

Compliance Assessment Report

Report ID:
CAR_NRW0032441

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

Site	M & R Commercials Vehicle Dismantling & Recycling Facility	Permit Ref	GP3193MV			
Operator/Permit holder	T M Wiberg Limited					
Regime	Waste Operations					
Date of assessment	07/11/2017	Time in	11:00	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	Operations					
Lead officer's name	Lloyd, Cathy					
Accompanied by	Ellar, David					
Recipient's name/position	Mal Wiberg/ Operator	Date issued	11/12/2017			

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
C2 - General Management - Management system and operating procedures	X	
	X	
	C3	3.2.1
	C3	1.1.2
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.2.2

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
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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

Present

Mal Wiberg Operator M&R Commercials

Mark Wiberg M&R Commercials

Cathy Lloyd NRW

Dave Ellar NRW

Outstanding actions from previous Compliance Assessment Report

Your Environmental Management System should be updated regularly. Following the inspection in June 2017 a request was made to update the Environmental management system to show your waste acceptance procedures, identify where all waste is stored and treated.

A copy of this procedure was not received.

This is a Breach of 1.1.2 and has been scored a CCS3 under c2 Management Systems

1.1.1(a) the operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises the risk of pollution.

1.1.2 Records demonstrating compliance with rule 1.1.1 shall be maintained.

Please provide a copy of the updated management plan by the 08 January 2018. Failure to do so will result in a Regulation 36 Notice being served.

Standard Rules Set

You hold a standard rules permit 2011No3 for Vehicle Storage, depollution and dismantling (authorised treatment) facility.

These rules apply to the recovery and storage of all **waste** motor vehicles.

If a vehicle is to be broken up into parts or cut in half, it is a waste and must be depolluted. A vehicle cannot be cut in half and exported. It must be fully treated and the usable parts removed.

A new version of the standard rules has recently been published and is available on our website. The site must comply with the new terms and conditions within SR2011No3. Please ensure you, and your staff, familiarise themselves with these permit conditions.

Trade waste agreement

To discharge trade effluent into the foul sewer you must get permission from the sewerage company. Please provide a copy of your trade waste agreement with your local water company.

Vehicles on site

During the inspection the details of a number of vehicles were noted. A cradle to grave audit will be made on these vehicles.

Waste Returns

We have not received your annual waste returns for 2016. Annual waste returns should be sent in by 31 January.

This is a breach of condition 4.2.2 and has been scored a CCS3 under g4 Reporting and Notifications.

WAMITAB

Please provide a copy of the continuing competence certificate for the Technically Competent Manager for the site.

Fire Prevention Plan

One of the new permit conditions is to provide a Fire Prevention Plan. We should have received a copy of this plan by the 1 November 2017. Mark Wiberg explained that their environmental consultant was compiling the fire prevention plan. Please provide a copy of the fire prevention plan. This plan is particularly important following the major fire on your site in May 2017 and the sensitive location of the site. This breach has been scored a CCS3 under d2 Accident, Emergency and Incident Planning.

Site Drainage Report

A drainage investigation has been carried out on land in front of the site building and the area to the SW of the building. The drainage report shows the land in front of the building drains to surface water drains. The area to the SW of the building drains to the foul sewer via an oil interceptor. Please complete the drainage investigation of the whole site. This investigation may help to resolve the problem you experience with surface waters running on to the East part of your site. If we do not receive a report showing the drainage of the whole site by 8 January 2018, I will consider serving a Regulation 36 Notice.

Accident Management Plan

On the 10 August 2017 a request was made by email to provide a copy of your Accident Management Plan MS1. We have not received this plan and it wasn't available during the inspection. Please provide a copy of your Accident Management Plan by the 08 January 2018. Failure to do so will result in a Regulation 36 Notice being served.

Tyres on site

I was pleased to see that the majority of tyres are now being stored within containers. Please update your Environmental Management System to incorporate this new procedure by 08 January 2018. Please ensure you store the volumes of tyres authorised in your environmental permit. Fire damaged tyres are being stored on an impermeable surface. Please dispose of these tyres as soon as possible.

Hazardous Waste Producer Registration

Your site was registered as a hazardous waste producer (CAJ792). This registration expired on the 09 October 2017.

You must register your premises where you produce or hold more than 500kg of hazardous waste in a year. The registration lasts 12 months. You can register online using the link below or by calling our Customer Contact Centre on 03000 653000.

<https://naturalresources.wales/permits-and-permissions/waste/register-as-a-producer-of-hazardous-waste/?lang=en>

Incident reference WIRS 1702813

We are considering our enforcement response following the major Fire at your site on the 29 May 2017. Under Section 161 Water Resources Act 1991 we will seek to recover the costs of our investigation and pollution prevention equipment used. We will forward an invoice in due course detailing the costs.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032441**

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

Site	M & R Commercials Vehicle Dismantling & Recycling Facility	Permit Ref	GP3193MV
Operator/Permit holder	T M Wiberg Limited	Date	07/11/2017

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			
G4	C3	Please provide details of waste accepted and removed during 2016	08/01/2018
C2	X	Please provide a copy of your Accident Management Plan MS1	08/01/2018
C2	X	Please update your EMS to include the new procedure for storing tyres	08/01/2018
C2	C3	Please provide a copy of the Fire prevention plan	08/01/2018
C2	C3	Please update EMS to show your waste acceptance procedures, identify where all waste is stored and treated	08/01/2018

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.