Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: 102006/0236928

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

Site	Clwyd Breakers Ltd			Permit Ref	102006	
Operator/ Permit holder	Clwyd Breakers Ltd					
Date	11/03/2015			Time in	16:10	Out 16:50
What parts of the permit were assessed	Permitted Area					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op X		Water Discharge
Recipient's name/position	Neil and Joanne Bennett					
Officer's name	Andrew Sowerby			Date issued	10/04/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	C3		2.3.1
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	A		
	3. Materials acceptance	A		
	4. Storage handling, labelling, segregation	C3		2.5.1
d) Incident management	**1**. Site security	A		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	A		
	3. Surface water	A		
	4. Sewer	N		
	5. Waste	NA		
f) Amenity	**1**. Odour	A		
	2. Noise	A		
	3. Dust/fibres/particulates	A		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	A		
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	N		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	**1**. Efficient use of raw materials	NA		
	2. Energy	NA		

KEY: **C1, C2, C3, C4** = CCS breach category **(* suspended scores are marked with an asterisk),**
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

Number of breaches recorded	2	**Total compliance score** (see section 5 for scoring scheme)	8

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Upon arrival at site I initially observed 2 cars stored in the area between areas A and B that looked to be waste ELVs. During a discussion with Neil I was assured that they were not waste and that they were in fact cars from the Cefn-Y-Bedd site that are being stored there temporarily. The cars stored at Cefn-Y-Bedd are not waste as they have been bought with the intention to repair them. Even though I have been told these cars stored between areas A and B are not waste I feel I should remind you that the storage of any waste ELVs outside the permitted area will be regarded as an offence and due to recent history will be treated very seriously.

Breach

B4- infrastructure - containment of stored materials- CAT 3 - Condition 2.3.1
Condition 2.3.1 of your environmental permit refers to Table 2.3. Within this table it basically states that all waste arising from the treatment of end of life vehicles shall be stored on hard standing or an impermeable surface with sealed drainage. During the inspection I observed that an ELV had been placed over the top of the half open drain at the rear of area A. These drains were repaired in 2013 and are part of the surface water drainage system. This part of the drainage system has been covered with a large sheet of metal. For some reason this sheet of metal was not covering the hole completely and an ELV had been stored over this open hole (see Photo 1). Your permit states that all waste should be stored on hardstanding. Storing even a fully depolluted ELV over an open surface water drain could result in any residual oil or other liquids within the ELV leaking into the drains and polluting the nearby watercourse. As a result this breach is considered a Cat 3. No ELVs should be store over an open surface water drain at any time. I was informed on site that this ELV would be removed as soon as possible. If an ELV or other waste is to be stored in this area you must ensure that the drain cover is on fully and it will prevent anything from entering the surface water drains.

C4 - General Management - Storage handling, labelling. segregation
Permit condition 2.5.1 refers to article 6(1) of the End-of-Life Vehicles Directive. This directive basically specifies that prior to treatment ELVs should be stored on an impermeable surface with sealed drainage. Therefore no undepolluted ELVs should be stored on the permeable hardstanding within area A.
An inspection of area A revealed a number of ELVS that were not fully depolluted. Random checks revealed;
- one ELV that still had an oil filter on it,
- Blue Vauxhall Corsa V883 NDM still had oil, radiator fluid and washer fluid in it. I also observed that the airbags had not been deployed or removed.
- Maroon Kia Sedona NY06 FYX still had airbags. Also when I looked through the back doors of this car I observed that the fuel pump had been removed and I could see a liquid within the fuel tank. (see photo 2 below)

I was informed on site that the ELVs highlighted would be fully depolluted immediately and that all other ELVs within area A would be checked. This was to be done first thing the following day. Due to the potential risk to the environment it is considered a Cat 3.

The application to vary your permit to take into account the new site boundary has been submitted to our permitting team. Due to the site boundary changing some work has been

required to ensure that the increased size of area B is still all impermeable and that the drainage is sealed. Some of the concreting work has been done but at the time of the inspection there was still a little left to do. I was told that weather permitting this would be done in the next week. A new bunded area will also be built next to the depollution area on area B to contain the waste oil, fuel and other liquids. Once all the work has been completed you will need to update your Environmental Management System to take into account the new layout of your site. We can discuss a deadline for this during my next visit to site.

During the inspection I mentioned the number of ELVs on site. Both area A and B seemed to have become cluttered. I have been told in the past that the intention is to try and save space within area B so that any ELVs that come to site can be stored there. At the time of my inspection area B was so full there would not have been any room for any newly accepted ELVs. This makes the general day to day management of incoming waste on site more difficult and if there is no space on site then you should not be accepting any incoming waste ELVs.

In this document, 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

Photo 1



Photo 2



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Section 3- Enforcement Response **Only one of the boxes below should be ticked**

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

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
B4	C3	No ELVs to be stored on top of the surface water manhole unless it has been sealed	asap
C4	C3	Highlighted ELVs to be fully depolluted and all other ELVs within area B to be checked	asap

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 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 which 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 fulfill 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 (e.g. 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 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 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 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 the officer's line managers. 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.