

Compliance Assessment Report

Report ID:
CAR_NRW0032724

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

Site	J & M Autosalvage	Permit Ref	NP3895FH		
Operator/Permit holder	J Richards & M James				
Regime	Waste Operations				
Date of assessment	08/01/2018	Time in	14:00	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	Kayleigh Parsons/ Business Manager	Date issued	16/01/2018		

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	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	Condition 5.4 - Table c) i) & ii)
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	Condition 5.4
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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 attended RDA Recycling Ltd at 14:00 on Monday 8th January to carry out a routine inspection of permit **EPR-NP3895FH**. The weather was cold and slightly wet at the time of visit. Met with business representative Kayleigh Parsons and walked around the yard.

Thank you to Kayleigh for taking the time to show around the site and explain the business processes. We discussed site activities and outlined the processes for the waste management.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we are not satisfied with a certain part of the inspection, we can breach the business against your permit conditions which can affect your annual subsistence fees; this is scored on a Category 1- 4 basis:

- 1** - Major, serious persistent and/or extensive impact on the environment, people/property
- 2** – Significant impact on effect on the environment/people/property
- 3** – Minor impact or effect on the environment/people/property
- 4** – A non-compliance which has no potential environmental effect

As discussed on the pre-application letter dated 14 August 2017, the business was required to transfer the site's current ELV waste permit held by J and M Autosalvage - EAWML (30327), **EPR-NP3895FH** into the name of RDA Recycling Ltd.

This application has been submitted and the business is now awaiting confirmation from our permitting department to make it duly made ready for processing.

Once this has been actioned the business can look at a permit update and modification. This is because the waste permit is old and contains excessive conditions, such as allowing 1000 vehicles to be stored on site for instance, making it difficult to regulate.

Breach - Category 3

C4 - General Management - Storage, handling labelling and Segregation

Condition 5.4:

"Oil contaminated parts shall be –

Engine part storage

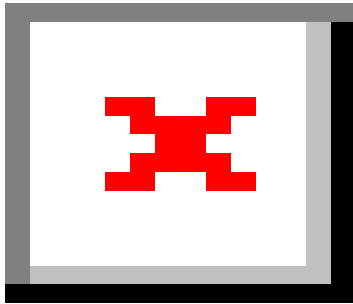
There was an unbunded work area containing extracted engines stored on the floor. These parts were here when the site was last visited.

These parts should be stored under cover to prevent residual oil washing off from rainwater and potentially down the drains and leaving the site.

once removed from vehicles, these components shall be segregated by type and stored within dedicated appropriate containers that are fit for purpose”.

Action: Remove engines from this area immediately and store under cover.

- Clean up any residual liquid on the yard surface.



Picture 1 – showing extracted engines stored in the open in an unbunded area

Breach – Category 3

C2 - General Management - Management system and operating Procedures

Condition 5.4 - Table c) i) & ii):

“Handling and storage of residual wastes –Tyres shall be stored in stable stacks with individual capacities of no greater than 20 cubic metres and to a height of no greater than 3 metres”.

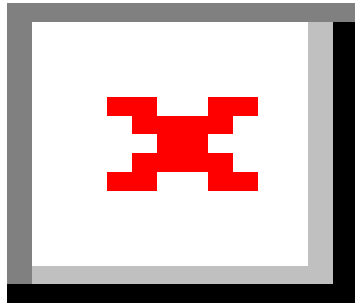
“Individual tyres stacks shall not be stored within 6 metres of each other”.

Tyre storage

At the time of inspection it was stated that tyres were being moved ready for transport. However, there did not seem to be any clear-cut storage procedures for tyres on site.

This should be included in your Environment Management System (EMS) with maximum storage heights, stacking techniques and collection times.

Action: Please update your EMS to reflect these procedures and changes.



Picture 2 – showing trye storage in the yard

TECHNICALLY COMPETENT MANAGEMENT (TCM)

Kayleigh Parsons is the allocated Technically Competent Manger for the site having recently completed the relevant WAMITAB qualification modules 15/05/2017. Please make note of this in the EMS and include the expiry dates and when refresher competency course is due.

DRAINAGE

The business found out that the drainage for the site is not classed as sealed. The main requirements of a Standard Rules permits are an impermeable surface and a sealed drainage system, meaning you would not be able to vary the permit to a Standard Rules.

Drainage channels were clear at the time of inspection.

GENERAL OBSERVATIONS

Housekeeping was quite messy at the time of inspection. Vehicles were stacked along the side of the site – good to see stacked safely no more than two vehicles high.

Fencing

The site recently repaired the perimeter fencing around the site. Please ensure that it is maintained so that it remains robust and secure to minimise break-ins.

There has been discussion of moving the depollution bay to the undercover unit at the front of the yard. If this is actioned this will need to be updated in the EMS.

INFRASTRUCTURE

The yard must be an impermeable surface that prevents any liquid or fluid from percolating through the ground layer. If the floor is damaged to the point it must be repaired so that an impermeable state is held.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The site submitted their Environment Management System to NRW for review in 2017. The document is a good start but still requires expansion.

Please see our website using 'how to comply with your permit' toolkits as guidance for what to include:
<https://naturalresources.wales/permits-and-permissions/environmental-permits/environment-management-system/?lang=en>

Action: Expand on the sections in your EMS.

FIRE PLAN

The site's current Fire Plan is very basic and does not reflect the Fire Service's Prevention guidance in enough detail. This has been attached for you to reference when drafting your plan.

Action: Please amend your current Fire Plan using the guidance and submit to NRW for review by March 16thth 2018.

WASTE RETURN DOCUMENTS

The business is currently sending Hazardous Waste returns. Whilst these are correct the business should also be filling out the normal Waste Return spreadsheet that documents all other materials that enter and exit the site, for example metal parts and ELVs.

We require the business to submit the past two quarters completed and submitted to us.

Here is link to our website that details this and contains the spreadsheet template:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en>

These return documents must be completed every quarter within the one month grace period without fail. If these are not submitted it will score a breach against the permit.

Quarterly Returns Period Return Submission

Q1 - 1st January to 31st March – Deadline: 30th April

Q2 - 1st April to 30th June – Deadline: 31st July

Q3 - 1st July to 30th September – Deadline: 31st October

Q4 - 1st October to 31st December – Deadline: 31st January

Once completed the spreadsheet must be sent to this email address:

waste.returns@cyfoethnaturiolcymru.gov.uk

I look forward to working with the site in the new year and bringing it into full compliance. If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or

alex.bowder@naturalresourceswales.gov.uk

Thank you.

EPR Compliance Assessment Report

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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.

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			
C4	C3	- Remove engines from this area immediately and store under cover. - Clean up any residual liquid on the yard surface.	16/02/2018
C2	C3	Amend EMS	16/02/2018

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.