Compliance Assessment Report

Report ID: CAR_NRW0032767

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	25/01/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	EMS				
Lead officer's name	Lloyd, Cathy				
Accompanied by					
Recipient's name/position	T M Wiberg/ Operator	Date issued	26/01/2018		

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
C2 - General Management - Management system and operating procedures	C3	1.1.2
	C3	1.1.2
D2 - Incident Management - Accidents, emergency and incident planning	C3	3.4.1

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

Thank you for supplying a copy of your current EMS file (2018) which contained EMS and various other documents which I will assess in turn:

Waste Returns

You presented the waste returns for 2016 on an outdated form. Waste returns should be presented on a spreadsheet which is then uploaded to us. Below is a link to the current spreadsheet which will enable you to provide your waste returns for 2017.

https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en

Hazardous Waste Producer Registration

I note your registration as a hazardous waste producer which expires 7/1/2019.

Fire Risk Assessment

You have provided a copy of a Fire Risk assessment date June 2014. Condition 3.4.1 requires a written fire prevention plan using the current relevant Fire Prevention and Mitigation Plan guidance. See link to guidance below. I understand that Joe Gately is compiling a Fire Prevention Plan. A Regulation 36 Enforcement notice will be served requiring the production of a Fire Prevention Plan.

https://naturalresources.wales/guidance-and-advice/environmental-topics/consultations/our-own-consultations-closed/informal-consultation-fire-prevention-mitigation-plan-guidance-waste-management/?lang=en

Environmental Management System (EMS)

The EMS has not been updated to explain waste acceptance procedures or the new procedure for storing tyres as previously requested.

Accident Management Plan

The accident management plan, (not referenced as MS1) you have submitted should include details of the site drainage. You are required to assess the drainage within the site marked green on the site plan. The assessment should be carried out by a suitably qualified person to determine the pathway from leaks and spillages, surface water and fire fighting water. It should include the permeability and fall of the ground, noting the drains and where they drain to. A Regulation 36 Enforcement notice will be served requiring this to be carried out.

Trade Waste Agreement

The discharge of trade effluent into the foul sewer requires permission from the sewerage

company. Please provide a copy of the trade waste agreement.

WAMITAB

Please provide a copy of the continuing competence certificate for the technical competent manager for the site.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032767**

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Operator/Permit holder	T M Wiberg Limited	Date	25/01/2018

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.

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			
C2	C3	Produce a site drainage plan	02/04/2018
D2	C3	Provide a written fire prevention plan using the relevant guidance	02/04/2018
C2	C3	The EMS has not been updated to explain waste acceptance procedure or the new procedure for storing tyre.	02/04/2018

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.