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|------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------|
|           | <b>EPR Compliance Assessment Report</b> | Report ID: 37131/0224999                              |
| <b>This form will report compliance with your permit as determined by an NRW officer</b> |                                         |                                                       |
| Site                                                                                     | Bagillt Car Spares                      | Permit Ref 37131                                      |
| Operator/ Permit holder                                                                  | Waugh Michael                           |                                                       |
| Date                                                                                     | 06/11/2014                              | Time in 12:00 Out 13:00                               |
| What parts of the permit were assessed                                                   | Part - see below                        |                                                       |
| Assessment                                                                               | Site Inspection                         | EPR Activity: Installation Waste Op X Water Discharge |
| Recipient's name/position                                                                | M Waugh                                 |                                                       |
| Officer's name                                                                           | Wefty Haider                            | Date issued 26/11/2014                                |

### 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 | N  |                       |
|                                                      | 2. Closure & decommissioning                         | NA |                       |
|                                                      | 3. Site drainage engineering (clean & foul)          | N  |                       |
|                                                      | 4. Containment of stored materials                   | C3 | 2.4.1                 |
|                                                      | 5. Plant and equipment                               | N  |                       |
| c) General management                                | 1. Staff competency/ training                        | N  |                       |
|                                                      | 2. Management system & operating procedures          | C3 | 1.1.1, 2.4.1          |
|                                                      | 3. Materials acceptance                              | A  |                       |
|                                                      | 4. Storage handling, labelling, segregation          | N  |                       |
| d) Incident management                               | 1. Site security                                     | A  |                       |
|                                                      | 2. Accident, emergency & incident planning           | N  |                       |
| e) Emissions                                         | 1. Air                                               | N  |                       |
|                                                      | 2. Land & Groundwater                                | N  |                       |
|                                                      | 3. Surface water                                     | N  |                       |
|                                                      | 4. Sewer                                             | N  |                       |
|                                                      | 5. Waste                                             | N  |                       |
| f) Amenity                                           | 1. Odour                                             | N  |                       |
|                                                      | 2. Noise                                             | N  |                       |
|                                                      | 3. Dust/fibres/particulates                          | N  |                       |
|                                                      | 4. Pests, birds & scavengers                         | N  |                       |
|                                                      | 5. Deposits on road                                  | N  |                       |
| g) Monitoring and records, maintenance and reporting | 1. Monitoring of emissions & environment             | N  |                       |
|                                                      | 2. Records of activity, site diary, journal & events | N  |                       |
|                                                      | 3. Maintenance records                               | N  |                       |
|                                                      | 4. Reporting & notification                          | N  |                       |
| h) Resource efficiency                               | 1. Efficient use of raw materials                    | N  |                       |
|                                                      | 2. Energy                                            | N  |                       |

**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 | 2 | Total compliance score (see section 5 for scoring scheme) | 8 |
|-----------------------------|---|-----------------------------------------------------------|---|

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.

An accompanied site inspection carried out with the site operator. Site in general is clean and tidy. Some improvement works have recently been carried out on site. Improvement works included the installation of secondary containments (bunds) for all waste oil/fluid storage containers (double skinned) and fuel tanks. The bunds are sealed both inside and outside and benefit from a cover to prevent the ingress of rain water. During the inspection some non-compliances with permit conditions were observed, which are detailed below:

### **B4/ Infrastructure - Containment of Stored Materials (permit condition 2.4.1)**

During inspection some depolluted ELVs were inspected and found to contain hazardous components (air bag explosives) while stored on permeable ground ready for further treatment (crushing/compaction). Some part depolluted ELVs stored on permeable ground as stock contained oil filters. Permit condition 2.4.1 briefly requires storage and treatment of ELVs to meet the requirements of article 6(1) of the ELV Directive. The ELV directive requires ELVs to be fully depolluted, which includes the removal of all oil, fluids, liquids and explosive components (from air bags).

Site has received a CCS score 3 for this non-compliance with permit condition.

### **C2/ Management - Management Systems & Operating Procedures (permit condition 1.1.1, 2.4.1)**

Operator has updated the site EMS (dated August 2014) and a copy has been provided to NRW. Regulating officer reviewed the document and is of the opinion the EMS requires further improvement as it is still missing important information that was highlighted previously on the inspection form for 30 June 2014. Briefly some of the information still lacking is detailed below:

- Waste acceptance – details of what action will be taken if non-compliant waste received/found on site.
- Depollution process missing some information (draining of brake pipes, how sealed systems such as gear box without built in sump plugs will be drained).
- Time period for the storage of un-depolluted ELVs prior to treatment and storage of fully depolluted ELVs prior to further treatment (crushing/compaction).
- How, where and who will carry out further treatment of depolluted ELVs.
- What steps will be taken to minimise risks of leaks and spillages from waste oil/fluid and fuel storage tanks during charging and emptying.
- A site drainage plan clearly showing location and types of drains, locations of oil/fluid/fuel storage tanks and size including the size and location of the oil interceptor.

The current EMS also states shock absorbers will be either drained or removed from the ELVs prior to storage on hardstanding areas. This is contrary to current practices on site as ELVs are stored on permeable ground with undrained shock absorbers. This needs to be clarified.

In addition site management system and operating procedures requires review. This is because some depolluted ELVs were found to contain undeployed air bag explosives and some part de-polluted ELVs were found to contain oil filters while stored on hardstanding areas.

Site has received a CCS score 3 for non-compliance with permit conditions.

**General comments:**

Operator enquired regarding the use of the newly incorporated area within the permitted site. Permit condition 2.6.1, Table S1.4 and improvement condition referenced IPC 2 briefly requires operator to provide a site condition report supported with baseline data in line with H5 Site Condition Report guidance before any waste management activities can be carried out in the new area.

Should you need to discuss the inspection report please contact Mefty Haider the regulating officer on 03000 653696.

***In this document 'Natural Resources Wales' means the Natural Resources Body for Waste established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.***

|                                                                                          |                                         |                          |
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| Site                                                                                     | Bagillt Car Spares                      | Permit 37131             |
| Operator/ Permit                                                                         | Waugh Michael                           | Date 06/11/2014          |

|                                                                                                                                                                                                                                                                                                                                                 |                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Section 3- Enforcement Response</b>                                                                                                                                                                                                                                                                                                          | <b>Only one of the boxes below should be ticked</b> |
| 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.                                                                                                                                                                                                                                              |                                                     |

| <b>Section 4- Action(s)</b>                                                                                                                                                                                              |              |                                                                                                                          |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------|-------------|
| 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                                                                                                                                                                                                      |              |                                                                                                                          |             |
| B4                                                                                                                                                                                                                       | C3           | Ensure ELVs are appropriately depolluted prior storage on permeable ground and fully depolluted prior further treatment. | Immediately |
| C2                                                                                                                                                                                                                       | C3           | Update the site EMS                                                                                                      | 20/01/2015  |

## 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 <b>major</b> environmental effect       | 60    |
| C2           | A non-compliance which could have a <b>significant</b> environmental effect | 31    |
| C3           | A non-compliance which could have a <b>minor</b> environmental effect       | 4     |
| C4           | A non-compliance which has <b>no</b> 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](mailto: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.