

Compliance Assessment Report

Report ID:
CAR_NRW0023750

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	18/05/2016	Time in	12:00	Out	12:55	
Assessment type	Site Inspection					
Parts of the permit assessed	As below					
Lead officer's name	Twiss, Rachel					
Accompanied by	Haider, Mefty					
Recipient's name/position	Mike & Steve Jackson/ Directors	Date issued	26/07/2016			

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
B4 - Infrastructure - Containment of stored materials	O - Suspended	2.4.1
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	O - Suspended	1.1.1
D1 - Incident Management - Site security	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	

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.

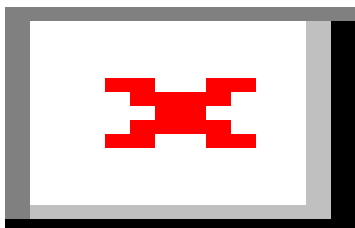
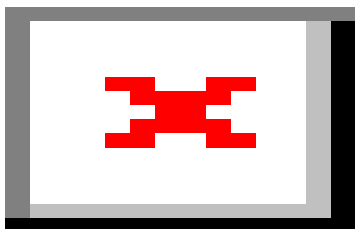
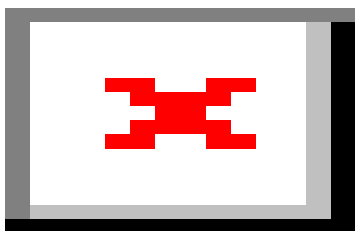
Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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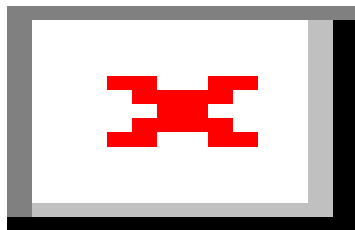
If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

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



**Visit report/comments:**

This was a routine site inspection/audit carried out by Rachel Twiss as the recently appointed inspecting officer, accompanied by Mefty Haider. The weather was fair. We were accompanied by Mike Jackson for most of the inspection.

Observations:

The site was quite untidy with a large amount of ELVs on site. Some un-depolluted ELVs were being stored on hard-standing.

The concrete area suitable for storing un-depolluted vehicles on was confirmed to be three cars deep by nine cars wide. Many un-depolluted cars were stored outside of this area due to this area being full.

During my inspection the following breaches were observed:**B4 - Containment of stored materials - CCS score 3**

This breach is in relation to permit condition 2.4.1 - Technical requirements - Vehicle depollution and dismantling

The storage (including temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End of Life Vehicles Directive. Condition 1a, Part 2 of Schedule 5 of the ELV Regulations 2003 requires un-depolluted and part de-polluted vehicles shall be stored on an impermeable surface. During the inspection some vehicles were found to have un-deployed airbags and fluids present, stored on a permeable surface. This breach has been recorded previously so on this occasion the score is being suspended and a deadline to get this issue rectified is being given of 14th October 2016.

C2 - Management - Management Systems & Operating Procedures CCS score C3

This breach is in relation to permit condition 1.1.1(a) which requires the operator to manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.

Although this issue has been addressed to a certain extent you are still required to update your EMS to reflect operation on site. Please note the points and recommendations made by Mefty Haider in an e-mail to Alun Jones on 9th June 2016. A good start has been made, however this needs to be built on further by considering the following points:

- Risk of pollution from site activities e.g. potential of leaks/spills of oil from ELVs/storage tanks etc. (source) – leaked oil entering ground/surface water drain etc. (Pathway) – leaked oil entering ground water/surface water etc. (Receptors). This needs to be done for all activities involving handling, treatment, transport and storage of waste.

- How any risks that has been identified will be managed? You have already mentioned all ELVs will be checked prior acceptance. That's an example of step taken to reduce leaks/compliance with permit condition making sure non-permitted waste accepted etc.
- Need to mention what the site is permitted to do (e.g. waste acceptance, treatment, storage etc. & how the site will ensure they comply with the permit)
- Who is the nominated Technically Competent Manager (TCM) for the site and how often they will be on site etc.
- Plant maintenance and breakdown - what will the site do if major plant breaks down? Will there be preventative routine maintenance carried out? Etc.
- Fire risks – are there any fire risks? What are they? Is there a fire plan? How will risks be minimised etc?
- Site security
- Spill kit – Explain how and when spills will be cleaned up.

Hazardous Waste Regulations – Premises notification requirements

Within Wales, under the Hazardous Waste Regulations if you produce or store over 500kg of hazardous waste per year at your premises, the premises are required to be registered with Natural Resources Wales unless exempt.

Recently within England, changes have taken place regarding the requirement to register premises. Please note that these changes are within England only, the requirement of premises registration within Wales has not changed and remains the same.

You may already be aware of this requirement and your premises may already be registered with Natural Resources Wales, however if not, you may wish to consider if your premises should be registered. In order to establish this and for details on if your premises maybe exempt a detailed guidance document titled 'Do I need to notify my premises? – A guide to the Hazardous Waste Regulations' is available via our website www.naturalresourceswales.gov.uk and by using the following file path 'Apply for a permit' > 'Waste' > Register as a producer of hazardous waste'.

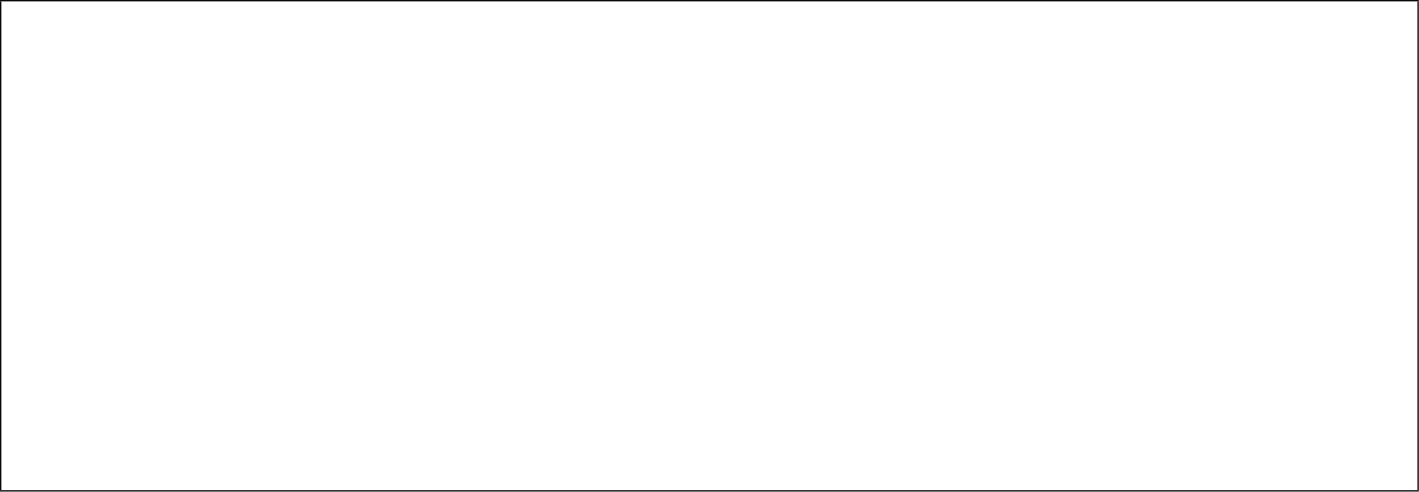
Should you need to register your premises, details of how to do this can also be found via our website using the file path above.

Many thanks for your time on site.

regards

Rachel Twiss - 0300 065 3894

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

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CAR_NRW0023750**

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Site	The Old Transport Yard	Permit Ref	XP3694FN
Operator/Permit holder	Mr M R Jackson	Date	18/05/2016

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.

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.

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			
C2	O	Update as advised	14/10/2016
B4	O	Stop storing un-depolluted vehicles on hard-standing	14/10/2016

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 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.