification to EA - Permit Condition G.1.2 - CAT4

The annual waste returns for 2014 have not been received. Please submit the waste returns once completed to the Natural Resources Wales (NRW), ensuring you use the forms that can be found on the NRW website(link below). The failure to submit the waste returns has been deemed a Category 4 breach on this occasion. The waste returns should be submitted by the 31st March 2015.
http://naturalresourceswales.gov.uk/policy-and-guidance/waste-policy/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en

Please note that until the permit has been surrendered the operator must continue to submit annual waste returns within one month of the end of each calendar year

Met David Kelly on site. The site has now been mostly cleared and he is now in the final stages of clearing the building.

During the walk around the yard I observed 2 axles and a bumper. These have been sold and are awaiting imminent collection. There were also a couple of empty skips on site. These were being collected while we were there. Observed some small bits of plastic and metal scattered on the ground. It is recommended that a final sweep be made to attempt to collect as much of these bits as possible before the site is finally left. Some parts were observed in the container at the front of the yard by the depollution pad. Arrangements have been made to dispose of these parts. There is no waste oil or other liquids left on site.

The shipping containers that form the boundary of the permitted area at the back of the site are to remain. They have been emptied of any parts that were being stored within them.

The landlord, Mr Paletta, arrived to update me with regards to his current plans for the site. No final decision regarding what use the site will be put to has been made. Mr Paletta informed me that he is very unlikely to continue accepting and depolluting ELVs at the site. However, he does not want to have the permit surrendered yet just in case he decides that a permitted activity will take place at the site. Currently looking at transferring the permit into his name. He is currently in the process of clearing the site by cutting down vegetation and also plans to level off the ground in areas by using stone and soil he has imported from other sites belonging to him. He has already imported some rubble he produced during the demolition of a pub he owns. This is piled at the back of the site. Some bits of metal seen in the pile. Asked Mr Paletta to remove any contaminants in the rubble before any of it is used to level off parts of the site. Asked if he could burn the vegetation he produces on site. An email has been sent providing information on the exemptions that would be required to carry out the proposed activities on site and providing information on how to transfer and vary the permit.

Please inform me once the site has been completely emptied and you intend to leave the site. At this point I will want to carry out a final inspection to ensure the site has been cleared.

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.

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Section 3- Enforcement Response	**Only one of the boxes below should be ticked**
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.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	X
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	**CCS Category**	**Action Required/Advised**	**Due Date**
See Section 1 above			
G4	C4	Submit waste returns for 2014	31/03/2015

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.