

Compliance Assessment Report

Report ID:
CAR_NRW0033791

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	08/08/2018	Time in	11:00	Out	12:30
Assessment type	Audit				
Parts of the permit assessed	Site				
Lead officer's name	Lloyd, Cathy				
Accompanied by	Ellar, David				
Recipient's name/position	T M Wiberg/ Operator	Date issued	23/08/2018		

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
B4 - Infrastructure - Containment of stored materials	C2	2.4.1
C2 - General Management - Management system and operating procedures	C3	2.5.1 Table 2.5
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1 Table 2.3
	C2	3.1.3
	C2	2.3.1 Table 2.3

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	5	Total compliance score (see section 5 for scoring scheme)	101
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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 during the unannounced visit:

Mal and Mark Wiberg - M&R Commercials

Cathy Lloyd and Dave Ellar - NRW

Drainage system

The main purpose of the visit was to inspect the new drainage system that was in the process of being upgraded in June 2018. Unfortunately, upgrading the drainage system has not advanced since my last visit. During the visit in June 2018, Marc Wiberg said he would be installing a new, full retention oil interceptor located near the gate entrance. This has not been carried out and the drains that have been replaced have not been concreted over. This is unacceptable and there is a risk of pollution to ground and groundwater.

In the CAR forms dated 7/11/2017, 25/1/2018 and 5/6/2018 you have been asked to provide a trade waste agreement with Welsh Water to discharge trade effluent into the foul sewer. You have not provided this information. Damaged end of life vehicles must be stored on a sealed drainage system. A sealed drainage system means a drainage system with impermeable components which does not leak and which will ensure that:

- a.No liquid will run off the surface other than via the system;
- b.Except where they may be lawfully discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

Failure to demonstrate that you have a discharge consent from Welsh Water would mean you do not have a lawful discharge to foul, neither do you have a sealed sump. Your site therefore, does not have a sealed drainage system that is required to operate under your permit.

Condition 2.3.1 of your permit requires you to operate using the techniques and, in the manner described in Table 2.3:

Table 2.3

- 1.fully depolluted end-of-life vehicles shall be stored on hardstanding or an impermeable surface with sealed drainage system. All other waste shall be stored on an impermeable surface with sealed drainage system.
2. lead acid batteries shall be stored in containers with an impermeable acid resistant base and, unless stored under weatherproof covering, a lid to prevent ingress of water.

Non-depolluted vehicles were not being stored on a sealed drainage system. Many were damaged to such an extent that complete depollution would be difficult to achieve. **This has been recorded as a Category 2 breach of condition 2.3.1 Table 2.3 (1)** due to the risk of pollution from the storage of vehicles containing hazardous material.



Photo to show non-depolluted vehicles were not stored on a sealed drainage system. Depolluted vehicles were in the same pile as non -depolluted and other mixed waste. Vehicles were so badly damaged they would be difficult to depollute properly.

Lead acid batteries were being stored outside with no lid to prevent the ingress of water. **This has been recorded as a category 3 breach of condition 2.3.1 Table 2.3 (2)**



Photograph showing IBC's containing liquid waste and batteries inappropriately stored

ACTION non-depolluted vehicles must be stored on an impermeable surface with a sealed drainage system and as described in Table 2.3 of the permit. Lead acid batteries must be stored in a container with an acid resistant base, with a lid if stored outside.

A regulation 36 Enforcement Notice will be served to ensure compliance with these permit conditions.

Condition 3.1.3 of your permit states - all liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from primary container.

There were IBCs stored outside that contained mixed fluids from depolluting end of life vehicles. The IBCs did not have any secondary containment. **This has been recorded as a category 2 breach of condition 3.1.3.**

Action all liquids stored in containers must have secondary containment.

During the inspection, Mal Wiberg informed us that the IBCs were filled with a mixture of all liquids removed from end of life vehicles. This is a breach of 2.5.1 Table 2.5 as the permit requires the removal and separate collection and storage of liquid waste removed from end-of-life vehicles

Action liquid waste removed during the depollution process must be stored separately, in compliance with Table 2.5

Waste material was being stored adjacent to Brenntag site boundary. This area must remain clear of waste You can only store waste within the land shown edged in green on you site plan.

Action Remove all waste from land adjacent to Brenntag site boundary.

Housekeeping need to be dramatically improved on site. I was concerned to see gas cylinders

discarded all around the site and within the waste pile. Tyres were also discarded at various locations around the site, including within the depollution bay and waste piles. All the tyres in the depollution bay must be removed and stored outside. They must not be stored near your building and each stack must be adequately separated.



Photo to show one of the piles of waste containing a gas cylinder and tyres

We will be considering an appropriate enforcement response regarding this inspection.

EPR Compliance Assessment Report

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Site	M & R Commercials Vehicle Dismantling & Recycling Facility	Permit Ref	GP3193MV
Operator/Permit holder	T M Wiberg Limited	Date	08/08/2018

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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	C3	2 lead acid batteries shall be stored in containers with an impermeable acid resistant base and, unless stored under weatherproof covering, a lid to prevent ingress of water.	12/11/2018
C2	C3	collect and store liquids from ELVs separately	12/11/2018
C4	C2	Provide secondary bunding to all liquids in containers	12/11/2018
C4	C2	non-depolluted vehicles must be stored on an impermeable surface with a sealed drainage system and as described in Table 2.3 of the permit.	12/11/2018
B4	C2	Waste material was being stored adjacent to Brenntag site boundary. This area must remain clear of waste	12/11/2018

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.