



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

Site	Shaftesbury Oil and Water EPR/ZP3233FP		Permit Ref	ZP3233FP		
Operator/ Permit holder	Yellowstone Environmental Solutions Limited					
Date	06/05/2022	Time in	10:00	Out	13:00	
What parts of the permit were assessed	Waste Acceptance					
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:	
Recipient's name/position	J Thacker					
Officer's name	Kevin Nicholls		Date issued	13/05/2022		

**Section 1 - Compliance Assessment Summary**

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). 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	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	C3	1.1.1;
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	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	N	
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 & 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	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**  
**MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).**

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (see section 5 for scoring scheme)	4
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.

The visit was undertaken to understand the waste acceptance and storage practices for containerised wastes and consisted of a site walk around and discussions with yard and office staff. (The written site procedures were not reviewed as part of this visit)

### Waste Storage

6 identifiable rows.

3 rows are considered by the site as containing wastes the other 3 are classed as empty IBCs.

The empty containers are a mixture of IBCs not containing waste and IBCs containing oil/sludge residues. These IBCs are kept for filling with oil sludge from site processing plant.

Each of 3 waste rows have an id board located at the front of each row. Details on board includes, waste description and number of containers

Photos – Stacked Wastes (x2) and id board

Wastes are stacked up to 3 high and each container was individually labelled (site produced – Waste description, EWC, Haz Code, Date of arrival and Consignment Note Number)

Access was possible on at least 1 side of each row

Longest dated container found - 21 Jan 2022

An IBC containing identified corrosive waste was held separately from the other wastes

I was informed that on arrival of the waste at the site the accompanying paperwork is checked by yard staff, each container is weighed, a visual assessment is made, and appropriate label attached.

Where the waste is 'oil based' on site testing is undertaken to determine its acceptability to process on site.

Where wastes are for onward transfer acceptance is visual check.

Wastes placed into storage area, paperwork (with noted discrepancies) passed onto office staff.

### Site Office

From the stored waste several individual wastes were selected for further assessments. The site computer system requires the consignment number and date of arrival to allow examination.

### Consignment Details / Waste Description / Records Held

Southw/04728 (5 May 22) Waste Ink Containing Hazardous Substances Consignment note, correspondence between waste producer and site, Pre acceptance analysis report

Oilsal/AE927 (7 Apr) Sludge from oil/water sludge Consignment note, customer provided info

Norbay/04318 (2 March) Bilge Oils from other navigation, contaminated with PFO residues Consignment note, very little preliminary info due to sensitive nature of waste producer \*

\*Tested on arrival for processing in site plant

Other wastes movement discussed

Anglia/A82811 (21 Jan) and Redind/08037 (22 April)

Office staff knowledgeable on both the site computer system and information being held.

An anomaly that soon became apparent is that waste pre-acceptance / booking is undertaken by the sales team or site directors. When the directors make the assessment not all information is held in one place and the appropriate correspondence details are not being entered on to the system in a timely manner.

Where discrepancy in paperwork/ acceptance identified a non-conformance report raised, and actions undertaken recorded.

Site office able to track on site wastes

Formal weekly stock check

**Site non-compliance** -The current S5:06 requirements identify that for waste storage that any drainage from incompatible wastes cannot come in contact with each other. Whilst the corrosive wastes have been correctly separated from the other waste types the whole site drains into the main site interceptor **CCS3**

Some initial observations for future compliance against 'appropriate measure guidance'.

Waste Storage

- Define storage areas / capacity
- Storage area drainage (prevention of mixing incompatible waste)
- Storage of waste in open IBCs (or sealed by clingfilm)
- Height of IBC stacking
- Empty IBC arrangements, not all are empty rather part processed containing sludge.

Pre Acceptance / Acceptance

- Ensure the current computer systems fulfil the future requirements
- Pre-acceptance information from all wastes is received and recorded.
- Acceptance testing waste is undertaken. (and recorded)
- Qualification of staff

**View of Container Storage**



**Storage Rolls 5 & 6**



**Row ID Board**



**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.

*\*Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

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			
B4	C3	If non compatible wastes are to be stored separate drainage is required.	27/05/2022

## 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

*\*A breach of permit condition MSA, MSB & TCM is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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.

### MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

**MSA** requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

**MSB** requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

**TCM** requires the submission of technical competence information.

## 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official [complaints procedure](#).

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.