

Compliance Assessment Report

Report ID:
CAR_NRW0022690

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

Site	Llantrisant Autos	Permit Ref	BP3695FA			
Operator/Permit holder	A Griffiths					
Regime	Waste Operations					
Date of assessment	17/03/2016	Time in	10:00	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Carter, Alex					
Accompanied by	Davies, Eleanor					
Recipient's name/position	Andrew Griffiths/ Site Manager	Date issued	22/06/2016			

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	C8

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	1	Total compliance score (see section 5 for scoring scheme)	31
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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

Background

During the previous inspection on 22nd December 2016, you were found to be responsible for causing a category 2 pollution due to oil contaminated water discharging from your site. This breach of your permit highlighted serious issues with your site's infrastructure. The main issues being your drainage and your site's inability to contain and control its contaminated run-off. You were therefore asked to undertake works to prevent any future discharge to land or surface water.

Site Improvements

You have stated that you have made the following improvement to your site:

- You have prevented contaminated water leaving your site by creating a small bund at the southern end of the site.
- You have serviced your interceptor. Please could you forward me the consignment note(s) for the removal of oil/silts by 15th July 2016
- A large amount of material has been excavated around the interceptor soak-away. This was then replaced with stones to improve the soak-away's efficiency. You have informed me that this has been successful in reducing the pooling of contaminated water on the de-pollution pad. The excavated material is still present on site. Due to the nature of the site, the excavated material would most likely be classed as hazardous waste and should be disposed of as such. You have failed to inform me as to what will happen to this material. Please could you therefore give me this information by 15th July 2016.
- During my inspection on 22nd December 2015 it was apparent that oil contaminated water had run off the side of the yard and had contaminated a grass verge between the site boundary and the public footpath that runs parallel to the river. You agreed to excavate the contaminated soil and dispose of this appropriately. However, when asked you were unable to inform me as to where this material had been taken to. As this material would be regarded as hazardous, it is your responsibility to obtain a Duty of Care Consignment Note and ensure it is sent to a facility that is authorised to accept it. I would therefore again ask that you send me the appropriate paperwork for the removal of this hazardous waste by 15th July 2016.

- You have informed me that you have started the preparation work to construct an impermeable bund on the western edge of the site. Please can you update me on the progress of this work by 15th July 2016.

Site Inspection

Your site was attended by Environment Officers Alex Carter and Ele Davies on 17th March 2016 who met with Andrew Griffiths. During the inspection the following breaches were scored.

The northern side of the site was inspected. This area of land had been used to crush and store ELV's. The area consisted of some broken up concrete and some hard standing. This is in breach of Section B8 of your permit which states that:

“All areas used for storage or processing at the facility shall consist of an impermeable pavement that is able to withstand penetration by substances handled and vehicles that use the facility”

Due to the amount of contaminated water present in this area and the potential it has for further pollution of the site, this has been scored a CAT 2 breach of your Permit due to the potential for causing a significant pollution

As discussed on site, this is a very serious breach as there are potential for further significant pollution events. I asked that you take immediate action to prevent this breach from happening, either by laying new concrete or removing all waste from the affected area. You have failed to give me confirmation of what action you intend to take regarding this Category 2 permit breach. I will therefore attend the site in the near future. If no progress has been made then further enforcement action may follow.

If you have any questions of information related to the above then please contact me on alex.carter@naturalresourceswales.gov.uk or 03000 653026.

EPR Compliance Assessment Report

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Operator/Permit holder	A Griffiths	Date	17/03/2016

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.

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

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			
B3	C2	Take steps to prevent breach	15/07/2016

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.