

	EPR Compliance Assessment Report	Report ID: 30181/0239521			
This form will report compliance with your permit as determined by an NRW officer					
Site	Old Barry Sidings		Permit Ref	30181	
Operator/ Permit holder	R R Davies Ltd				
Date	18/05/2015	Time in	15:45	Out	16:20
What parts of the permit were assessed	Operational area				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Robert Davies				
Officer's name	Laoni Tye, Gareth Danter-Hill		Date issued	19/05/2015	

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	N			
b) Infrastructure	1. Engineering for prevention & control of pollution	N			
	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	N			
	2. Management system & operating procedures	N			
	3. Materials acceptance	N			
	4. Storage handling, labelling, segregation	C3		D40	
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	N			
	2. Noise	N			
	3. Dust/fibres/particulates	N			
	4. Pests, birds & scavengers	N			
	5. Deposits on road	N			
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	N			
	2. Energy	N			
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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Environment officers Laoni Tye and Gareth Danter-Hill conducted a site inspection on the 18th May 2015. The purpose of the visit was to conduct a site handover to the new regulatory officer Laoni Tye to learn about the site and its processes. We will be re-visiting the site in the near future to complete a more detailed assessment of the site. Please use the following contact details going forward:

Laoni.tye@naturalresourceswales.gov.uk

03000 65 4492

The weather was warm and dry during the visit but there had been long periods of heavy rainfall previously.

Breaches recorded

C4 – Storage, handling, labelling and segregation. Category 3 breach.

Condition D40 states that spillages of oil or other liquids shall be cleaned up immediately. Whilst on site we saw large pools of oil surrounding the engines that are stored with the scrap metal. There were also other areas of oil near the de-pollution area which had not been cleared up.



Action: Please ensure spillages of oils are cleaned immediately with suitable absorbent materials and that engines are fully de-polluted.

Other comments

We met with the site manager Robert Davies who explained that there were issues on site in regards to tonnage issues with the access bridge. We were advised that the council has decreased the tonnage limit by 10 tonnes meaning that larger lorries cannot take waste from site. This is causing the site issues with bulking up waste and therefore there are large amounts of ELV's and other scrap metal currently stockpiled on site. We understand the challenge you face and we will therefore allow some time to resolve this issue and get the waste removed from site.

Action: Please keep me updated as to whether this is going to be a continuing issue or whether it gets resolved.

We saw that there were large amounts of cable on site that will require documentation to show where they came from.



Action: Please send me the waste transfer notes and any other documentation that relate to the cables found on site. Please ensure they are fully complete and sent to me **no later than the 2nd June 2015**.

There is currently no TCM for the site but we are aware that Rhys Davies has attempted and failed the test a few times. There is some uncertainty about whether the correct test has been taken.

Action: Please send me the details of the tests you have already taken and advise when you will be re-taking the test.

If you have any questions or comments please do not hesitate to get in touch with me.

Many thanks,

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Operator/ Permit	R R Davies Ltd	Date 18/05/2015

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.	☐
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			
C4	C3	Please ensure spillages of oils are cleaned immediately with suitable absorbent materials and that engines are fully de-polluted.	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.