

	EPR Compliance Assessment Report	Report ID: 30173/0219897
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	12/09/2014	Time in 13:00 Out 14:00
What parts of the permit were assessed	Infrastructure, Management, Emissions and Amenity.	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Marcello Zaccaria / Permit Holder	
Officer's name	Adam Ward	Date issued 12/09/2014

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	*C3	D5
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	C3	E1
	2. Management system & operating procedures	C3	C1(v)
	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	A	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	A	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	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	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	3	Total compliance score (see section 5 for scoring scheme)	8
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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 determine whether you had complied with several completion dates set by a recently agreed Site Improvement Plan (SIP). As illustrated in the SIP extract (below), you have failed to meet several of the deadlines specified. The missed deadlines are highlighted in red:

Site Improvement Plan Extract:

Permit Number: EAWML 30173		Operator name: Marcello Zaccaria
Permit condition not complied with and CAR form ref.	Action you proposed to take outlining important milestones and dates.	Completion dates.
C1(v)	Subject to the terms and conditions of the licence, the site shall be operated in accordance with the working plan. 1. Update Working Plan/EMS to reflect current practices 2. Develop a risk assessment for your operation and demonstrate how you intend to mitigate those risks 3. The plan or EMS must demonstrate how you intend to comply with your permit and relevant environmental legislation (e.g. ELV Directive)	31/07/2014
D5	The yard area of the facility shall be surfaced and maintained to the satisfaction of the Waste Regulation Authority. 1. Ensure areas of hardstanding remain free of standing water, oil and mud. 2. The yard area should be designed so that it can be cleaned in the event of a spillage. 3. Areas used for storage of depolluted vehicles should be clearly defined.	31/10/2014
E1	During all operational and maintenance periods the facility shall be manned by at least one technically competent person who is capable of ascertaining, in accordance with the terms of the working plan and having regard for the information supplied with waste materials, that only waste permitted by the licence is received on site. As far as practicable the nature of the waste shall be ascertained by site personnel prior to receipt to ensure that it is acceptable at the facility. 1. Our 'How to Comply Guidance' dictates that time spent on site should be linked to your OPRA score. You (as TCM) are therefore required to spend 20% of all operating hours on the site (e.g. 1 whole day per week).	15/05/2014
E10	On entering the facility all waste vehicles or parts vehicles shall be delivered to the dismantling area which is bunded and drains to the oil interceptor.	15/05/2014
E11	Vehicles or other equipment containing liquids shall be drained at the dismantling area only as shown on the working plan.	15/05/2014

It appears that you have begun complying with conditions E10 and E11, while you have explained that you are still in the process of improving the infrastructure at the site to comply with condition D5. It was evident, from the visit, that you have not yet begun infrastructure improvement works. If you believe you cannot meet the deadline agreed, please contact your regulating officer.

Compliance

As you have failed to meet the agreed completion dates for some of the above improvements, we have continued to score the relevant breaches below:

C2) Management – Management Systems and Operating Procedures

Permit Condition C1(v) – Your current Working Plan requires updating, as it is now over 20 years old and is not fit for purpose. You have expressed your interest in developing a new Working Plan/Environment Management System, for which you have been issued the appropriate guidance. You have failed to develop a Working Plan/EMS by the date agreed in the SIP above. **You have therefore been scored a Category 3 breach of permit condition C1(v).**

B1) Infrastructure – Engineering for Prevention and Control of Pollution

Permit Condition D5 – We have continued to suspend the scoring for a Category 3 breach against this permit condition, while improvements to the yard area are made. The agreed completion deadline for these improvements is 31/10/2014. If you are having difficulty meeting this deadline, please contact your regulating officer.

C1) Management – Staff Competency/Training

Permit Condition E1 – Prior to the Technically Competent Management (TCM) audit, we were informed that Marcella Zaccaria (permit holder) was the TCM for the site. However, it has come to light that Mr. Zaccaria was previously competent due to grandfather rights. Unfortunately he did not complete a Continuing Competency test within a specified time frame and therefore is not TCM. **We have therefore continued to score a Category 3 Breach against permit condition E1.**

The requirement of the SIP was for a TCM, which was to be Mr. Zaccaria, to be present during operational hours at the site. You have informed us that the new operator, Mr. Tahir Karim, is due to register for the relevant WAMITAB course, but this could take up to 2 years to complete. The site MUST benefit from a TCM as soon as possible. You have the option to employ a suitably qualified TCM or you should aim to register on a course that should take no more than 3 months to complete. These courses are readily available as other operators in the area demonstrated.

If Mr. Zaccaria is no longer involved in the operations of Longlife Spares, it is important that the permit is transferred to the name of the legal entity responsible for the permitted operations. Please contact your regulating officer to discuss the completion of application forms to be able to transfer the permit.

If you have any other questions regarding this CAR form, please do not hesitate to contact Adam Ward on 02920 245187 or via email: adam.ward@naturalresourceswales.gov.uk.

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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.	X
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.	
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

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.