

Name of site	A J Spares	Operator / Permit holder	Cobb Andrew	Permit ref no.	104608
Officer	Kimberley MacPherson, Ryan Plant	Date	19/12/2012	Area / office	Yrks NE/Temp
Activity	Vehicle de-pollution facility	Time in/out	09:50 / 10:25	Event type:	<input checked="" type="checkbox"/> Routine <input type="checkbox"/> Incident <input type="checkbox"/> Other
Assessment type:	<input checked="" type="checkbox"/> Site inspection <input type="checkbox"/> Audit <input type="checkbox"/> Check monitoring/sampling <input type="checkbox"/> Report / data review <input type="checkbox"/> Procedure review				
Site life status:	<input type="checkbox"/> Operational <input checked="" type="checkbox"/> Pre-Operational <input type="checkbox"/> Post-operational				
Which part(s) of the permit were assessed? Management and infrastructure					

Compliance assessment summary

Key to completion: A = Assessed/Assessed in part (no evidence of non-compliance)		ATL = Approach to limit		Conditions breached	
NA = Not Applicable		1, 2, 3, 4 = CCS cat 1-4 breach		N = Not assessed	
a) Permitted activities	1 A				
b) infrastructure	1 A	2 NA	3 N	4 A	5 N
c) General management	1 A	2 A	3 N	4 A	
d) Incident management	1 A	2 A			
e) Emissions	1 N	2 N	3 N	4 N	5 N
f) Amenity	1 A	2 A	3 A	4 A	5 A
g) Monitoring and records, maintenance and reporting.	1 N	2 N	3 N	4 N	
h) Resources efficiency	1 NA	2 NA			

The breaches indicated above may constitute one or more offences. You should take immediate action to rectify each breach and return to compliance. You should prevent any repetition of the breaches. Breaches of conditions as indicated above can result in criminal prosecutions and/or suspension or revocation of a permit.

NB. IF THERE IS A BREACH, ONLY ONE OF THE FOLLOWING WILL HAVE AN 'X' PLACED IN THE BOX

We will now consider what enforcement action is appropriate.	<input type="checkbox"/>	At present we do not intend to prosecute you for the above offences. However, you are warned that this may change if further relevant information comes to light.	This is a site warning.	<input type="checkbox"/>
			We have given you advice.	<input type="checkbox"/>

Review of Directly Applicable Legislation: Key: A = Assessed, N = Not assessed, NA = Not Applicable, C1, C2, C3, C4 = CCS cat 1-4 breach.

A

Report delivery method: ☐ copy left on site ☒ posted ☐ emailed ☐ faxed Date 21/12/2012

Comments

This was a pre-operational site inspection by Kimberley MacPherson and Ryan Plant. Officers were met on site by the permit holder, Andrew Cobb.

Site history

A J Spares, also known as A C Cars, have been operating a vehicle repairs and car sales business from this yard for several years. On 13 November 2012 you were issued a standard rules permit for a vehicle dismantling facility. The site had however been operating in this manner before the permit issue. The purpose of this visit was to discuss infrastructure and other steps that need to be taken in order for you to operate within the conditions of their permit and environmental legislation.

The site

The site consists of two areas as shown on the map below.



Continued...

Officer's Signature

Recipient's name or position within company

Andrew Cobb

Continuation sheet used

Yes

No of Pages

3

CCS record number

Notes to the recipient

This compliance report form may highlight non-compliance with your permit or directly applicable legislation as observed by the Environment Agency officer.

This does not relieve the site operator of their responsibility to ensure that they comply with the permit and to prevent pollution of the environment. You are also reminded that:

- you should comply with the conditions of the permit at all times
- compliance with the permit does not remove your obligation to comply with other legislative provisions which may apply.

Understanding the Compliance Assessment Summary

a) Permitted activities	1	Specified by permit
b) Infrastructure	1	Engineering for prevention and control of emissions
	2	Closure and decommissioning
	3	Site drainage engineering (clean and foul)
	4	Containment of stored materials
	5	Plant and equipment
c) General management	1	Staff competency/training
	2	Management system and operating procedures
	3	Materials acceptance
	4	Storage, handling, labelling and segregation
d) Incident management	1	Site security
	2	Accident, emergency and incident planning
e) Emissions	1	Air
	2	Land and groundwater
	3	Surface water
	4	Sewer
	5	Waste
f) Amenity	1	Odour
	2	Noise
	3	Dust/fibres/particulates and litter
	4	Pests, birds and scavengers
	5	Deposits on road
g) Monitoring and records, maintenance and reporting	1	Monitoring of emissions and environment
	2	Records of activity, site diary/journal/ events
	3	Maintenance records
	4	Reporting and notification to the Environment Agency
h) Resource efficiency	1	Efficient use of raw materials
	2	Energy efficiency

The term 'permit' for the purposes of this form includes: licences, authorisations and consents.

Understanding your non-compliance scores

Non-compliance findings are classified using our published Compliance Classification Scheme, (CCS).

This scheme categorises breaches of permit conditions based on their potential for environmental impact as shown below. If you wish to discuss further any comments made by the officer on this form, contact your local area office or for more details of the CCS scheme, see the Environment Agency's website or contact your local office.

CCS category	Description	Score
1	A non-compliance which has a potentially major environmental effect	60
2	A non-compliance which has a potentially significant environmental effect	31
3	A non-compliance which has a potentially minor environmental effect	4
4	A non-compliance which has no potential environmental effect	1

Corrective action

We have various options to ensure that you correct actual or potential non-compliance. We may

- advise on corrective actions, verbally or in writing and require you to take specific actions, by letter or by issuing a notice.
- require you to review your procedures or management systems
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit is an offence, and we may take legal action:

- We will normally provide advice/guidance to assist operators back into compliance. However, other than for a very minor offence this will normally be in conjunction with another enforcement response.
- Where we have issued a written warning this does not preclude us from taking additional enforcement action if further relevant information comes to light. Such action includes the issue of a formal caution, taking a prosecution and/or the service of a notice.

We have published our Enforcement and Prosecution Policy which seeks to achieve a consistent approach to enforcement across all our regulated activities.

Operational Risk Appraisal (Opra)

Compliance assessment findings may affect your Opra score. This score determines your charge and affects the allocation of our resources to check your compliance with the permit.

Data protection notice

The Environment Agency is responsible for regulating environmental protection, flood defence, water resources and fisheries. It has a duty to discharge its functions to protect and enhance the environment and to promote conservation and recreation. The information provided will be processed by the Environment Agency to fulfill its regulatory and monitoring functions, and to maintain the relevant public register(s). The Environment Agency 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, emergency services) 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 Environment Agency 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 Environment Agency 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 the assessment 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 the 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 manager, Area Environment Manager or Area Manager. If you wish to raise your dispute further, this can be done through our official Complaints and Commendations procedure phone our general enquiry number 08708 506506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team, alternatively you can send an email to enquiries@environment-agency.gov.uk. If, after following our Complaints and Commendations procedure, you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary Ombudsman phone their helpline on 0345 015 4033.



Comments

The red area hosts a number of blue containers that are used to store vehicle parts. One of the containers is used as an onsite office. This area is surfaced with permeable hardstanding and is not on a sealed drainage system.

The blue area is used for the storage of vehicles. This area is similarly surfaced with a permeable hardstanding and has no sealed drainage.

Site inspection

B1 Infrastructure: Engineering for prevention and control of emissions – Permit Condition 2.3.1, table 2.1

The site now has a concrete pad in the red area on the map above that you have advised is sloped so any spills are directed to the middle of the pad. The pad also has a bund around it and you are planning to put a roof over it. This area is to be used for the de-pollution of vehicles.

In the blue area on the map above you have recently constructed a concrete pad with a tall bund to contain three oil and fluid tanks. This has been designed so that it holds at least 110% of the volume of the biggest tank within the bund. In order to prevent the collection of rainwater within the bund, and the resulting cost of disposing of it, Officers advised you to install a cover over this area.

These are the only two areas that benefit from an impermeable surface and sealed drainage system. Permit condition 2.3.1, table 2.1 states that only uncontaminated wastes can be stored on hardstanding. All other wastes must be stored on an impermeable surface with a sealed drainage system. For this reason end-of-life vehicles must be brought onto site on by one and immediately de-polluted on the designated concrete pad. The shells and vehicle parts, when fully de-polluted and uncontaminated, can be stored on the hardstanding in the blue area on the map. Batteries must be stored in an impermeable acid resistant case with a lid to prevent ingress of water. You have indicated that in the future you may construct another concrete pad to store end-of-life vehicles awaiting de-pollution. Please make Officers aware if you decide to do this.

There are some unde-polluted end-of-life vehicles currently stored in the blue area on the map. These were present prior to the permit being issued. For practical reasons it was agreed that you could continue to store, but not treat, these vehicles on the site until you had an environmental permit in place. When you commence operations you must ensure that these vehicles are de-polluted as a priority over bringing other vehicles onto site. By 01 February 2013 there should be no unde-polluted end-of-life vehicles stored in any area of the yard apart from that on the de-pollution pad.

C1 General Management: Staff training and competency – Permit condition 1.1.4

This condition of your permit requires that you comply with the requirements of an approved competence scheme. You completed your EPOC on 05 and 06 December 2012. Could you please provide a copy of this certificate once you receive it. You now have until 13 November 2013 to achieve your full WAMITAB qualification. Thank you for your cooperation in this matter.

C2 General Management: Management system and operating procedures – Permit condition 1.1.1 a)

This condition of your permit requires you to manage and operate your activities in accordance with a written management system, also known as an Environmental Management System (EMS). It was agreed that you would have this submitted and approved within the first three months of your permit issue. You said that you have a first draft version available. Please have this submitted as soon as possible. The deadline for your final submission is 13 February 2013.

Additional

Duty of Care

Officers have explained your duty of care to you previously and on this site visit. You have explained that you also covered this during your EPOC. Please find enclosed a separate document that may help you to fill out transfer and consignment notes. If you have any questions regarding this please get in touch.

Hazardous Waste Registration

Anyone producing more than 500kg of hazardous waste per year needs to register with the Environment Agency. By de-polluting vehicles you may require this registration as you will be producing hazardous waste such as oils, fluids and batteries on site. This registration will also give you your hazardous waste premises code to use on consignment notes. Details of how to register this can be found in the link below. It will cost £18 on line to do and must be done every year.

<http://www.environment-agency.gov.uk/business/topics/waste/32198.aspx>

Waste Carriers Licence

If you transport controlled waste, including end-of-life vehicles and end-of-life vehicle parts, as part of your business or for profit, you are required to register with the Environment Agency as a waste carrier. You have to register even if you only transport small amounts of controlled waste occasionally. If you are an individual / sole trader and you have a waste carrier registration, any employees working for you would not need to register as a waste carrier.

The cost of registering is £154 and this registration lasts for three years. After that a renewal application will have to be made. The current cost of this renewal application is £105. You can apply for this at the link below.

<http://www.environment-agency.gov.uk/business/sectors/wastecarriers.aspx>

Continued...

Actions

- Register as a hazardous waste producer
- Register as a waste carrier
- Provide a copy of your EPOC
- Complete your WAMITAB qualification before 13 November 2013
- Submit your Environmental Management System before 13 February 2013

Please advise on when you plan to commence operations **before** doing it. If you need any further information or have any questions about any of the above then please let me know.

Kind regards,

Kimberley MacPherson
Environment Officer
01709312714