

Compliance Assessment Report

Report ID:
CAR_NRW0033617

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

Site	Pengam Partmart	Permit Ref	EP3295FZ			
Operator/Permit holder	Ian Charles Jenkins					
Regime	Waste Operations					
Date of assessment	13/06/2018	Time in	12:30	Out	14:30	
Assessment type	Audit					
Parts of the permit assessed	various					
Lead officer's name	Malatynski, James					
Accompanied by	Bowder, Alex					
Recipient's name/position	Ian Jenkins/ Company Director	Date issued	13/07/2018			

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
A1 - Specified by permit	C3	1.1.1
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B2 - Infrastructure - Closure and decommissioning	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	C3	3.1.3
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	4.2.1
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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)	12.1
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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

Officer Alex BOWDER and James MALATYNSKI attended Pengam Partmart, New Road, Hengoed, CF82 8AU on Tuesday 13th of June at 12:30 to carry out routine inspection of permit **EPR-EP3295FZ**. The weather was mild and dry at the time of visit. We met with company Director Mr. Ian Jenkins and inspected the yard.

Compliance

C4: Storage, handling, labelling and segregation – Specified by permit condition 4.2.1 – CCS CAT 3

Condition 2.4.1 of your permit states 'The storage (including temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End-of-Life Vehicles Directive.'. Storage of batteries under your site working plan (Environment Management System) states 'Batteries removed from vehicles during the depollution process are stored undercover in the depollution & dismantling workshop, where they are assessed for suitability for reuse. Reusable batteries are recharged & sold as spare parts. Scrap batteries (those not suitable for reuse) are stored pending onward transportation undercover in an orderly manner in leak proof plastic containers, located to the rear of the depollution workshop.'

Batteries were being stored on the floor of the depolluting bay, a container for the batteries was present but not being used at the time of inspection. Approximately 25 batteries were stored on the floor and an employee stated that he had depolluted 8 cars that day and the volume of batteries suggests that they had been stored on the ground for consecutive days.



Image 1: Stored batteries.

Action: Please ensure that your EMS is followed and that all batteries are stored in a leak proof plastic container. During a transition period before storing in a container, please ensure that the batteries are stored off the ground.

B4: Containment of stored materials – Specified by permit condition 3.1.3 – CCS CAT 3

Condition 3.1.3 of your permit states 'All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.' Your Site Working Plan (Environmental Management System) states 'Antifreeze and Screen wash are stored, pending collection, in double-skinned tanks inside the depollution building.'

A bright blue liquid was being held in a vehicle (likely screen wash) which were stored in the depolluted vehicle storage area.



Image 2: Liquid remaining in depolluted vehicle.

Your EMS states 'Depollution operations are carried out undercover using specialized drainage equipment located in the depollution & dismantling workshop (refer to Site Plan, Appendix 2, p27). In brief,

depollution consist of:

Shock absorber hydraulic oils (if the vehicle is for immediate scrap)'

After speaking with Ian Jenkins it was discovered that the shock absorbers were not being depolluted and considered this unnecessary but understood the requirement.

Action: It is a permit requirement to ensure that your vehicles are suitable depolluted before storing on your permitted area, please ensure that any liquids are removed as indicated in your permit before the depolluted vehicles are stored, this includes shock absorbers.

A1: Specified by permit – Specified by permit condition 1.1.1 – CCS CAT 3

Condition 1.1.1 of your permit states 'in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints'.

In accordance with your permit conditions a CAT 3 has been issued in line with condition 1.1.1 that has been identified as the root cause of the received breaches above. If your Site Working Plan/Environmental Management Plan was followed these breaches could have been avoided.

Action: When operating from your site please refer to and follow guidance as set out in your Site Working Plan/Environmental Management System this will ensure that breaches are avoided in the future.

G4: Reporting and notifications – Specified by permit condition 4.2.2 – CCS CAT 4

Condition 4.2.2 of your permit states 'Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year.'

Our records show that we didn't receive your waste return within the time limited stated in your permit.

Action: Please ensure that your waste returns are submitted on time within the permitted time.

General Observations

A concerning number of damaged vehicles were being held on the forecourt area of the site outside of the permitted area, fluids could be seen from these stored cars leaking onto the hardstanding area. Ian Jenkins confirmed that the vehicles stored in this area were taking onto the permitted facility within 30 minutes of being on site.



Image 3: Vehicle being stored outside of permitted area.

Depolluting Bay

I witnessed a car go through the depollution process on site, the employee willing explained the processes being carried out. A robust and thorough process was in place to remove any liquids from cars brought on to site.



Image 4: Depollution bay.

Storage of Tyres

There have been fire incidents in the catchment area at scrap metal sites emanating from poor tyre storage practices. We are asking all sites to look at their tyre storage methods and update their Fire Prevention and Mitigation Plans.

There have been significant improvements made with regards to the storage of tyres, please refer to your EMS regarding tyre storage which states 'Wheels & tyres removed from vehicles during the depollution process are assessed for suitability for reuse. Reusable tyres and wheels are separated & sold as spare parts. Waste wheels & tyres not suitable for reuse are separated using a wheel crusher, which is located to the rear of the depollution workshop. Waste tyres are stored in an orderly manner in the area immediately adjacent to the wheel crusher. Scrap tyres are currently removed from site by contractor on a fortnightly basis. Scrap steel or alloy wheels are stored pending collection in skips located in the same area.'



Image 5: Tyre storage

Advice and guidance: There were areas on site where tyres were not stored in an orderly fashion especially in front of the depollution bay, please rectify this issue before our next site visit likely to be in October.



Image 6: Tyre storage in front of depollution bay.

Storage of Cars

Improvements have been made with regards to the storage of depolluted vehicles and cars that had remained on site on a permeable surface had been moved and rotated. Site improvements were being made during the inspection to increase the area of the impermeable surface to allow for greater safer

storage.



Image 7: Improvements to site.

Security

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CCTV on site is currently under review and not working, there has been additional security onsite in the form of electric fencing which has proven very successful in deterring trespassers.

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EMS

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There was no Environmental Management System document available on site at the time of the site visit. **Advice and Guidance:** Please ensure that a copy of your EMS is kept on site at all time. Please feel free to contact me to request a copy as we have one on our records.

Waste Returns and consignment notes

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Consignment notes and documentation presented on site contained correct information and waste codes, please continue recording in this manner.

Ian Jenkins brought to our attention the recent depilation of staff experienced on site which has led to additional pressures. However, Ian Jenkins is looking to recruit 5 additional staff to combat this issue, provide onsite training and has aspirations to concrete the entire yard. This investment will allow for a better run site.

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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 2012.

EPR Compliance Assessment Report

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CAR_NRW0033617**

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Site	Pengam Partmart	Permit Ref	EP3295FZ
Operator/Permit holder	Ian Charles Jenkins	Date	13/06/2018

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.

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.

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			
G4	C4	Please refer to your permit on time frames in which to submit your Waste Returns to NRW	01/09/2018
A1	C3	Please refer to your Site Working Plan/Environment Management System on your responsibilities as an operator	01/09/2018
B4	C3	Remove liquids as indicate in your permit before storing depolluted vehicles	01/09/2018
C4	C3	Store batteries in a leak proof plastic container off the ground.	01/09/2018

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.