

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

Site	Plot 12a	Permit Ref	ZB3297TP
Operator/Permit holder	Mr Phillip Thomas And Mr Steven Thomas		
Regime	Waste Operations		
Date of assessment	12/05/2016	Time in	12:20
Assessment type	Audit	Out	12:45
Parts of the permit assessed	ELV operation		
Lead officer's name	Ellar, David		
Accompanied by	Chris Thomas		
Recipient's name/position	Glyn Thomas/ Site Manager	Date issued	17/06/2016

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	C4	2.5.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.5.3
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

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

During the visit NRW officers were accompanied around the site by Mr Les Davies.

General House Keeping:

The general house keeping was quite poor. There were oil spillages on the floor that had been partially cleaned up but contaminated oil granules were still present. There was little segregation of waste types and the treatment shed was fairly full of scrap metal awaiting removal from site.

Storage of ELV wastes:

When asked about the storage of waste fluids from the depolluting process Mr Davies explained that waste fluids including waste oils and brake fluid were collected and stored in the bunded container located in the treatment shed. This is a breach of the permit and **has been recorded as a Category 3 Breach under C4**. Schedule 5 of the directive explains that there must be 'storage tanks that are appropriate for the separate segregated storage of any fluid from a waste motor vehicle'. Please ensure that there are suitable containers (stored in accordance with permit condition 3.1.3 e.g. with secondary containment) provided and used for the future collection and storage of fluids. The containers should also be clearly marked to show their contents.

Depollution Process:

Whilst we were unable to observe the full depollution process during the visit there were depolluted ELV's present. When asked if the shock absorbers had been drained of oil Mr Davies explained that they had not. Before a vehicle can be classed as fully depolluted the shock absorbers will have to be drained of oil as per the requirements of article 6(1) of the End-of-life vehicles directive This is a breach of your permit and **has been recorded as a Category 4 Breach under C2**.

The DEFRA guidance on the ELV depollution states:

recommended approach is to drain the fluid from the shock absorber without removing it from the ELV. Shock absorbers contain fluid, usually oil, in both an inner and an outer cylinder. Consequently, in order to achieve the required level of depollution, fluid/oil needs to be removed from both the inner and the outer cylinder.

Commercially-available equipment can achieve the required level of depollution, but the time required for this operation will depend on the design of the equipment. The instructions provided by the manufacturer must be followed.

Shock absorber fluid/oil could be removed from an ELV by removing the shock absorbers, but the time required to conduct this operation may be considerable, and the shock absorbers would be classified as hazardous waste after they were removed from the ELV.

TCM:

Mr Steven Thomas and Mr Les Davies are the nominated TCM for the site. We have been notified that there has been a delay in their certification process due to issues with the training provider and to date the operator has been unable to provide us with Certificates of Technical competence (COTC). Dave Mackay has notified us that this situation will soon be resolved and COTC will be forwarded to us as soon as they are received.

EMS:

Whilst an updated copy of the EMS manual for the site has been submitted the procedures within the manual have not been viewed. These may be reviewed during our next inspection.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0021662**

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

Site	Plot 12a	Permit Ref	ZB3297TP
Operator/Permit holder	Mr Phillip Thomas And Mr Steven Thomas	Date	12/05/2016

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.

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	All fluids removed from the vehicle as part of the depollution process must be stored in separate containers.	30/06/2016
C2	C4	Before a vehicle can be classed as fully depolluted the shock absorbers will have to be drained of oil as per the requirements of article 6(1) of the End-of-life vehicles directive.	20/07/2016

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 reports 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 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.