Compliance Assessment Report

Report ID: CAR_NRW0025272

This form will report compliance with your permit as determined by an NRW officer					
Site	Waterston Car Breakers	Permit Ref	WP3298FZ		
Operator/Permit holder	Phillip Horrocks				
Regime	Waste Operations				
Date of assessment	09/08/2016	Time in	10:00	Out	10:45
Assessment type	Audit				
Parts of the permit assessed	ELV operation				
Lead officer's name	Ellar, David				
Accompanied by	Davies, Gareth				
Recipient's name/position	Phillip Horrocks/ Operator	Date issued	16/08/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	1.2.2
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	3.1.2
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	C3	2.1
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	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	3	Total compliance score (see section 5 for scoring scheme)	12

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

Mr Horrocks accompanied the officers during the visit.

Whilst there was still a significant number of vehicles present the site appeared to be more organised and better managed than on my previous visit.

Impermeable Pavement:
The site has a large concreted area and a treatment pad. Maintenance of the pad seems to be an ongoing issue as cracks and damage to the pad often need to be repaired. Damage to the pad is most obvious on the section where the tracked machine operates. This is also the area where the pad should be at its best as this is where engines and axles are removed from the ELV's. Any break in the concrete may lead to issues with its impermeability and create a pathway for pollution. This is also a breach of condition 3.1.2 of your permit and has been marked as a category 3 breach. Mr Horrocks explained that improvement works to the area are planned and the concrete will be replaced/repaired in the near future. Mr Horrocks agreed these works would be carried out during the Autumn and we would be able to see a real improvement by our next visit.



Storage of ELV's:
Non de-polluted (End of life vehicles which have not been through the de-pollution process - removal of fluids etc...) ELV's were found to be stored on the hard standing area (gravel) and not the impermeable pavement (concreted area). All un-depolluted ELV's must be stored on the concrete pad. This is a breach of Condition 2.1 of the permit which states that 'a maximum of 100 vehicles stored on an impermeable pavement with sealed drainage at any one time'. This has been marked down as a category 3 breach.

De-pollution of ELV's:
Inspection of several de-polluted ELV's that had been through the de-pollution process were found to still be containing oil. The dipsticks were removed and residues of oil could be seen. This issue was highlighted to Mr Horrocks during the visit and he informed me that he would look into the issue and improve the depollution process. This has been marked as a category 3 breach. Please carry out further checks to the depolluted ELV's and remove any oil residues found to be remaining in the de-polluted ELVs.

TCM (technical competent management) Requirement:
The site has no TCM or Certificate of Technical Competence (TOTC) holder. This is an ongoing issue that has been raised at several of the previous visits. Mr Horrocks informed us that his brother would now be doing the Waste Management Industry Training and Advisory Board (WAMITAB) qualifications but was unclear of what qualification he required.
To ensure you gain the correct qualifications I advise you to contact WAMITAB directly:
By Phone on: 01604 231950
By Fax on: 01604 232457

By Email: info.admin@wamitab.org.uk
Web: http://www.wamitab.org.uk/
You will need to speak them and explain that you run a medium risk waste site, explain that you are an Approved Treatment Facility (ATF) and deal only in ELV's. They will be able to inform you of which qualifications you require and give advice on how to gain them.

Ends.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0025272**

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Operator/Permit holder	Phillip Horrocks	Date	09/08/2016

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.

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			
B1	C3	The impermeable pad (concreted areas including treatment pad) needs repair.	01/12/2016
A1	C3	All fluids must be removed during the depollution process. Please inspect the depolluted ELVs to ensure they have all be correctly depolluted and put measures in place to improve the depollution process.	01/12/2016
C2	C3	All un-depolluted ELVS must be moved to and stored on the concreted area.	01/12/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.