

Compliance Assessment Report

Report ID:
CAR_NRW0032350

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

Site	David Neil	Permit Ref	QP3194FY		
Operator/Permit holder	William David Neil				
Regime	Waste Operations				
Date of assessment	24/10/2017	Time in	12:35	Out	12:55
Assessment type	Site Inspection				
Parts of the permit assessed	Operational Status				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by					
Recipient's name/position	David Neil/ Owner	Date issued	27/10/2017		

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	
C1 - General Management - Staff competency/training	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	6.1.1

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)	0.1
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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

The purpose of the site visit was to determine if the site was operational.

The last site inspection was done in 2013 and at that time NRW were informed that due to personal reasons the site was not operating as a permitted site accepting End of Life Vehicles.

As a result the site has been considered to be non-operational for the last few years and as a result site inspections have not been necessary.

Upon arrival at site I met David Neil. I was informed that the site still was not operational for the same reasons above. I also met David Neil's son, Wayne. Wayne has recently moved back to the site and the current intention is for him to take over the running of the permitted site in the next 6 to 12 months.

Wayne indicated that he may not continue accepting ELVs to site and will likely look at dealing with waste metals instead.

The environmental permit currently only allows the site to accept and treat End of Life Vehicles. If the site intends to no longer carry out this activity then depending upon the actual activities to take place on site there will be a requirement for a different type of authorisation. This could either be registration of a low risk waste exemption or a variation of the current permit.

As mentioned on site, you should contact NRW as soon as you are certain of what activities you intend to do. If the permit needs to be varied this can take up to 4 months assuming we receive all the relevant information. We can arrange to come back to site to discuss the permit applications and plans once you have decided.

During the discussion the need for a technically competent person was mentioned. All waste operations require a suitable qualified person to at least oversee some of the operations on site. This is a requirement of your environmental permit. If you require further information on this you can visit the WAMITAB website at - <http://www.wamitab.org.uk/pg/competence>

Waste Returns

Even though the site is not operational waste returns should still be submitted. If no waste is being accepted onto the site or being sent off then these waste returns should indicate this, i.e. nil returns.

I have checked our records and have found no evidence that any waste returns have been submitted to NRW.

G4 - Monitoring and records, maintenance and reporting - Reporting and notification - Permit Condition 6.1.1 - CCS Cat 4

Permit Condition 6.1.1 refers to the need to submit a summary of waste types and quantities accepted and removed from the site for each financial year. These should be submitted to us within 1 month of the end of the year.

As no waste returns have been received by NRW a CCS cat 4 breach has been applied. **Please submit waste returns for both 2015/16 and 2016/17 by the 17th November 2017.**

All waste returns should be submitted using the electronic forms where possible. I will email a copy of these forms to you. The waste returns need to be submitted to Natural Resources Wales (NRW) at waste.returns@naturalresourceswales.gov.uk

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If you have any questions regarding any of the above please contact me. You can either phone me on 0300 065 3806 or email me at Andrew.r.sowerby@naturalresourceswales.gov.uk.

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EPR Compliance Assessment Report

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Site	David Neil	Permit Ref	QP3194FY
Operator/Permit holder	William David Neil	Date	24/10/2017

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.

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			
G4	C4	Submit waste returns for the 2015/16 and 2016/17 financial years	17/11/2017

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.