

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0026533**

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

Site	Phoenix Metals And Colin Davies Non-ferrous Metals	Permit Ref	ZP3094FM			
Operator/Permit holder	Alwyn Davies & Colin Davies					
Regime	Waste Operations					
Date of assessment	10/08/2016	Time in	10:45	Out	11:35	
Assessment type	Site Inspection					
Parts of the permit assessed	As below					
Lead officer's name	Thomas, Rhys					
Accompanied by						
Recipient's name/position	Jackie Critchley/ TCM	Date issued	23/12/2016			

### 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	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C4	2.4.1
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.

<b>Number of breaches recorded</b>	<b>1</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0.1</b>
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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

Site inspection carried out by Environment Officer Rhys Thomas. Purpose of inspection was in response to an incident report received of an oily substance in a nearby drainage ditch, near the entrance to the abattoir next door. The substance appeared to have discharged for an outlet pipe which drains from the industrial estate, however discharge from the pipe appeared to be clear at time of inspection. Investigations were carried out on site with a site operative during the visit and the site interceptor appeared to be in working order. No other sources of oil/fuel spillage were identified around the site.

A brief site inspection was carried out. The following non compliance was noted during the visit:

### **C4 - General Management - Storage, Handling, Labelling, Segregation. Permit Condition 2.4.1 CCS Score C4.**

Oil contaminated parts were not being stored appropriately within a container, were not covered to prevent ingress of rainwater, and was causing visible oil contamination on the ground, which would run into the nearby drainage gullies. It is best practice to provide appropriate containment and cover for such contaminated parts so that less oil contaminated fluid enters the site drainage system. The site's oil interceptor should be there as an emergency to prevent discharge to the environment and not be used for routing containment of oily substances. No actions appeared to be taken to contain or clean up the oil contamination on the ground beneath the parts, as detailed in the site Environmental Management System's spillage procedure.

**Action:** Ensure oil contaminated parts are stored appropriately and that any spillages or oil contamination on the ground is contained and cleaned as per procedures in Management System.

#### Observations:

Site was busy at time of inspection with a large amount of scrap metal and ELV's stored on the yard. ELV depolluting activities were taking place within the workshop. Non-ferrous metal yard also inspected during the visit. No paperwork was inspected during this visit.

If you would like to discuss anything mentioned in this report please contact Rhys Thomas on 03000 65 3765, Rhys.Thomas@cyfoethnaturiolcymru.gov.uk

#### Photograph

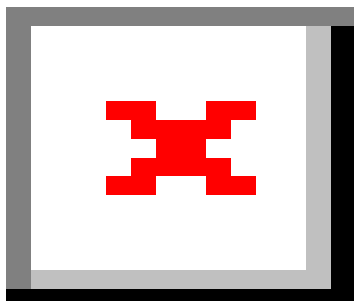


Photo 1: Showing oil contaminated parts with oil contamination on the ground.

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## EPR Compliance Assessment Report

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Operator/Permit holder	Alwyn Davies & Colin Davies	Date	10/08/2016

### 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.

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			
C4	C4	Oil contaminated parts should be appropriately stored within a container and covered to prevent ingress of rainwater	11/11/2016

## 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](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.