

Compliance Assessment Report

Report ID:
CAR_NRW0033256

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	23/04/2018	Time in	13:15	Out	13:45
Assessment type	Site Inspection				
Parts of the permit assessed	Management, infrastructure & paperwork				
Lead officer's name	Dearle, Nessa				
Accompanied by	Kirsty Lewis				
Recipient's name/position	Andrew Griffiths/ Technically competent manager	Date issued	17/05/2018		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	D40
	C2	C8
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	C11
C1 - General Management - Staff competency/training	C2	D24
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F2 - Amenity - Noise	A	
F5 - Amenity - Deposits on road	A	

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	4	Total compliance score (see section 5 for scoring scheme)	70
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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

Environment officers Nessa Dearle and Kirsty Lewis completed a site inspection on the 23rd of April 2018 to assess compliance with your waste permit. The site technical manager, Andrew Griffiths was on leave at the time of the inspection, as such we completed an unaccompanied walkthrough of the site. The weather was dry at the time of inspection.

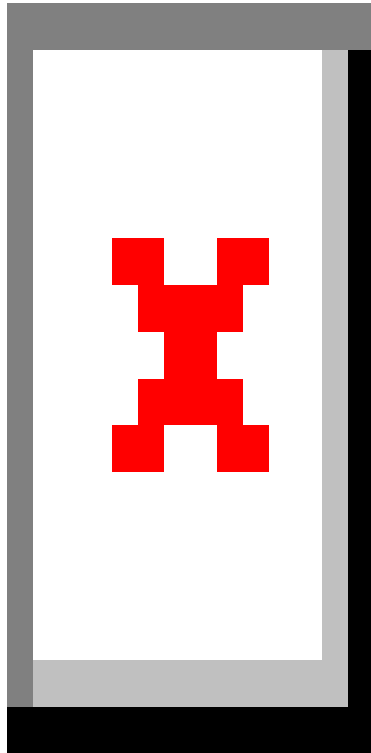
The site appeared poorly managed at the time of the inspection and it was clear that significant improvements are required to achieve compliance with your permit. Relevant breaches and advice and guidance are outlined below.

Breaches

B1) Engineering for prevention and control of emissions, Category 2 breach

Condition C8 outlines 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".

During our inspection, it was observed that waste was being stored on unmade ground to the rear of your site. The storage of car shells and end of life vehicle parts was extending beyond the sites impermeable surface. Oil contamination from these materials have caused considerable contamination of the ground in this section of your site. No drainage system is in place to contain contamination from waste and vehicle fluids in this section of the site. As the site is located beside a nearby watercourse this poses a high risk of pollution to both the watercourse and groundwater resources.



Action: The area to the rear of your will need to be completely cleared of waste, and any ground that has been contaminated by oil will need to be removed and disposed of responsibly. As all these materials will be contaminated with hazardous waste, as such you will need to ensure that the disposal of waste from this area is included in your consignee returns for hazardous waste returns.

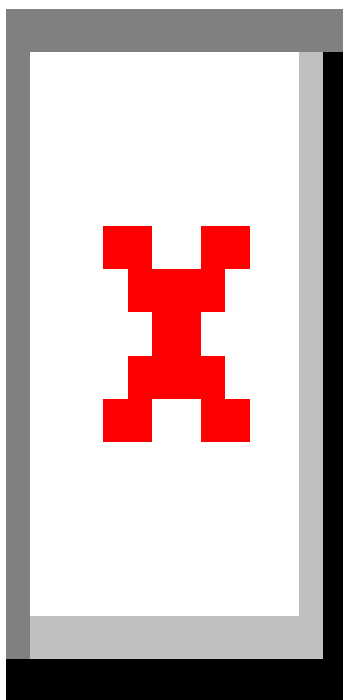
Upon clearing and remediation of this section of the site, a decision will need to be made on whether this area will be used for waste storage in the future. If you decide to use this area for storage the correct infrastructure, including sealed drainage and an impermeable surface will need to be put in place.

Otherwise no waste should be stored in this section of your site at any time. NRW requests that you have these actions completed by the 14th of September 2018.

D2) Accident, emergency and incident planning, Category 3 breach

Condition D40 outlines that “Spillages of oil or other liquids shall be cleaned up immediately. A suitable absorbent material shall be used as necessary to absorb spillage’s”.

On site it was noted that several spills could be seen around the depollution bay that had not been cleared. There was no evidence of spill kit use on site. Increased occurrence of spills on site, can put pressure on the sealed drainage system and reduce its efficiency. Your permit outlines that all end of life vehicle fluid spills must be cleared immediately.

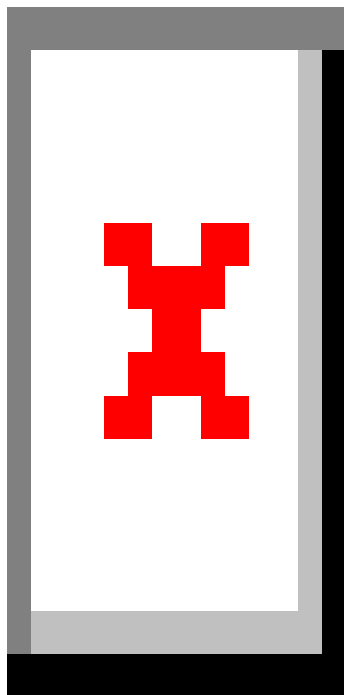


Action: Spill kits should always be made available on site. Please ensure that all spills that occur on site are immediately cleared using suitable absorbent materials. NRW requests that this action be implemented by the 13th of July 2018.

B1) Site drainage engineering (clean and foul), Category 3 breach

Condition C11 outlines that “site drainage arrangements shall be constructed and maintained so that water does not accumulate at the facility. This shall include interception of contaminated surface water and spillage’s, to prevent contamination of the drainage system, or any watercourse or ground water”. At the time of our visit, the sites sealed drainage system didn’t appear to be functioning correctly. There were apparent blockages in the system, which were preventing the oil from being adequately contained within the system. The impermeable surface around the depollution bay was also damaged and uneven.

The drainage system also appeared to have reached capacity on inspection. It was clear that the interceptor needed to be emptied. During the visit, we spoke to Mark Griffiths, who was managing the site in the absence of Andrew Griffiths, he agreed to have the interceptor emptied as soon as possible.



Action: NRW requests that all drains on site are effectively unblocked and maintained in line with your permit. NRW requests that any damaged areas of impermeable surface be repaired to ensure that all that all emissions remain contained. The date for this action has been set for 13th of July. Following our discussions on site, we also expect that the interceptor will be emptied on receipt of this CAR form.

C1) Staff competency and training, Category 3 breach

Condition D24 outlines that “the facility shall be manned at all times by a proficient person, that is a person trained to understand the terms and conditions of this licence, to recognise the general descriptions of waste that may arrive at the facility, and actions to be taken to deal with such wastes and what action to take in the event of an emergency”.

Although a working plan is in place for the site to manage the risks of pollution, it was clear that operations were not being carried out in line with this plan. As such the root cause of the above breaches is a lack of adequate training and competency on site.

All staff should have adequate knowledge of the conditions of the permit and be aware of the associated risks and controls.

Action: Please ensure that effective training is put in place including the use of spill kits and correct waste storage procedures. NRW requests that a training plan be implemented to all staff by the 14th of September 2018.

Further enforcement action is being considered by NRW based on the breaches outlined above.

Notes

Following our site inspection, I have reviewed your working plan dated from 2013. It appears that certain activities have changed since the plan was last reviewed. For this reason NRW requests that you review and update your working plan.

The working plan outlines that the site does not have any nearby sensitive watercourse receptors. However, we would consider that the nearby river Ely is within a near enough proximity to be potentially negatively impacted by the sites operations. It is important to adequately assess the risks of all activities, including treatment and storage on sensitive receptors.

The working plan should also include an assessment of fire risks on site and should include fire prevention measures on site. There was some concern over tyre storage on site. Waste tyres were stored in a large pile against the wall of the depollution bay and workshop. The nature of this storage is considered a fire risk, due to the size of stockpile, nature of the wastes and the proximity to ignition sources. We request that you move your tyre storage further from the depollution bay and reduce the number of tyres on site. It is important to regularly remove waste tyres from sites to reduce fire risks.

Further information on assessing fire risks and implementing fire mitigation measures is available from NRW Fire Prevention & Mitigation Plan Guidance.

<https://naturalresources.wales/media/682159/eng-guidance-note-16-fire-prevention-mitigation-plan.pdf>

Thank you for showing me the updated WAMITAB certificate for the sites technically competent manager, Andrew Griffiths. The technically competent manager is required to attend site at least once a week. If you decide to make any changes to your sites technically competent management, please let me know.

If you have any queries in relation to this form or your permit, please get in contact on the details below.

Nessa Dearle

Tel: 03000653352

Email: nessa.dearle@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0033256**

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	Date	23/04/2018

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			
B1	C3	Please ensure that all spills that occur on site are immediately cleared using suitable absorbent materials	13/07/2018
B3	C3	NRW requests that all drains on site are effectively unblocked and maintained in line with your permit. NRW requests that any damaged areas of impermeable surface be repaired to ensure that all that any emissions remain contained.	13/07/2018
C1	C2	Please ensure that effective training is put in place including the use of spill kits and correct waste storage procedures.	14/09/2018
B1	C2	The area to the rear of your will need to be completely cleared of waste, and any ground that has been contaminated by oil will need to be removed and disposed of responsibly.	18/09/2018

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.