

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

Site	A J Spares			Permit Ref	104608		
Operator/ Permit holder	Cobb Andrew						
Date	07/03/2013			Time in	10:35	Out	10:50
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 Cobb						
Officer's name	Kimberley MacPherson, Jessica Brown			Date issued	19/03/2013		

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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	NA	
c) General management	1. Staff competency/ training	C3	1.1.1 b)
	2. Management system & operating procedures	N	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	A	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	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

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 completed within 5 days of an assessment.

There has recently been a restructure of area teams with Environment Management in the Environment Agency. My new post no longer covers the Rotherham area and so you have been allocated a new Environment Officer; Jessica Brown. This site inspection was an opportunity for you to meet Jessica and show her around your site. As you were not available at this time, Officers were accompanied on site by Anthony Boyce.

Site inspection

C1 General Management: Staff training and competence – Permit condition 1.1.1 b) – CCS Score 3

This condition of your permit requires that you manage and operate activities using sufficient competent persons (competent with reference to compliance with the conditions of your permit). There were several issues on site that were not being dealt with accordingly due to the lack of training of your staff. Although this will become an integral part of your management system, which you have until 15 April 2013 to submit, you should have trained your staff members to be compliant with your permit conditions if they are to operate without your presence.

Your lack of training of staff meant that there were oil spills and poor containment of materials. Please see below for details.

You have been scored a category 3 breach of your permit under this section. This has taken into account the sensitivity of your location, specifically that there is an exposed span of the River Mas to the south of your site.

B4 Infrastructure: Containment of stored materials – Permit condition 2.3.1

This condition of your permit requires that only uncontaminated wastes can be stored on hardstanding. During your site inspection it was noted that the parts stored in one of your containers were contaminated with oil and causing an oily run off on to the hardstanding.

If you cannot guarantee that the parts stored in this container are fully uncontaminated, then you must install a bund at the lip of the container to avoid leaking of this kind.

D2 Incident Management: Accident, emergency and incident planning – Permit condition 1.1.1 a)


This condition of your permit requires that you operate in accordance with a written management system that identifies and minimises risks of pollution arising from accidents and incidents. It is appreciated that you are yet to submit an Environmental Management System that has been approved, however even without this you should be reacting to accidents in an appropriate manner. During your site inspection it was noted that in addition to the oily run off from your parts container there were several patches of oily water gathered around the site.

You and your staff should be handling materials in order to minimise the potential for pollution. In the event that there is an accidental spillage, it should be dealt with as soon as possible. Anthony explained that you have sand on site that you use for oil spills. It might be worth investing in some more specialised spill kits that are fit for purpose.

Site handover

Please regard this visit as a handover between Jessica and myself. Any future queries should be directed at Jessica. You can contact her on 01709312713 or at jessica.brown@environment-agency.gov.uk. Thank you for your cooperation in this matter. I wish you all the best for the future of your business.

Kind regards,
Kimberley MacPherson
Environment Officer

 Environment Agency	EPR Compliance Assessment Report	Report ID: 104608/0178481	
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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			
C1	C3	No action specified - see main details of site inspection	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 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 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 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.