

Compliance Assessment Report CAR_NRW0039577

Permit being assessed: WP3395FT.

For: Twyn Dismantlers Ltd, held by Caleb Griffiths

At: Fleur-de-leys, Blackwood, Caerphilly, NP12 3UL.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 04/03/2022 between 10:00 and 11:30.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: Anna Wilmshurst, accompanied by Jonathan Lee, Jak Rose.

Report sent to: Caleb Griffiths and Ashley Griffiths, Site managers on 18/03/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	3.1.2
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	C3 Minor	1.2.2
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	6.1.2

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
3	8.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
B3	Ensure that the impermeable surface is sealed such that no liquids are able to bypass the interceptors and leak onto the hardstanding. Move the IBCs into a suitable bunded storage area to comply with permit condition 3.1.2.	30/06/2022
C1	Please send Natural Resources Wales the new WAMITAB certificate when it has been received.	30/04/2022
C2	Manage site activities and infrastructure in accordance with permit condition 1.2.2. Remove material from tonne bags and skips from site in an appropriate manner by 30/06/2022 and obtain hazardous waste consignment notes	30/06/2022
G4	Submit all outstanding waste returns. Please ensure that future waste returns are submitted accurately and within one month of the end of each financial year.	30/06/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Officers Anna WILMSHURST, Jak ROSE and Jonathan LEE attended Twyn Dismantlers, The Twyn, Fleur De Lis to complete a routine compliance inspection of the permit EPR- WP3395FT on Friday 4th March 2022 between 10:00 and 11:30. Weather was sunny and dry. Officers were met by Caleb GRIFFITHS (permit holder) and subsequently met with Ashley GRIFFITHS in the office. This was a routine inspection and for new regulatory officer Anna WILMSHURST to meet site managers.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can

affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact on effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

Observations

Officers walked around the site and the following observations were made. Part of the site is on impermeable surface, and part is on hardstanding. Depolluted cars are stacked to a maximum height of 3 cars high. Depolluted vehicles are stored on the area of hardstanding.

Infrastructure and drainage – part of the site is on an impermeable surface which drains to 2 interceptors. The interceptors are serviced and emptied annually in October by Pure Clean. Part of the site is on hardstanding. Officers noted an improvement in the granular surface of the hardstanding area. However, the impermeable surface is not sealed in places around the perimeter. It is likely therefore that liquids draining off the surface will seep into the area of hardstanding, which is permeable, and potentially into the adjacent river. Depolluting of vehicles is carried out in a building. Oil drained from the vehicles is stored in containers which are labelled by type of oil. Ashley GRIFFITHS indicated that they may have a drainage plan somewhere. If you are able to locate this and submit it to NRW that would be appreciated.

Waste oil from the depollution activity was stored appropriately within IBCs in a bunded area. (see appendix photo 1), however it was noted that there were other IBCs containing oil stored around the site that were neither bunded nor on an impermeable surface (appendix photos 2 and 3). It was also noted that batteries were stored uncovered (appendix photo 4). Ashley GRIFFITHS explained that sometimes waste batteries are not stored in sealed containers as they are being sorted prior to disposal. Officers explained that batteries need to be stored in sealed containers so that they are not affected by rainfall. Batteries are to be stored in away from other wastes, in clearly marked containers that are resistant to acid corrosion, leak proof and prevent rainwater from entering if stored outdoors.

While walking round the site, officers also noted the presence of that two red skips and several white tonne bags containing contaminated soil/gravel from ground excavation of the hardstanding (appendix photo 5). This is classified as hazardous waste. Ashley GRIFFITHS confirmed that he intends to get those emptied soon.

Continuing competency – Ashley Griffiths is the Technically Competent Manager for the site. The WAMITAB certificate is due to expire shortly. Ashley GRIFFITHS told officers that was booked for W/C 07/03/22. Email from Ashley Griffiths on 07/03/22 confirmed that the test is booked for 11/03/22.

Tyres were stored in various locations around the site. In some areas, tyres were stacked in designated piles, while in other areas they were stored in mixed piles with other waste streams. Please note permit condition 5.4.1, which states that residual wastes shall only be handled and stored on site in accordance with the standards specified in table 5.4. Table 5.4 sets out the requirements for storage of wastes such as tyres (part c). Please ensure that tyres are stored in accordance with table 5.4.

Hazardous waste

The following observations were made by Jak ROSE, hazardous waste officer, as part of this compliance inspection. A red bin containing scrapings from the yard floor was present (appendix photos 6 and 7). The contents of the bin will likely contain contamination from hazardous fluids such as oils. This waste therefore needs be segregated and removed from site appropriately with a consignment note. Mixing of hazardous waste is prohibited and therefore you must not mix this with any other wastes on site.

Catalytic Converters

The catalytic converters collected by S L Recycling Ltd and Fordpad Ltd do not have a consignment note when they were collected. Catalytic converters (16 01 21*) are classified as hazardous waste and are legally required to have a consignment note when they are removed from the site.

Officers will contact the receiving sites and investigate why consignment notes are not being provided. As a producer you have a responsibility to ensure you are complying with the Hazardous Waste (Wales) Regulations 2005.

ELV's

Officers looked at the consignment notes for the collection of ELV's (16 01 04*) that were collected from Copart Ltd in Bristol by the Operator. There appears to be an incomplete Part E section for when the wastes were received at Twyn Dismantlers.

This section must be completed and sent to the consignor as receipt that the waste has arrived at site.

Please ensure completion of Part E of the consignment notes when collecting from other Businesses or other Authorised Treatment Facilities (ATF)

Waste returns

Permit condition 6.1.2 states 'A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month of the end of that year. The summary record shall be made in the format detailed in Appendix A or otherwise subsequently specified by the Agency in writing'. We have no record of any waste returns on our system. Officer Jonathan LEE sent an email to Ashley GRIFFITHS on 24/04/2019 detailing how to submit waste returns.

Permit compliance and breaches**B3 – Site drainage and engineering – Permit Condition 3.1.2**

Permit condition 3.1.2 states that 'the engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and meet the standards specified Table 3.1'. Table 3.1. stipulates the requirements for the site surface and drainage.

Officers noted issues with the drainage system, specifically that areas of the impermeable surface were not sealed around the perimeter, potentially causing liquids on the impermeable surface to leak onto the permeable hardstanding and into the adjacent river, contrary to permit requirements set out in table 3.1.

Additionally, IBCs containing oils were stored on areas of hardstanding and were not in a bunded area. Part f of table 3.1 stipulates that all tanks, skips, drums and other containers are to be stored within a bunded area with impermeable drainage, with the bunded area designed to contain 110% of the volume of the largest container or tank.

A category 3 breach has been scored on this occasion for failure to comply with the requirements of permit condition 3.1.2

ACTIONS

- Ensure that the impermeable surface is sealed such that no liquids are able to bypass the interceptors and leak onto the hardstanding

- Move the IBCs into a suitable bunded storage area to comply with permit condition 3.1.2.

A deadline of the 30th June 2022 has been given to rectify this non-compliance.

C1 – Staff competency and training – Permit condition 2.3.1 – Technically Competent Manager – Action only

Permit condition 2.3.1 requires evidence that a person has the required technical competence. Ashley GRIFFITHS is due to take a continuing competency test on 11/03/2022.

ACTION: Please send Natural Resources Wales the new WAMITAB certificate when it has been received. A deadline of the 30th April 2022 has been set for this action.

C2 – Management systems – Permit Condition 1.2.2 – Inadequate site management

Permit condition 1.2.2 states that 'storage and treatment of waste motor vehicles shall meet the requirements of Schedule 5 of the ELV Regulations. Infrastructure and equipment provided to meet these obligations shall be maintained in working order and shall be used to give effect to their purpose'.

The following observations of non-compliance with permit condition 1.2.2 were noted during the inspection:

- Some depolluted vehicles stored on the area of hardstanding had not been completely depolluted. Only vehicles which have been completely depolluted may be stored in this area.
- Skips and tonne bags containing hazardous waste from yard scrapings were present, which had been noted in a previous site inspection in 2019. They must be classified correctly, please ensure you refer to relevant guidance such as Technical Guidance WM3.
- Some batteries removed from ELV's were not being stored within an appropriate and labelled container
- Overall, general site housekeeping was poor. Parts from dismantled vehicles were stored in mixed, disorganised piles. Various containers storing oils and other hazardous waste were found in various locations across the site and were not stored appropriately. ELVs and scrap metals were being stored right up to the boundary with the river, where there is a steep bank.

You have been scored a further Category 3 Breach of permit condition 1.2.2 for failure to manage site activities and infrastructure in accordance with Schedule 5 of the ELV Regulations 2003.

Actions:

- Manage site activities and infrastructure in accordance with permit condition 1.2.2.
- Remove material from tonne bags and skips from site in an appropriate manner and obtain hazardous waste consignment notes

A deadline of the 30th June 2022 has been set to rectify this non-compliance.

G4 – Reporting and notification to Natural Resources Wales – Permit condition 6.1.2 – Waste returns

Permit condition 6.1.2 requires the operator to submit an annual summary record of the waste types and quantities accepted and removed from the site within one month of the end of each financial year. This information should be submitted to NRW by means of an annual waste return. We do not have any records of waste returns submitted since 2013. A Category 4 breach of permit condition 6.1.2 has been scored for failure to submit annual waste returns for 2013-2021. Full guidance on waste returns, including a template

spreadsheet, can be found by following the link below.

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/submit-your-waste-return/?lang=en>

Waste returns should be submitted to waste.returns@cyfoethnaturiolcymru.gov.uk.

A category 4 breach has been scored on this occasion for failure to comply with permit condition 6.1.2.

Actions:

- Please submit all outstanding waste returns. Please ensure that future waste returns are submitted accurately and within one month of the end of each financial year.
- You informed us that Pure Clean, Avonmouth emptied the interceptor in October 2021. Please can you provide consignment notes for this waste removal?
- Ensure that a premises code is assigned to outgoing wastes that are being collected. Please renew your premises registration which is due to expire on the 15 March 2022 on the NRW website.

A deadline of the 30th June 2022 has been given to rectify this non-compliance.

Appendix – site photos



Photo 1: waste oil stored in IBCs, bundled



Photo 2: waste oil stored in IBCs on hardstanding



Photo 3: waste oil stored in IBCs on hardstanding



Photo 4: batteries stored outside



Photo 5: tonne bags containing hazardous waste



Photo 6: red bin containing hazardous waste



Photo 7: red bin containing hazardous waste

Summary

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Anna Wilmshurst on 07973 781227, or via email at anna.wilmshurst@naturalresourceswales.gov.uk

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.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.