

Compliance Assessment Report

Report ID:
CAR_NRW0032548

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

Site	Road Runners	Permit Ref	YP3394FT			
Operator/Permit holder	Steve Gibson					
Regime	Waste Operations					
Date of assessment	03/11/2017	Time in	10:30	Out	10:40	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted area and permit itself					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by	Starks, Madeleine					
Recipient's name/position	Steve Gibson/ Owner	Date issued	30/11/2017			

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	
B2 - Infrastructure - Closure and decommissioning	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

The site inspection was undertaken without any prior notification to the site. Environment Officers Andrew Sowerby and Madeleine Starks attended.

Upon arrival at the permitted site it was immediately noticed that the site was empty and there were no waste cars on site. All site operations, both waste and otherwise, had left site and were no longer being carried out. The site was therefore no longer operational.

As we drove away from site along River Lane towards Chester we observed that Roadrunners had moved down the road to another site. We therefore decided to visit to get an update on the permitted site. Met Steve Gibson who said that they they had no stopped all ELV depollution activities. Intend to carry out Vauxhall repairs at the new site and sell off all remaining parts he still has in storage. No waste cars will be accepted at site and no waste cars will be depolluted.

The permitted area is currently in the process of being taken over by Lock Stock Storage.

Surrendering Your Permit

I've included links to documents that you will need to surrender the permit. If, for any reason, these don't work, please let me know.

The cost to surrender is often based upon your sites OPRA score (which is based upon complexity, location, emissions and performance). However, as you have an A19a permit (waste motor vehicle facility <2,500 tonnes per annum) this should not apply. These permits were put in place when the ELV Regs came in for sites which were operating under the old paragraph 45 exemption. A19a permits have fixed fees and are treated as Tier 2 permits.

Environmental Permitting Charging Guidance - <http://naturalresourceswales.gov.uk/media/682401/environmental-permitting-charging-guidance-2017-18.pdf>

A full surrender of your permit as an A19a site is £3588 (page 39 of our charging guidance).

However, if you can confirm that an intrusive investigation is not needed in line with Box 1 of the H5 guidance (Site Condition Report - guidance and templates, version 3, published April 2013) then you may be able to apply to do a low risk surrender application. This would cost £2,532.

You must bear in mind that all the costs above are for this year only and from April 2018 they may change.

H5 Guidance - <http://naturalresourceswales.gov.uk/media/1213/site-condition-report-template.pdf>

In order to apply for the surrender you will need to complete the forms found at the link below.

Surrender Application Forms - <http://naturalresourceswales.gov.uk/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-waste-permit/?lang=en>

The statutory determination period to process a surrender application is three months from the point we receive all the information we need. Obviously we will try to process any applications we receive quicker than this if possible.

If you have any questions please contact me.

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EPR Compliance Assessment Report

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Operator/Permit holder	Steve Gibson	Date	03/11/2017

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.

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			

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.