

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0031448**

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

Site	The Old Transport Yard	Permit Ref	XP3694FN			
Operator/Permit holder	Mr M R Jackson					
Regime	Waste Operations					
Date of assessment	16/02/2017	Time in	11:10	Out	12:10	
Assessment type	Site Inspection					
Parts of the permit assessed	Management system and operating procedures; Storage, handling, labelling and segregation					
Lead officer's name	White, Steven					
Accompanied by	Haider, Mefty					
Recipient's name/position	Mike & Steve Jackson/ Directors	Date issued	18/05/2017			

### 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 (of Permit); 4.2, 4.3 (of Working Plan)
C2 - General Management - Management system and operating procedures	C3	2.2.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.4.1

**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.

<b>Number of breaches recorded</b>	<b>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>12</b>
------------------------------------	----------	---	-----------

**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, who was accompanied by Environment Officer Mefty Haider. Mike Jackson was not on site at the time of inspection, Steve Jackson was on site but did not accompany officers during the visit.

The ELV storage area was inspected during the visit, this area of site does not benefit from an impermeable surface with sealed drainage therefore all ELV's stored here need to be fully depolluted. Approx. 20 ELVs stored on permeable ground were inspected at random and most were found to be not fully depolluted containing fluid including; engine oil, coolant, hydraulic oil, and screen-wash. Some vehicles checked also still contained their batteries.



Engine oil and fluids observed in (separate) vehicles



Oil filter and battery observed in (separate) vehicles

The vehicle breaking area is the only area, other than the indoor depollution area, within the permitted site that benefits from an impermeable surface with sealed drainage system. During the inspection of this area it was observed that vehicles ready to be broken by the new equipment on site had not been fully depolluted and still contained fluids. An engine was observed that had been removed but still had power-steering fluid visible in the

engine (see photos below).



Removed engine in vehicle breaking area with power steering fluid still in

#### **A1 Permitted Activities: Specified by permit**

Permit Condition 1.1.1(a): The operator shall manage and operate the activities... in accordance with a written management system that identifies and minimises the risk of pollution.

- Working Plan condition 4.2 states that 'engines shall be carefully drained of residual oil'; there were a number of vehicles checked that still had oil observed in the engine (see above photo)  
Working Plan condition 4.3 states that 'vehicle batteries shall be carefully removed and stored in a skip'; a number of vehicles checked had not had the batteries removed (see above photo)

**Action:** Ensure that all ELVs stored on permeable ground are fully de-polluted. Any ELV's still containing hazardous material should be stored on an impermeable surface with sealed drainage. **Action by: 30th June 2017**

A score of C3 has been applied to this permit breach.

#### **C4 General Management – Storage, Handling, Labelling and Segregation. Schedule 5 of ELV Directive 2003. CCS Score C3.**

Permit Condition 2.4.1: The storage (and temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End of Life Vehicles Directive

**Action:** Ensure that all ELVs stored on permeable ground are fully de-polluted. Any ELV's still containing hazardous material should be stored on an impermeable surface with sealed drainage. **Action by: 30th June 2017**

A CCS score of C3 has been applied to this permit breach.

#### **C2 General management - Management System and Operating Procedures**

There were a number of vehicles stored outside the permitted boundary (4x large vans, 3x small vans, 3x cars) one of the larger vans (pictured below) was obviously an ELV as there were no doors, wheels and it was in such a state of disrepair that it could not be considered as anything other than a waste vehicle.





Waste vehicle stored outside permitted boundary

Condition 2.2.1 of the site permit states 'The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

As the vehicle was stored outside the site boundary a CCS score of C3 has been applied for this breach.

**Action:** You must ensure that all ELV's are stored within the permitted boundary; all undepolluted waste vehicles must be relocated into the permitted site boundary. **Action by: 30th June 2017**

The sites oil interceptor is located adjacent to the entrance gate, at the time of the visit two vehicles (a black Mercedes and a Land Rover Freelander) were observed on top of the interceptor (see photo below). This would make it very difficult for the interceptor to be regularly checked and maintained, and emptied if required.



Cars stored on the site oil interceptor

Please ensure that the interceptor is easily accessible at all times, any vehicles stored on top are removed and that records of checks and maintenance are retained for inspection by regulatory officers and recorded in the site diary.

The site Environment Management System is due to be updated as the most recent version in the site file is from 1993, the NVDA is working with MR Jackson to formulate a new EMS for the site. An update on progress on the new EMS will be followed up in the next inspection after 30th June 2017.

It was concerning to note that there were so many un-depolluted ELV's stored on permeable hardstanding areas during the inspection, despite this issue being brought to your attention during previous inspections (inspection carried out on 18/05/2016). Please ensure that the non-compliances identified above are addressed accordingly, to the timescales agreed. A further inspection will be carried out after 30th June 2017 to check compliance.

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](mailto: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\_NRW0031448**

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

Site	The Old Transport Yard	Permit Ref	XP3694FN
Operator/Permit holder	Mr M R Jackson	Date	16/02/2017

### 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			
C4	C3	Ensure that all ELVs stored on permeable ground are fully de-polluted. Any ELV's still containing hazardous material should be stored on an impermeable surface with sealed drainage	30/06/2017
C2	C3	All waste vehicles must be stored within the site permitted boundary	30/06/2017
A1	C3	All vehicles must be fully depolluted prior to being stored on the hardstanding area. Updated EMS for the site is required	30/06/2017

## 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](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.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.