

Compliance Assessment Report

Report ID:
CAR_NRW0031451

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

Site	Ivor Thomas & Sons	Permit Ref	AP3798FB			
Operator/Permit holder	Ivor Thomas & Dylan Thomas					
Regime	Waste Operations					
Date of assessment	31/03/2017	Time in	11:00	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	See Below					
Lead officer's name	Jones, Alys E.					
Accompanied by						
Recipient's name/position	Margaret Thomas, Donna Reagan/ Owner, Technical Competent Manager	Date issued	04/05/2017			

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	1.2.2 Operations of waste motor vehicles shall meet the requirements of Schedule 5 of the ELV Regulations
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

This was a routine site inspection carried out by Environment Officer Alys Jones. The operators were not informed of the inspection prior to Officer Jones' arrival. Site owner Margaret Thomas and Technical competent manager Donna Reagan accompanied Officer Jones throughout the inspection.

The site was generally kept tidy. There was a low number of cars present on site.

There were no issues identified with the site infrastructure.

The depollution bay was checked. No leaks or spillages observed.

Breach

During the inspection it was noted that a couple of the vehicles which had been through the depollution process still had un deployed air bags in them, one vehicle inspected also still contained fluid (please see on the page attached) This is a breach of condition 1.2.2 of your Environmental Permit which stipulates that treatment operations of waste motor vehicles shall meet the requirements of Schedule 5 of the ELV Regulations.

On this occasion a compliance classification scheme score of 3 has been given for this breach. Please ensure that all ELV's are fully depolluted in future.

Officer Jones inspected the site diary. This was kept up to date. It was noted that the Technical Competent Manager Donna Reagan is on site every day which is more than adequate. The technical Competent Manager has now completed all modules for the WAMITAB qualification required (it had been noted that in a past audit that Donna Reagan had not completed the ELV module required, this was due to a complication at the test centre which was not a fault of the site or Donna Reagan). The qualification is due to lapse in October 2017. Please ensure that you send Natural Resources Wales a copy of the up to date Certificate when completed.

Officer Jones inspected the consignment notes for waste removed from site. These were satisfactory.

It was discussed during the inspection that the site were consigning vehicles which had been through the depollution process. Duty of care notes are satisfactory for waste which is no longer hazardous. However should the vehicles not be fully depolluted please make sure that there is a consignment note for the removal of vehicle.

Paperwork on the site seemed to be kept in good order.

Thank you for your time during the site inspection. If you have any queries please get in touch

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established in Article 3 of the Natural Resources Body for Wales (Establishment) order 2012

EPR Compliance Assessment Report

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Operator/Permit holder	Ivor Thomas & Dylan Thomas	Date	31/03/2017

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.

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.

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			
A1	C3	Ensure that all vehicles are fully depolluted	14/04/2017

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.