

	EPR Compliance Assessment Report	Report ID: 30173/0229083
This form will report compliance with your permit as determined by an NRW officer		
Site	Longlife Spares	Permit Ref 30173
Operator/ Permit holder	Zaccaria Marcello	
Date	07/01/2015	Time in 09:45 Out 11:00
What parts of the permit were assessed	Infrastructure and Management.	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Marcello Zaccaria / Tahir Karim	
Officer's name	Adam Ward	Date issued 09/01/2015

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	C3	D5
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C3	E1
	2. Management system & operating procedures	C3	C(1)(v)
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	C3	E10, E11
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	N	
	4. Pests, birds & scavengers	A	
	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	A	
	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	4	Total compliance score (see section 5 for scoring scheme)	16
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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.

Introduction

This inspection was conducted to discuss the ongoing non-compliances at your facility. On 29th April, you agreed and signed a Site Improvement Plan, which set milestones and completion dates for you to be able to achieve compliance with permit several permit conditions. The conditions related to site infrastructure, the Working Plan, Technical Competency and site management. It was evident that you had failed to achieve compliance with any of the agreed milestones and it appears no attempt had been made to comply with your permit. We have therefore continued score the relevant permit condition, as per below:

Compliance

B1) Infrastructure - Engineering for Prevention and Control of Pollution

Permit Condition D5 - You have been scored a **Category 3 Breach** for the failure to maintain the yard surface to the 'satisfaction of the Waste Regulation Authority'. There are areas of the yard which have rutted and are pooling with oily mud and water. These areas need resurfacing and the contamination should be removed and consigned as hazardous waste. Furthermore, all depolluted vehicles should be stored on hardstanding as a minimum (e.g. hardcore and gravel, not unmade ground).

C1) Management - Staff Competency/Training

Permit Condition E1 – The site is not managed by a Technically Competent Person. You have explained that Mr. Tahir Karim has registered for the required WAMITAB Award, but that it will take 2 years to achieve the required qualification. In the meantime, it is essential that a TCM is present on site for at least 1 day per week. **You have therefore been scored a Category 3 breach against this condition.**

C2) Management - Operating Procedures/Management Systems

Permit Condition C1 - This condition requires a Working Plan, a written document that describes your operation and demonstrates how you comply with permit conditions and relevant environmental legislation (e.g. End of Life Vehicle Directive). The lack of a working plan or Environment Management System (EMS) is the root cause of a number of your breaches and **you have been scored a Category 3 breach against this condition accordingly.**

C4) Management - Storage, Handling, Labelling & Segregation

Permit Condition E10 - You are required to store all incoming End of Life Vehicles (ELVs) in the dismantling area. Only vehicles that have been fully depolluted can be stored on hardstanding. **You have therefore been scored a Category 3 breach for failure to comply with this condition.** The root cause of this is that you are not following an approved working plan or management system.

C4) Management - Storage, Handling, Labelling & Segregation

Permit Condition E11 – You are required to drain all vehicles or other equipment containing liquids on the dismantling area only, as shown in the working plan. There are currently a number of vehicles that have not been drained in the dismantling area which are being stored on hardstanding and unmade ground. **You have therefore been scored a Category 3 breach against this permit condition.**

Summary

The above breaches have been scored on several occasions and the banding of the site is becoming gradually worse as a result. Further, you are causing a significant risk to the environment by storing such a large number of ELV's, which have not been depolluted, on hardstanding and unmade ground. We are now left with no other option than to consider what enforcement action is necessary. You will be contacted by your regulating officer to discuss potential enforcement in due course.

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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			
B1	C3	No action specified	N/A
C1	C3	No action specified	N/A
C2	C3	No action specified	N/A
C4	C3	No action specified	N/A

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.