

**This form will report compliance with your permit as determined by an Environment Agency officer**

Site	Wicks Services Limited			Permit Ref	403958		
Operator/ Permit holder	Wicks Services Limited						
Date	27/06/2019			Time in	11:00	Out	12:00
What parts of the permit were assessed	Permitted Area						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Andrew Orr/ TCM						
Officer's name	Jenny Elliott, Matt Stagg			Date issued	17/07/2019		

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	C3	2.4.1;
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	C3	2.3.1 Table 2.3 1);
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	A	
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	NA	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates & litter	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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	NA	
	2. Energy	NA	

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**

2

Total compliance score
(see section 5 for scoring scheme)

8

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.

This was an unannounced routine site inspection. Officers were shown around the site by Andrew Orr, Operations Manager and Technically Competent Manager.

Permit Breach – A1 Permitted Activities – Specified by permit

Your permit states in section 2.4.1 *'the activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.'*

It was noted that five ELVs were being stored outside of the permitted area. These included two cars, which Andrew Orr assured us would be moved inside the permitted area, however, there was little available space in the permitted area at the time of inspection.



There were also three waste vans. Andrew Orr explained that these were owned by an employee who was removing parts from them to repair other vehicles. As discussed on site, ELVs must be fully depolluted before parts are removed. The ownership of waste within your permitted area is not relevant with regard to permit compliance – the operator is responsible for ensuring that all wastes and waste activities comply with the permit conditions.

If you are finding it difficult to operate within the current permit boundary, then we strongly advise you to consider applying for an extension to your ELV permitted area. Please see below for further advice and guidance about this matter.

This has been scored as a category 3 breach.

Action – by 25th July 2019 - all ELVs to be stored and treated within the permitted area.

Permit Breach – C2 General Management – Management System and Operating Procedures

Your permit states in 2.3.1 Table 2.3 1) *'You will follow the Fire Prevention Plan approved by the Environment Agency.'* This Fire Prevention Plan (FPP) was approved as part of the application process.



When officers reviewed your FPP after our inspection, it states in section 3.8.1 *In accordance with the EA's FPP guidance a 4.8m x 5.5m (26.40m²) quarantine area has been provided on the Layout & Fire Plan. This area is able to store two ELVs which is more than 50% storage of the required.* In your site plan drawing number 3610/695/03 it states the storage area is for three vehicles. At the time of inspection nine cars were stored on the area designated for three vehicles, and four other Wicks vehicles were stored on the quarantine area.

As you are not following your approved Fire Prevention Plan, **this has been scored as a category 3 breach.**

Action – by 25th July 2019 ensure you follow your Fire Prevention Plan.

If you feel the FPP requires updating, it is possible to submit changes. There is now a charge for this service so please the link for further details:

<https://www.gov.uk/government/publications/environmental-permitting-charges-guidance>

Permitted Area – Advice and Guidance

Officers observed nine waste cars stored awaiting depollution, Andrew Orr stated their batteries had already been removed. It was hard to see the exact boundary of the permitted area and it was discussed on site that it would be useful to mark the area out in some way, to ensure all waste vehicles are stored within the permitted area. This advice links to the permit breach regarding following your Fire Prevention Plan too, and may be followed up in more detail during our next inspection.

If you feel your activities have outgrown your permitted area, it may be possible to extend this. To explore this option, please see the following links for further information:

<https://www.gov.uk/guidance/change-transfer-or-cancel-your-environmental-permit>

You can follow the link below to complete and submit this online form to request the basic (free) or enhanced (chargeable) pre-application advice.

Pre-application advice request form: <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>

The Environment Agency's permitting service offers basic pre-application advice to help you get your permit application right first time. The basic level of pre-application advice is free. Varying the size of the permitted area for a standard rules permit is often a relatively straight forward process. As you have a Standard Rules permit this would be a Minor variation and cost £1178.

If you want more in depth help with your application, the Environment Agency now offers an enhanced pre-application advice service which costs £100 an hour plus VAT.

The site's permitting arrangements

This permit is surrounded by the transfer station permit EAWML 57545 and has led to complications including waste acceptance, Fire Prevention Plans and the transfer of waste between the two

permits. This is further complicated by exemptions on the transfer station permitted area. It may be useful to consider/review both permits and the exemptions, and all the associated Environmental Management Systems, Working Plans and Fire Prevention Plans to ensure you remain compliant with these three separate permissions.

Site Inspection and Advice & Guidance

Site Produced Waste Vehicles

Officers observed four Wicks vehicles that were being kept on site, which Andrew Orr explained were for parts for newer vehicles. Once your site vehicles becomes waste, they are 'site produced waste', which is covered by a non-waste framework directive (nwfd) exemption called 'temporary storage at the place of production'. You do not need to register for this exemption, and it allows you to temporarily store any waste at the place of production. One of the main conditions is that the waste must not be stored for longer than 12 months. Please see the following link for the full details of this exemption: <https://www.gov.uk/guidance/waste-exemption-nwfd-2-temporary-storage-at-the-place-of-production--2>

In your permit 2.1.1 table 2.1 it states '*wastes shall be stored for no longer than 1 year prior to disposal and 3 years prior to recovery*'. It is not possible to store site produced waste for an indefinite time period, and these vehicles should be stored on your permitted area once the nwfd's time limit has been reached. Please ensure you keep records of when vehicles become waste and when they are accepted as an ELV at your permitted site.

Maintenance of Drainage

The waste liquids were stored in double skinned containers within the permitted area. There was a bund around part of the area which meant liquids should flow towards the linear drain which we were informed connected to the interceptor. Officers observed the ground was very muddy around the drain and we could not see the concrete in this area.



Andrew Orr stated that their work vehicles were washed down in the ELV permitted area, which explained the build-up of mud/silt. Officers explained that regular maintenance to keep the drains free flowing must be prioritised; and that if there were an oil spill, the mud/silt would become hazardous waste. We strongly advise you to consider other washing arrangements to avoid this situation occurring. **Action – review maintenance procedure to ensure drains remain free flowing.**

Battery Storage

Andrew Orr showed officers the battery storage which is in the transfer station building. The batteries were stored at angles and officers explained that they should be stored upright to minimise the risk of leaks. In your permit Table 2.3 Operating Techniques it states '*lead acid batteries shall be stored in containers with an impermeable, acid resistant base*'. Please ensure your current arrangement fits this description. The battery box is stored off the ELV permitted area, within the waste transfer site's permit (EAWML 57545) which we assume is utilising the S2 exemption.



Catalytic Converters - storage

There was a small number of catalytic converters which were stored on the ground next to the battery box. Officers explained that they should be stored within a box to avoid accidental puncture, as they sometimes contain hazardous material.

It is unclear the permission you are using to store catalytic converters in this building. Please check your permitting and exemption arrangements to ensure they are included. You can store catalytic converters within your ELV permit in suitable containment, but currently you are not storing them in this area.

Catalytic Converters – hazardous material – information

The support mat contained within some catalytic converters is made from refractory ceramic fibre (RCF). This matting, used to protect the honeycomb centre and also as insulation to maintain the high temperatures needed for the reactions that take place in the honeycomb centre, is classified as a Category 1B carcinogen and has properties very similar to asbestos. Therefore, catalytic converters containing RCF matting must be classed as hazardous waste.

From March 2016, waste catalytic converters removed from vehicles:

- Must be stored and transported in a manner that does not result in the metal casing being pierced or breached. E.g. stored in a rigid container;
- If the metal casing of a catalytic converter unit becomes damaged it should either be double bagged in as a minimum 400 gauge polyethylene or wrapped in as a minimum 400 gauge polyethylene sheeting;
- No treatment (de-canning) or further processing should be done on site unless an environmental permit is in place that specifically authorises this (see below) and the processing machinery is suitably extracted and abated;
- Consignment notes must be completed for movements of catalytic converters containing RCF (and those where it is not possible to determine if they contain RCF). Consignee returns must also be completed and records kept as required by the Hazardous Waste Regulations.
- Catalytic converters containing RCF matting should be consigned from site as hazardous waste 16 01 21* and consigned to a suitably permitted site for de-canning.

Waste Transfer Notes and Consignment Notes

Officers reminded Andrew Orr that waste transfer notes (WTN) needed to be issued with the depolluted ELV was removed from the ELV permit to the waste transfer station permit, as the two sites are separate legal entities.


The wastes arising from depolluting the ELV should be assessed and either consigned or issued with a WTN depending on their EWC code. This includes when they are transferred to the waste

transfer station permit as in the case of batteries and catalytic converters (if your permit accepts these).

We also discussed different scenarios for when consignment notes and waste transfer notes must be issued for waste being received by the ELV site. The operator should ensure that a consignment note is produced for all incoming hazardous waste unless the carrier provides evidence that the waste has been transferred directly from domestic premises. We have attached a useful document to the covering email which will give you more information on different situations.

Technically Competent Manager

As discussed on site and confirmed in a subsequent email, Andrew Orr has taken the continuing competency test regarding the ELV activities, which is valid until 05/07/2020. Andrew Orr also emailed through his primary qualification for *Managing Transfer – Hazardous Waste 4MTSH* awarded 11/06/14, we have checked this against the WAMITAB mapped qualifications and it does cover the Standard Rules permit 2015 No17. Thank you for the documents clarifying this, we will add them to our records.

 Environment Agency	EPR Compliance Assessment Report	Report ID: 403958/0336222	
This form will report compliance with your permit as determined by an Environment Agency officer			
Site	Wicks Services Limited	Permit	403958
Operator/ Permit	Wicks Services Limited	Date	27/06/2019

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.		X
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			
A1	C3	Action – by 25th July 2019 - all ELVs to be stored and treated within the permitted area.	25/07/2019
C2	C3	Action – by 25th July 2019 ensure you follow your Fire Prevention Plan.	25/07/2019

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.

● A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

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 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) 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 28 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 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.