

Name of site	Clwyd Breakers Ltd	Operator / Permit holder	Clwyd Breakers Ltd	Permit ref no.	102006
Officer	Aled Zachary	Date	4/7/2011	Area / office	Wales (N) - Buckley
Activity	Vehicle depollution	Time in/out	16:20 / 17:00	Event type:	☒ Routine ☐ Incident ☐ Other
Assessment type:	☒ Site inspection ☐ Audit ☐ Check monitoring/sampling ☐ Report / data review ☐ Procedure review				
Site life status:	☒ Operational ☐ Pre-Operational ☐ Post-operational				
Which part(s) of the permit were assessed? All site, no paperwork					

Compliance assessment summary

	1	2	3	4	5	Conditions breached
a) Permitted activities	1 C3					2.3.2;
b) infrastructure	1 A	2 NA	3 A	4 A	5 C4	2.4.1;
c) General management	1 A	2 N	3 A	4 C2		3.1.1;
d) Incident management	1 A	2 N				
e) Emissions	1 A	2 A	3 A	4 NA	5 A	
f) Amenity	1 A	2 A	3 A	4 N	5 N	
g) Monitoring and records, maintenance and reporting.	1 N	2 N	3 N	4 N		
h) Resources efficiency	1 NA	2 NA				

The breaches indicated above may constitute one or more offences. You should take immediate action to rectify each breach and return to compliance. You should prevent any repetition of the breaches. Breaches of conditions as indicated above can result in criminal prosecutions and/or suspension or revocation of a permit.

NB. IF THERE IS A BREACH, ONLY ONE OF THE FOLLOWING WILL HAVE AN 'X' PLACED IN THE BOX

We will now consider what enforcement action is appropriate.	☐	At present we do not intend to prosecute you for the above offences. However, you are warned that this may change if further relevant information comes to light.	This is a site warning.	☒
			We have given you advice.	☐

Review of Directly Applicable Legislation: Key: A = Assessed, N = Not assessed, NA = Not Applicable, C1, C2, C3, C4 = CCS cat 1-4 breach.

Report delivery method:	☐ copy left on site	☐ posted	☒ emailed	☐ faxed	Date	15/7/2011
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Comments

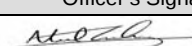
Non-compliances:

A1 - Condition 2.3.1 : The activities shall not exceed beyond the site, being the land showed edged in green on the site plan attached to the permit. Waste vehicles were noted being stored on the road between permitted Area A and Area B during the visit. Making sure all wastes are stored within the site boundary was the very first condition of the site improvement plan you agreed to. This is the second visit I have identified that waste is being stored outside the permitted site boundary. If waste vehicles are identified being stored outside of the permitted area on future visits, further enforcement action will be taken.

B5 - Condition 2.4.1 : States that the treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End of Life Vehicle Directive. Equipment for the removal of air conditioning coolants has been ordered, but has yet to be received on site. Site management anticipate this equipment will be present on site by the 07/07/11.

C4 - Condition 2.4.1: States that the storage of waste motor vehicles shall meet the requirements of article 6(1) of the End of Life vehicle Directive. This states that the storage of End of Life vehicles prior to treatment shall be on impermeable surface with sealed drainage. During the inspection a number of un-depolluted waste vehicles were still being stored on areas of permeable ground in area A of the site. It was noted that a number of these vehicles had been treated since the last visit with the shock absorbers either drained or removed, and the majority of the gross pollutants removed. However, there is still further work required to ensure storage of waste vehicles is compliant with the regulations.

Please find the attached notice for your attention, detailing what site improvements need to take place to address the above non-compliances.

Officer's Signature	 (Aled Zachary)	Recipient's name or position within company	Neil Bennett / Owner
Continuation sheet used	Yes	No of Pages	3
CCS record number		166872	

Notes to the recipient

This compliance report form may highlight non-compliance with your permit or directly applicable legislation as observed by the Environment Agency officer.

This does not relieve the site operator of their responsibility to ensure that they comply with the permit and to prevent pollution of the environment. You are also reminded that:

- you should comply with the conditions of the permit at all times
- compliance with the permit does not remove your obligation to comply with other legislative provisions which may apply.

Understanding the Compliance Assessment Summary

a) Permitted activities	1	Specified by permit
b) Infrastructure	1	Engineering for prevention and control of emissions
	2	Closure and decommissioning
	3	Site drainage engineering (clean and foul)
	4	Containment of stored materials
	5	Plant and equipment
c) General management	1	Staff competency/training
	2	Management system and operating procedures
	3	Materials acceptance
	4	Storage, handling, labelling and segregation
d) Incident management	1	Site security
	2	Accident, emergency and incident planning
e) Emissions	1	Air
	2	Land and groundwater
	3	Surface water
	4	Sewer
	5	Waste
f) Amenity	1	Odour
	2	Noise
	3	Dust/fibres/particulates and litter
	4	Pests, birds and scavengers
	5	Deposits on road
g) Monitoring and records, maintenance and reporting	1	Monitoring of emissions and environment
	2	Records of activity, site diary/journal/ events
	3	Maintenance records
	4	Reporting and notification to the Environment Agency
h) Resource efficiency	1	Efficient use of raw materials
	2	Energy efficiency

The term 'permit' for the purposes of this form includes: licences, authorisations and consents.

Understanding your non-compliance scores

Non-compliance findings are classified using our published Compliance Classification Scheme, (CCS).

This scheme categorises breaches of permit conditions based on their potential for environmental impact as shown below. If you wish to discuss further any comments made by the officer on this form, contact your local area office or for more details of the CCS scheme, see the Environment Agency's website or contact your local office.

CCS category	Description	Score
1	A non-compliance which has a potentially major environmental effect	60
2	A non-compliance which has a potentially significant environmental effect	31
3	A non-compliance which has a potentially minor environmental effect	4
4	A non-compliance which has no potential environmental effect	1

Corrective action

We have various options to ensure that you correct actual or potential non-compliance. We may

- advise on corrective actions, verbally or in writing and require you to take specific actions, by letter or by issuing a notice.
- require you to review your procedures or management systems
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit is an offence, and we may take legal action:

- We will normally provide advice/guidance to assist operators back into compliance. However, other than for a very minor offence this will normally be in conjunction with another enforcement response.
- Where we have issued a written warning this does not preclude us from taking additional enforcement action if further relevant information comes to light. Such action includes the issue of a formal caution, taking a prosecution and/or the service of a notice.

We have published our Enforcement and Prosecution Policy which seeks to achieve a consistent approach to enforcement across all our regulated activities.

Operational Risk Appraisal (Opra)

Compliance assessment findings may affect your Opra score. This score determines your charge and affects the allocation of our resources to check your compliance with the permit.

Data protection notice

The Environment Agency is responsible for regulating environmental protection, flood defence, water resources and fisheries. It has a duty to discharge its functions to protect and enhance the environment and to promote conservation and recreation. The information provided will be processed by the Environment Agency to fulfill its regulatory and monitoring functions, and to maintain the relevant public register(s). The Environment Agency 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, emergency services) 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 Environment Agency 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 Environment Agency 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 the assessment 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 the 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 manager, Area Environment Manager or Area Manager. If you wish to raise your dispute further, this can be done through our official Complaints and Commendations procedure phone our general enquiry number 08708 506506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team, alternatively you can send an email to enquiries@environment-agency.gov.uk. If, after following our Complaints and Commendations procedure, you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary Ombudsman phone their helpline on 0345 015 4033.



Comments

Observations:

Staff are now using the shock absorber depollution tool on a regular basis, but are being hampered by reliability issues with the pin that pierces the shock absorber struts. Site management noted that the pin had been replaced multiple times in the past few months and a representative from the equipment supplier was due to visit the yard to try and address the issue.