

	EPR Compliance Assessment Report	Report ID: 37139/0237461
This form will report compliance with your permit as determined by an NRW officer		
Site	Flintspeed Car & Commercial Dismantlers	Permit Ref 37139
Operator/ Permit holder	Sheratt Frank	
Date	23/03/2015	Time in 12:40 Out 13:40
What parts of the permit were assessed	Permitted Area and Environment Management System	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Frank Sherratt	
Officer's name	Andrew Sowerby	Date issued 20/04/2015

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	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C3	1.1.4
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
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	A	
	3. Maintenance records	N	
	4. Reporting & notification	N	
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)	4
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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.

Comments

No breaches were observed during the walk around the site. The site was observed to be tidy and in good order.

We also discussed both technical competency and the environment management system.

Breach

C1 - Management - Staff Competency/Training - CAT 3 - Permit Condition 1.1.4

Technical Competence cover is currently being provided by Emma Bennett of Queensferry Car Parts. A record is being kept that shows that the site is visited by Emma Bennett every Saturday. During the last inspection to site on the 16th December 2014 it was highlighted that Emma Bennett's certificate of continuing competency had recently expired. I asked to be informed once she had sat and passed the continuing competency test required to regain this certificate. When I asked during this site inspection I was informed that you were unsure what the current situation was. It is your responsibility as the site operator to ensure that the site has a technically competent person. As you are unsure of the status of Emma Bennett I must regard the site as not having a technically competent person in place and this will be seen as a Category 3 breach on this occasion.

You need to check with Emma Bennett whether she has sat and passed the continuing competency test. If she has not you will then need to arrange for alternative cover.

Please update me regarding this situation by the **1st May 2015**.

We discussed your environment management system (EMS) and the improvements I recommended you make to it. On the 8th April 2015 I received a draft amended EMS which detailed a number of improvements you intend to include in a final typed version. My comments are below:

1. Section 1.3 Waste Types and Quantities - Specifying the number of depolluted and undepolluted ELVs, batteries, tyres and airbags you will have on site is good. However, more detail would be good for the waste liquids stored on site, i.e. Instead of just saying you will store a maximum of 700 kilos of all liquids you should instead detail the maximum quantity (in litres) of each separately stored liquid, i.e. how much petrol/diesel stored on site, how much oil on site, how much antifreeze on site, how much washer fluid on site, how much hydraulic oils and how much air con gas stored on site. The best way to record this information might be to summarize it all in a table. You should also state the maximum amount of time any of these waste types are stored on site.

2. Section 2.7 All Liquids - This should specify what non waste liquids are stored on site and the quantities, i.e. Diesel for the JCB. It should also say how these liquids are stored and the location needs to be indicated on the site plan.

3. Section 3.3 Waste Deposit Handling and Storage - In this section we are looking for more information on how the actual depollution process is carried out, especially if it is done differently to the method described in the official guidance. For example, you should be referring to the fact that the ELV is not lifted to allow some of the fluid, such as petrol/diesel to be drained from the car via a hole in the fuel tank. Instead you should describe that to do this you remove the fuel pump and pump the petrol/diesel out of the tank. Once you have described the depollution process you can detail what happens to the depolluted ELV on site and how various parts removed from the vehicle are treated and stored. You

should also refer to how long an undepolluted ELV is stored on site before it is depolluted, if not already covered in section 1.3.

4. **Section 4.2 Site Inspections and Maintenance** - Just need to make it clearer how often things are checked, i.e. Daily/weekly/monthly.

5. **Section 5.2 Spillages** - You should just include how any used absorbents/sand will be stored and how it will be disposed of (i.e. as hazardous waste).

6 **The emergency contact list** should include contact details for yourself, both landline and mobile number if you have one. There should also be a contact phone number should you be on holiday and unable to answer your mobile number. Other emergency contact details can include you neighbours and any key services, such as who to contact in the event of a major oil spill or who maintains plant and infrastructure on site. The emergency contact list can also include the phone number of the local police station/ fire station and hospital or medical centre. The idea being that if you are not around for any reason then someone else can use the EMS to find contact details for contractors/services if needed as well.

I hope all of the above makes sense. If you need to talk to me about anything then please get in touch. All improvements should be incorporated into a final EMS as soon as possible and a copy sent to me.

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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Operator/ Permit	Sheratt Frank	Date 23/03/2015

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.	
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.	X
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			
C1	C3	Ensure that your technically competent person is fully up to date or arrange alternative cover in the meantime.	01/05/2015

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.