Cyfoeth Naturiol Cymru / Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 34230/0229521

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

Site	Bayliss Recovery Ltd			Permit Ref	34230	
Operator/ Permit holder	Bayliss Recovery Ltd & D Hales Ltd					
Date	16/12/2014			Time in	10:30	Out 12:00
What parts of the permit were assessed	Site and Written Management System					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X	Water Discharge	
Recipient's name/position	Ian Lewis - Environment Manager					
Officer's name	Gareth M Davies			Date issued	19/01/2015	

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	C3	3.1.2
	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	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	A	
d) Incident management	**1**. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	**1.** Air	NA	
	2. Land & Groundwater	NA	
	3. Surface water	N	
	4. Sewer	NA	
	5. Waste	NA	
f) Amenity	**1**. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	NA	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	A	
	4. Reporting & notification	A	
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

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.

Present

Ian Lewis – Bayliss Recovery, Environment Manager
Gareth Davies – Natural Resources Wales, Senior Environment Officer

The purpose of the inspection was to assess compliance with their environmental permit EAWML 34230. An initial site tour was completed of the yard area. This included the processing area for End of Life Vehicles, the separate sections where vehicle parts are removed and wheels taken off their rims.

Within the area that is used to separate tyres from their rims Ian Lewis showed me the machine that is used to crush oil filters that are removed during the de-pollution of End of Life Vehicles. No specific treatment of the oil filters is carried out other than crushing to reduce the size. When the oil filter has been crushed there will be residual oil and the filter media itself left within the metal casing of the oil filter. During the visit Ian Lewis explained that the oil filters are not sent off as Hazardous Waste, but are sent off site with the usual scrap. During the visit I explained that I did not believe the act of crushing an oil filter alone would render it non-hazardous.

Following further clarification I can confirm that the crushing of an oil filter does not treat it sufficiently to become non-hazardous. Oil filters are an Absolute Hazardous entry within Technical Guidance WM2 – Hazardous Waste, Interpretation of the definition and classification of hazardous waste. The crushing of the oil filter will not remove all of the oil that remains within the oil filter or remove the oil filter media. Please ensure that all oil filters are removed in accordance with the hazardous Waste Regulations.

This has been scored a CCS 3 under directly applicable legislation.

During the visit there was evidence of some minor damage to the impermeable pavement in front of the End of Life Vehicle depollution area. This can be seen in the photograph below. The area was cracked and the reinforcing bar had been exposed. There is the potential for oil contaminated run-off to enter the ground via this damage to the impermeable pavement.





Condition 3.1.2 states that the engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in Table 3.1.
This is a breach of condition 3.1.2 and you have been given a Cat 3 breach under B1 Infrastructure - Engineering for Prevention and Control of Emissions. This scores has been given for the reasons highlighted above.

Whilst on site, operations were being carried out to remove as much ferrous metal from residual waste that is generated during the processing of scrap metal on site. This ensures that as much material is recovered prior to being taken off site for further processing. Pictures of the material being processed can be seen below.





During the visit Ian Lewis and the one of the site workers talked me through the process that is undertaken as part of waste acceptance. This included showing the database that is used to keep the registration of vehicles, the photographic identification and photographs of the waste that is imported.

During the visit Ian Lewis was able to provide evidence of the daily maintenance and interceptor checklists that are completed on site. Photocopies of these were taken and can be seen to the right. These checklist ensure compliance with conditions 3.1.2 and 5.1.4. It should be noted that the damage to the impermeable pavement had not been picked up during the daily inspections. Any necessary refresher training and update to the written management system shall be implemented.

Bayliss Recovery Ltd

INTERCEPTOR CHECKLIST Week Commencing 15/12/2014.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Outlet Pipe (Daily)	/						CLOSED
Third Chamber (Daily)	/						CLOSED
Inlet Pipes (Daily)	/						CLOSED
First & Second Chambers (Weekly)							CLOSED

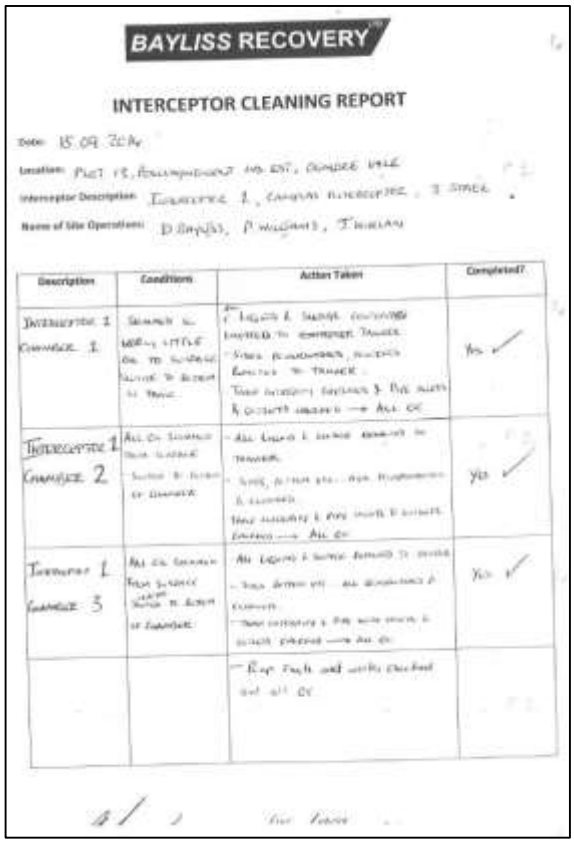
All actions required have been completed

Name.....

Signed.....

Date.....

As part of the interceptor maintenance, interceptor cleaning reports are produced each time that the interceptor is cleaned out. Photocopies of these were taken and can be seen to the right. This ensures the interceptor is cleaned out and refilled correctly.



BAYLISS RECOVERY

INTERCEPTOR CLEANING REPORT

Description	Conditions	Action Taken	Completed?
Interceptor 1 Chamber 1			Yes ✓
Interceptor 1 Chamber 2			Yes ✓
Interceptor 1 Chamber 3			Yes ✓

Ian Lewis was able to provide evidence of the training that is provided to staff on site. The training is tailored to the role that the member of staff carries out. This ensures that all staff are aware of the impacts that their role can have on the environment.

During the inspection Ian Lewis and the site operators demonstrated the use of the End of Life de-pollution kit. This involved running through the process of depolluting an End of Life Vehicle and included removal of the wheels, battery, oil filter, petrol, engine oil, shock absorber fluid, brake fluid anti- freeze. The air bags and air conditioning fluid were not removed at the time, but the machinery was available in the garage used for the removal of parts.

As part of the on-going development of the site Ian Lewis explained that they were looking to move the current baler at Ogmore Vale to the proposed new site in Cardiff. A new baler will then be purchased for the Ogmore Vale site. Please ensure that the introduction of any new machinery is carried out in accordance with the Noise Management Plan.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID**:** 34230/0229521

This form will report compliance with your permit as determined by an NRW officer			
Site	Bayliss Recovery Ltd	Permit	34230
Operator/ Permit	Bayliss Recovery Ltd & D Hales Ltd	Date	16/12/2014

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			
B1	C3	Please provide a timescale to be agreed with Natural Resources Wales for the repair of the damaged impermeable pavement identified during the compliance visit	02/02/2015

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.