

	EPR Compliance Assessment Report	Report ID: 37220/0225138			
This form will report compliance with your permit as determined by an NRW officer					
Site	Queensferry Car Breakers		Permit Ref	37220	
Operator/ Permit holder	Bennet Emma				
Date	14/11/2014	Time in	14:00	Out	14:36
What parts of the permit were assessed	Part - see below				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Emma Bennet				
Officer's name	Mefty Haider, Catherine Keily		Date issued	26/11/2014	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	C3	Table 2.1
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	C3	Part 2, 2b of Sch 5 of ELV Regs 2003
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C3	7.2.2, WP 3.4.5
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	12
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

An accompanied site inspection was carried out with the site operator. Site appears to be very busy with a number of new stock ELVs on site. Operator has started to upload site documents such as waste transfer notes etc. To DropBox (cloud) ensuring documents are available for inspection. During the inspection the following non-compliance with permit conditions was observed, which is detailed below:

B1/ Infrastructure - Engineering for Prevention & Control of Emissions (permit condition Table 2.1)

Briefly permit condition Table 2.1 states hardstanding areas shall remain even; not be subjected to settlement and rutting; shall have sufficient durability to allow cleaning and shall remain free of standing water. Operator recently carried out some repair works on the hardstanding areas.

Regulating officer believes the repair works was not adequate as the hardstanding areas remains to be uneven and contains large standing pools of water. Recently there has been some wet weather in the area however, at the time of the visit weather was dry and sunny. From past experience officer is aware the Hardstanding areas do not drain freely and large standing pools of water becomes a semi-permanent feature of the site for most part of the year. This is a breach of permit condition and poses a risk of pollution to both surface and ground waters and including land. Operator needs to carry out adequate maintenance of the hardstanding area in order to address this prolonged non-compliance with permit condition.

Site has received a CCS score 3 for this non-compliance with permit condition.

C4/ Management - Storage, Handling, Labelling & Segregation (Part 2, 2b of Schedule 5 of ELV Regulations 2003)

At the time of the visit a number of oil contaminated parts (mainly engine blocks) were stored out in the open on impermeable surface benefitting from sealed drainage system. Part 2, condition 2b of Schedule 5 (ELV Regulations 2003) requires oil contaminated parts to be stored in sealed containers. This is because oil contaminated parts stored in the open will get washed with rain water, producing oil contaminated surface water. There is an oil interceptor in place, which should capture the oil content of the polluted surface water. However, the purpose of the oil interceptor is to prevent/minimise the risk of a pollution incident during and accident or emergency and not to be used as a drip tray. Operator stated she intends to install a wooden frame that will be covered with tarpaulin where oil contaminated parts will be stored in the future.

In the mean time please ensure oil contaminated parts are stored in suitable containers with cover.

Site has received a CCS score 3 for this non-compliance with permit condition.

G4/ MRMR - Reporting & Notification to NRW (permit condition 7.2.2, Working Plan 3.4.5)

During the previous inspection carried out on 18/09/2014 it was highlighted to the operator that the waste return data submitted to NRW to date is incomplete, inaccurate and unreliable.

Operator was to re-submit the data by 31/10/2014 but no action taken by operator to date. While on site operator stated she will discuss the matter with her consultant as soon as possible.

Site has received a CCS score 3 for this non-compliance with permit conditions.

Should you need to discuss this report or any other issues please contact Mefty Haider the regulating officer on **03000 653696**.

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



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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
B1	C3	NRW may now consider appropriate enforcement action against this non-compliance with permit conditions	N/A
C4	C3	Ensure oil contaminated parts are stored in suitable containers and under cover	19/12/2014
G4	C3	NRW may now consider appropriate enforcement action against this non-compliance with permit conditions	N/A

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.