

Compliance Assessment Report

Report ID:
CAR_NRW0026790

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

Site	Pen Y Bont Scrapyard, Bala	Permit Ref	NP3094FV		
Operator/Permit holder	B M Rowlands, G A Rowlands, S Rowlands & W G Rowlands				
Regime	Waste Operations				
Date of assessment	29/11/2016	Time in	11:20	Out	11:55
Assessment type	Site Inspection				
Parts of the permit assessed	As below.				
Lead officer's name	Williams, Leon				
Accompanied by					
Recipient's name/position	Gary Rowlands/ Operator	Date issued	21/12/2016		

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
A1 - Infrastructure - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	A	
C2 - Infrastructure - Management system and operating procedures	C4	1.1.1
C3 - Infrastructure - Materials acceptance	A	
C4 - Infrastructure - Storage, handling labelling and Segregation	C3	Table 2.1
G2 - Infrastructure - Records of activity, site diary/journal/events	A	

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
-----------------------------	---	--	-----

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

Routine site inspection conducted by Environment Officer Leon Williams accompanied by Operator Gary Rowlands.

At the rear of the site a skip containing scrap metal was seen to be stored outside the site's permitted boundary. This issue was raised during the previous inspection at Pen Y Bont. A CCS Category 4 breach has been issued against permit condition 1.1.1, sub criteria WP1 for this non-compliance. Please ensure that all waste is stored within the site's permitted boundaries.

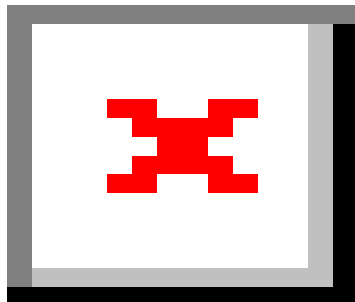
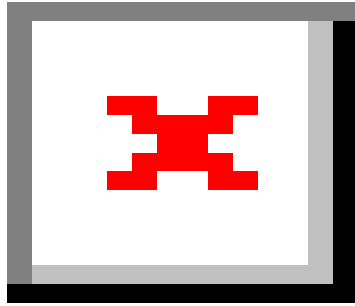
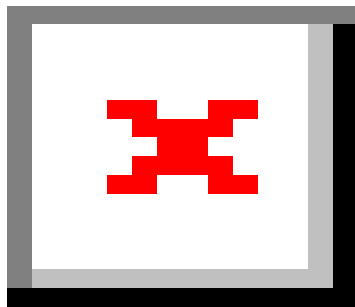


Table 2.1 of the site permit states the “maximum storage time of 7 days and 28 days for biodegradable and inert waste respectively”. Following the inspection of waste transfer notes it was determined that the last instance inert waste was removed from site was on the 4 July 2016 to an exempt site in Llanuwchllyn, Gwynedd. Gary Rowlands also verbally informed that wood waste had not been removed from site for over 7 days.



In the ELV de-pollution shed, a number of batteries were seen to be stored outside of impermeable containers. Table 2.1 of the site permit states “lead acid batteries shall be stored in containers with an impermeable, acid resistant base and a lid to prevent ingress of surface water”. Please ensure that batteries are stored in accordance with this requirement.



A CCS Category 3 breach has been issued against permit condition 2.1 for storing waste for longer than permitted and for storing batteries in breach of permit conditions.

I will also remind you that Part 2, 1(a) of Schedule 5 of the End of Life Vehicle Regulations 2003 states that “the keeping (even temporarily) of a waste motor vehicle prior to treatment shall only be carried out at a site; (a) having, in appropriate areas, impermeable surfaces and provided with spillage collection facilities, decanter and cleanser degreasers”.

Regulation 44 (1) of the End Of Life Vehicle Regulations 2003 states that “any site license which authorises, at the time of coming into force of these Regulations, the keeping or treatment (or both) of a waste motor vehicle is modified so as now to include, as conditions to that license, the provisions of Schedule 5 to these Regulations and, in the event of any inconsistency between any such new condition and any prior condition in the license, the prior condition shall be over-ridden by the new condition to the extent of such inconsistency”.

During the inspection conducted at Pen Y Bont on the 29 November 2016, a number of end of life vehicles

awaiting de-pollution were stored on impermeable surfaces near the site weighbridge and near the rear of the site. All end of life vehicles awaiting de-pollution must be stored on impermeable surface at Pen Y Bont. The quantity of metal waste stored on the concrete pad outside the depollution shed had increased since the previous inspection at Pen y Bont and therefore there was no room for vehicles to be stored at this location. Please therefore consider reducing the amount of metal stored at Pen Y Bont in order to create space for end of life vehicles to be stored within areas of impermeable surface. We will require all end of life vehicles to be stored on areas of impermeable surface by the 16 February 2016 when we will be re-visiting the site in order to conduct a 1 part hazardous waste audit. I will write to you prior to this date to explain what the audit will entail. Failure to ensure that end of life vehicles are stored on impermeable surfaces may result in Natural Resources Wales taking enforcement action against you.



A reduction in metal quantities from around the oil tank on site will also allow you to inspect the tank more efficiently and also you will be able to access the sealed battery storage containers which could not be accessed on the 29 November 2016 due to the amount of metal stored around them.

Thank you for your co-operation during the inspection.

‘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

**Report ID:
CAR_NRW0026790**

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

Site	Pen Y Bont Scrapyard, Bala	Permit Ref	NP3094FV
Operator/Permit holder	B M Rowlands, G A Rowlands, S Rowlands & W G Rowlands	Date	29/11/2016

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.

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.

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			
C4	C3	Operations must comply with the restrictions outlined in Table 2.1 of the site permit.	16/02/2017
C2	C4	All waste should be stored within site boundary.	22/12/2016

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.