

	EPR Compliance Assessment Report	Report ID: 102006/0205412
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	27/02/2014	Time in 14:05 Out 15:30
What parts of the permit were assessed	Permitted Area and ELV Depollution	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Neil and Joanne Bennett	
Officer's name	Andrew Sowerby, Ross Briscoe	Date issued 24/03/2014

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	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	C3	3.1.1
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	N	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

The main purpose of this visit was to assess depollution of ELVs on site. To do this the visit was pre-arranged. In order to aid depollution there is a full depollution rig on site. A Vauxhall Astra R454 ATU was used for the depollution demonstration.

- Battery removed at beginning.
- Oils drained from vehicle either via sump or via suction from above. This included the brake cables being drained.
- Oil filter removed
- Engine coolant and screenwash drained from vehicle
- Fuel drained from vehicle
- Shock absorbers were drilled to be drained. However, there seemed to be no fluid within them.
- Catalyst removed
- Airbags deployed
- Wheel balance weights removed from wheels
- No air conditioning gas within vehicle. Have the equipment to drain air con gas on site.
- Holes are blocked with stoppers to prevent residual fluids leaking out.

There was no air conditioning gas in the car used to show depollution on site. The equipment needed to de-gas air conditioning units is available. The member of staff responsible for de-polluting ELVs has completed the required F-gas training. All ELVs received are checked for air conditioning gas.

Air conditioning gas is regarded to be a hazardous waste and the transfer of this waste off site should therefore be accompanied by a hazardous waste consignment note.

From my observations during this inspection the operator is aware of the ELV depollution requirements as set out within Schedule 5 of the ELV Regs.

During the inspection I mentioned a web based database called idis 2. This is a resource set up by the automotive business to help ATFs depollute ELVs safely. The access and use of this system is free of charge - www.idis2.com

Breach

B3 - Condition 3.1.1 states that " Emissions of substances not controlled by emission limits shall not cause pollution". The inspection occurred following and during heavy rainfall and as a result of this weather we observed surface water flowing out of one of the lesser used gates on Area B and into a surface water drain located on the edge of the parking area in front of the main gates to the same area. For the area to have sealed drainage no surface water should be able to leave the site. This surface water runoff was observed to have an oil sheen on it. The surface water runoff will therefore be having a detrimental effect on water quality of the local watercourse. As a result of this a CCS category 3 breach has been applied.

During the inspection we discussed the use of absorbents to try and limit the amount of oil within the surface water runoff in the short term. However, something should be done to prevent future discharges of this surface water runoff entering the surface water drain off site. I would expect to see something in place by the **25th April 2014**.

No other issues observed on site.

On the whole there have been a lot of improvements on site over the last twelve months to rectify various permit breaches. On this visit I observed that the number of vehicles on site has reduced further. This has resulted in a tidier looking site with room to store incoming undepolluted ELVs prior to depollution. The site has also started to use designated containers to store parts and the bunded area has been re-arranged and cleaned up. Checks of ELVs within areas A and C have revealed very few issues on recent visits and generally all checked ELVs have been fully depolluted.

During the inspection you suggested that you would like to arrange a meeting to discuss future plans. Please contact me when you feel ready. You should take into account that if you decide to submit any applications to us then, depending upon the application type, the determination period can take up to 13 weeks.

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

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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			
B3	C3	Prevent any future surface water runoff from area B to surface water drains located off site	25/04/2014

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.