

Compliance Assessment Report

Report ID:
CAR_NRW0031161

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

Site	Arch Motors	Permit Ref	RP3394FS			
Operator/Permit holder	Thomas Arthur Roberts					
Regime	Waste Operations					
Date of assessment	10/02/2017	Time in	10:45	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by	Paul Challender					
Recipient's name/position	Arthur Roberts/ Owner/TCM	Date issued	23/02/2017			

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 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.4.1
D1 - Incident Management - Site security	A	
E2 - Emissions - Land and groundwater	A	
E3 - Emissions - Surface water	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

At the time of the site inspection the owner and TCM of Arch Motors Arthur Roberts was not available. Officers were therefore accompanied around site by Rachel.

We walked in a clockwise direction around the site. There were approximately six ELVs on site that were marked up as being intended for the Fire and Rescue Service. These ELVs had been mostly depolluted, However, the FRS had requested that the shocks and airbags remain intact for training purposes.

Engines on site were now being stored within a skip. You should ensure the skip is sealed to prevent any contaminated runoff discharging to ground. I was informed that these engines had been fully depolluted some time ago so they should not contain any oils or other polluting liquids.

The concrete pad was observed to be full of ELVs. There was very little room left on it and it was observed that if any new ELVs were accepted onto site there may be some difficulty in squeezing them onto the concrete pad to be stored appropriately prior to depollution.

Depolluted ELVs were being stored along one boundary of the site. These depolluted ELVs had been flattened. I was informed that the flattening process is done on the concrete. It was difficult to check if these flattened ELVs had been fully depolluted but I was told they had been.

Breach

C4 - General Management - Storage handling, labelling, segregation - Condition 2.4.1 - Cat 3

Condition 2.4.1 of your permit states "The storage (including temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End of Life Vehicles Directive." This refers to undepolluted ELVs being stored on an impermeable surface with sealed drainage.

During the site inspection we observed by the pile of metal in the corner of the site a couple of ELVs on the hardstanding that had not yet been crushed. These ELVs were checked to see if they had been depolluted and whilst they had mostly been done it was observed that there was still brake fluids in one of them and washer fluid and an oil filter on the other. This was highlighted to Rachel who said she would sort out the issue and try to ensure it doesn't happen again. As a result of these ELVs not having been fully depolluted I have applied a Cat 3 CCS score on this occasion.

As Rachel informed us she would be dealing with the undepolluted ELVs and trying to ensure it doesn't happen again then there is no further action required apart from to ensure this has happened. I would expect that during my next inspection all ELVs that are to be crushed (i.e. not for use by FRS), and are not stored on the impermeable surface with sealed drainage, will be fully depolluted.

The only other concern noted was that the site was observed to be muddy. As well as making management of the onsite drainage difficult, mud can also lead to increased deposits on the road which can affect other road users and the highway drains. Should any spills occur on site the mud can also make them difficult to identify and awkward to clean up. During my previous visit to site it was observed that the site surface is hardstanding. Ideally this mud needs to be scraped away so that the hardstanding is again visible or fresh hardstanding should be laid. It was explained on site that due to a spill of transformer oil from the neighbouring site (detailed in last CAR form) there are currently discussions taking place between Mr Roberts and Scottish Power to arrange clean up of any contaminated ground. As a result of these ongoing discussions no work has been done on the site surface until it is determined how much of the site has been affected by this transformer oil.

Overall, there were no major issues apart from the un-depolluted ELVs noted above. The site in general seemed to be relatively well organised with clear segregation between different waste and stock piles. There was some discussion around possible future modifications to the layout of the site. The only comment I have regarding this is that once any changes to the sites layout have been completed then the site plan within your environment management system may need updating but this can be discussed at a later date.

If you have any questions regarding any of the above please contact me (0300 065 3806)

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EPR Compliance Assessment Report

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Site	Arch Motors	Permit Ref	RP3394FS
Operator/Permit holder	Thomas Arthur Roberts	Date	10/02/2017

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.

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.

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	Ensure these ELVs have been fully depolluted and ensure that all ELVs in the future are fully depolluted when not stored on an impermeable surface with sealed drainage.	13/02/2017

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.