Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0034471

This form will report compliance with your permit as determined by an NRW officer					
Site	Atlantic Salvage Company	Permit Ref	VP3495FH		
Operator/Permit holder	David John Comerford				
Regime	Waste Operations				
Date of assessment	11/01/2019	Time in	11:20	Out	12:00
Assessment type	Site Inspection				
Parts of the permit assessed	Part 3 of the Permit				
Lead officer's name	Peppicelli, Claudia				
Accompanied by	Tye, Laoni				
Recipient's name/position	David John Comerford/ Owner and TCM	Date issued	24/01/2019		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
C1 - General Management - Staff competency/training	C3	condition 2.3.1

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

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

Atlantic Salvage Company, (EAWML/30354, EPR/VP3495FH) – 11/01/2019

Environment officer Claudia Peppicelli and Laoni Tye attended Atlantic Salvage Company' facility at Barry, Atlantic Estate on the 11/01/2019 and met with TCM and owner David John Comerford. The visit was undertaken as a routine site inspection. Thank you for taking the time to attend the inspection and show us all the activities carried out on site. There were 1 minor breaches recorded during the inspection. Weather cold and dry throughout the visit.

C1 - You have been breached a Cat 3, against Condition 2.3 that states:

Your site is required by its permit to have in place a Techncially competent manager. This manager is responsible for directing operations on site and ensuring compliance with the permit. They are required to be on site approximately 10% of your operating hours. You now need to appoint someone to coevr this responsibility on site.

The level of qualificaiton required is for a medium risk activity for an ELV operation.

This Technical Competence Scheme is jointly delivered by CIWM and WAMITAB. It is an 'Approved Scheme' for demonstrating Technical Competence in relation to the Management of a Permitted Waste Facility.

Action:

You should now contact one of these institution to discuss how to go about the qualification. Alternatively you need to appoint an already qualified manager to take on this role for your site, to attend for the required amount of time.

You now need to resolve this issue, by either enroliing a member of staff or yourself on the course for the qualification, or by hiring in an appropriately qualified person by the dates 22/02/2019.

Site visit

Overall the site is in good condition. The site is working at a very low level activity. There are few vehicles on the storing area, some are ELVs and others are apparently "runners" or customers cars who have paid to park here.

Mr Comerford explained that the main business of the yard is now car park and repairs.

No sign of oil stains were visible on site. We would recommend to improve the storing system for the oil drums in "bounded or sealed areas" stored in the covered area and not outside. Also we would recommend to provide spill kits in case of any leak.

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

Claudia Peppicelli

03000654791

Claudia.peppicelli@cyfoethnaturiolcymru.gov.uk
claudia.peppicelli@naturalresourceswales.gov.uk

**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body*

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034471**

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Site	Atlantic Salvage Company	Permit Ref	VP3495FH
Operator/Permit holder	David John Comerford	Date	11/01/2019

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	C3	Demonstrate the Technical Competence in relation to the Management of a Permitted Waste Facility	22/02/2019

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.