

Compliance Assessment Report

Report ID:
CAR_NRW0031870

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

Site	Copart U K - Prince William Avenue		Permit Ref	WP3394FG	
Operator/Permit holder	Copart U K Ltd				
Regime	Waste Operations				
Date of assessment	29/06/2017	Time in	13:25	Out	15:00
Assessment type	Site Inspection				
Parts of the permit assessed	Specified by permit; Plant and equipment; Staff Competency/training; Management system and operating procedures; Storage handling, labelling, segregation; Site Diary; Reporting and notification				
Lead officer's name	White, Steven				
Accompanied by	Lang, Vanessa				
Recipient's name/position	David Clements/ TCM	Date issued	04/08/2017		

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	C3	1.1.1, table 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)	4
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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:

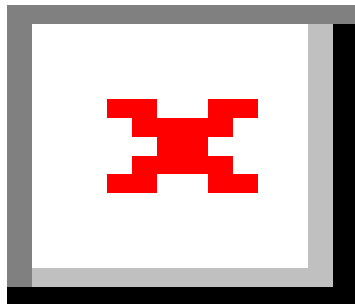
- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details 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

This was an unannounced inspection carried out by new regulating officer for the site - Steven White - and Vanessa Lang, TCM for Copart (David Clements) was not on site at the time of the inspection but officers were accompanied during the visit by Yard Manager Gareth Evans.

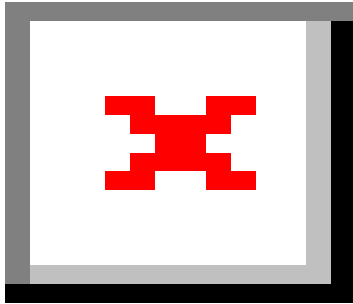
Officers went to the permitted area of the yard where the tyre stores, burnt out vehicles, depolluted and undepolluted vehicles are kept prior to depollution and crushing.

There were approximately 20 cars waiting to be depolluted on the edge of the yard and approximately 30 cars stored in the centre of the yard. The crusher was on site at the time of the inspection, the crusher is on the yard once a month.

The vehicles in the centre of the yard were checked to make sure that they were fully depolluted prior to being crushed, there were some fluids still visible in some of the vehicles including screen wash and coolant (see photos below)



Coolant visible in vehicle

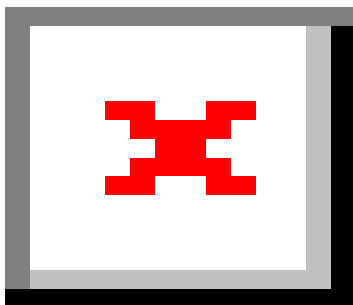


Screen wash visible in vehicle

The fluids observed was brought up to Gareth during the visit who said that sometimes the screen wash cannot be seen until the engine is removed and that the prong used to remove the screen wash is not long enough to reach the bottom of the reservoir on some models. The part of the EMS for the site regarding screen wash states that 'The pipe placed in the reservoir has to be long enough to reach the bottom of reservoir'. The removal of screen wash is part of the depollution process - if it is observed to still be in the reservoir after the engine has been removed then the vehicle must be taken back into the depollution bay and fully depolluted. This is the same for all fluids to be removed from the engine as part of Article 6 and 3 of the ELV Directive.

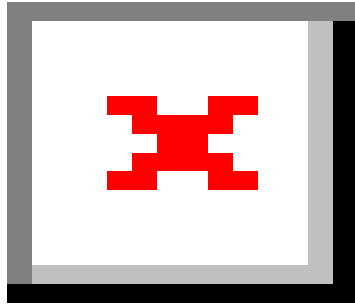
During the checks of the depolluted vehicles it was observed that all of the vehicles that we were able to gain access to (approx. 10 were checked) had not had their shocks drained. This was because the equipment for draining the shocks had been damaged, the prong had bent from use on heavier-duty shocks. Gareth was advised that the vehicles should not be crushed before they were fully depolluted.

The depollution area was then checked, with only one of the rigs was being used at present, the short prong for the screen wash was shown to us and advice was given about moving the drip trays on one of the rigs to more efficiently capture any spillages. The depollution area was tidy, contained within sealed drainage and there were no spills observed that had not been addressed by the available spill kits. The batteries were stored inside however they were stored on a pallet and not within a sealed, acid-proof box/container (see photo below), batteries need to be stored in a suitable container as stated in Article 6 and 3 of the ELV Directive.



Batteries stored on a pallet not a sealed container

After the inspection of the depollution area it was observed at 14:05 that the crusher was operational and was in the process of crushing the ELVs in the centre of the yard (see photo below). I requested that Gareth stop the crushing immediately as the vehicles were not fully depolluted, Gareth went to the crusher and it stopped operating at 14:15.



Crusher operational in the yard with cars being put inside.

Officers then went into the office to check the site diary and waste transfer notes, the waste transfer notes for waste removed from site were in order but they need to include the Hazardous Waste Producer 'Premises Code' for the site (this is CAA940, and runs out on 29/01/2018) at present there was an address stamp on the part of the form where the Premises Code should be. This will need to be changed so that the site premises code is included on future transfer notes.

During a check of the visitors log it was observed that the TCM for the site (David Clements - who has recently moved roles within the company) was not listed in the visitors log as being on site. Gareth Evans said that he normally is on site once a week, usually on Friday afternoons, and may have signed in on the workshop diary in the depollution area. We then went back to the depollution area to check the workshop diary, on checking the diary it was confirmed that the TCM was on site once a week. Permit Condition 1.4.4 states that the TCM shall be in attendance on site for a minimum of 30% of the operational hours of the site, during the checks of the site diary we were unable to ascertain whether the TCM had met this requirement. If the current TCM is unable to adhere to these conditions (due to moving roles within the company) then it would be worth Copart training another member of staff to the appropriate WAMITAB qualification so that there is the correct TCM attendance on site.

Whilst we were checking the site diary it was observed at 14:35 that the crusher was operational again with the undepolluted vehicles being crushed after we had expressly advised that they only be crushed once fully depolluted. As the equipment for draining the shock absorbers had not been fixed in this time these vehicles were being crushed with the fluids still in them. On this occasion officers insisted that the work stop immediately and not continue until the vehicles had been fully depolluted, and not just until officers were out of sight/off site. This practice goes against Article 6 and 3 of the ELV Directive that the site should be adhering to as well as permit condition 1.1.1 (table 1.1) 'Vehicles and vehicle parts drained of all fluids prior to crushing'. This is unacceptable and has been scored as a C3 breach of the above permit condition. Scores for the storage of batteries on a pallet (and not a sealed, acid-proof container) and the crushing of undepolluted vehicles (screen wash, coolant, shock absorbers) have been consolidated into one (C3) score under the same permit condition (1.1.1, table 1.1).

With the three depollution rigs on site there should be three separate pieces of each depollution kit, so as only one rig was being used the other rigs' kit should still be functional if there was an issue with part of the depollution kit. If there were breakages/malfunctions to any of the kit this should have been noted and addressed during the daily checks of the equipment and subsequently logged for the machinery to be fixed or replacements to be ordered. Having inadequate or broken depollution kit is an unacceptable reason for not depolluting vehicles fully prior to crushing, if they are not fully depolluted they should not be crushed.

It could be worth Copart looking into investing in a number of pieces of depollution kit (i.e. machine for shock absorbers/prong for screen wash) in case one breaks down/found to be ineffective - this would mean that the depollution of the vehicles would still be carried out whilst the old kit is fixed/replaced. If depollution kit is broken/damaged then any vehicles that have not been depolluted fully must not be crushed; as was observed during this inspection.

Thank you for your time during the inspection, please find my contact details below.

Regards

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031870**

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

Site	Copart U K - Prince William Avenue	Permit Ref	WP3394FG
Operator/Permit holder	Copart U K Ltd	Date	29/06/2017

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.

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			
A1	C3	Only fully depolluted vehicles should be crushed, if equipment is broken or inadequate then the vehicles are not to be crushed until the defective equipment is fixed or replaced and vehicles fully depolluted	29/08/2017

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.