



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

Site	Benfleet Scrap Co Limited		Permit Ref	71088		
Operator/ Permit holder	Benfleet Scrap Co Limited					
Date	14/06/2021	Time in	12:00	Out	13:15	
What parts of the permit were assessed	A1, B1, B3, B4, C3, C4, D1, E2, E3, F1, F2, F3, F4, F5, G2, G3.					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Leo Leeman /Site Manager					
Officer's name	Joshua Crisp, Rob Brodie		Date issued	28/06/2021		

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

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)	A
4. Containment of stored materials	A
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	A
2. Accident, emergency & incident planning	N
e) Emissions	
1. Air	N
2. Land & Groundwater	A
3. Surface water	A
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	A
3. Maintenance records	A
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
 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).

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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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 normally completed within 14 days of an assessment.

Previous Inspection report ID: 71088/0377682

No non-compliances recorded during previous inspection (13/10/2020).

Site Inspection

Weather: 28°C, Dry, Wind light breeze NW 7mph

Environment Officers Rob Brodie and Joshua Crisp attended site for a pre-arranged site inspection and met with the Site Manager and TCM Leo Leeman. The inspection was conducted under social distancing guidelines, as such only the physical parts of the outdoor site were inspected. No buildings were entered.

Pile Heights

It was noted during the inspection that varying metal piles in the bays against the eastern wall were stacked to the top of their respective bays (see Photograph 1 - Metal Bay Piles). Some of these bays were next to each other, and there was not much separation between them, if any. Although permit condition 6.9 states that pile height must not exceed 5.0metres, best practice is to ensure that the heights of waste piles are below the height of the bay they are in, to allow a freeboard space to ensure separation. This will also reduce the risk of waste falling over the back wall of the site.

Advice and Guidance: With regards to a Fire Prevention Plan, and in the circumstances seen in which the piles were stacked to the height of their respective bays, the piles would be counted as being combined into one large pile, due to the lack of separation of the piles and lack of freeboard height within the bays. This will increase the fire risk and actions required to contain a fire if one were to occur.

During the inspection it was noted that swarf metal had fallen over the back of the bay wall on the eastern side of the site, towards the southern corner. The swarf was on the ground outside the perimeter of wall of the site, but still within the site boundary. Majority of the swarf had fallen onto a sealed drainage curb (see Photograph 2 - Sealed Curbing), designed to collect contaminated run-off such as swarf cutting oils, which leads to a contained tank under the site. The liquids from this tank are collected periodically, with the last collection being 3 March 2021, which is within a reasonable timeframe.

The contamination potential from the swarf to nearby receptors was assessed to be low, as it had fallen onto an area with sealed drainage, and was well within the sites' permitted boundary.

Drainage

The site has had infrastructure development, particularly relating to drainage, to satisfy the individual requirements for different contaminants; this was completed 3-4 years ago.

Metal swarf and cuttings are stored in bays along the eastern edge of the perimeter wall, offset to the southern end. The bays are on sealed ground, with the camber at the front of the bay designed with a reverse fall, so all surface water run-off that comes in contact with the swarf/cuttings falls to the back of the bay, where it is then channelled into a pit by a purpose designed curb on the exterior of the wall. The run-off is then channelled under the site to an underground tank, designed to collect the contaminated liquid. This was last collected on 03 March 2021, with the operator producing the accompanying consignment note for us to inspect.

Next to the swarf, there are bays in which depolluted engines are kept. The fall of these bays runs perpendicular to the adjacent bays, to concentrate and collect the run-off most likely to have oil contamination. This run-off flows to the sites interceptor, before being discharged to street drainage. The operator said that Anglian Water frequently conduct quality monitoring via a manhole just outside Benfleet Scraps site, and that they haven't had any issues relating to the quality of the water coming from their site.

Advice and Guidance: Part E of the consignment note, BENFLE/10676, was not seen to be completed. Upon querying this the operator then provided the completed Part E. Ensure that you receive the Part E's of consignment notes correctly completed.

Pressurised Tanks Storage

There were pressurised tanks seen to be stored in locked cages, however the locked cages were in an open area next to the entrance of a large shed (see Photograph 3 - Pressurised Tanks). If a vehicle were to hit the cages they would not provide much protection which could result in the tanks being damaged.

Advice and Guidance: It is recommended that pressurised tanks are stored in an area with low vehicle traffic or protected by a barrier suitable to stop collision from vehicles.

End-of-Life Vehicles

ELVs are occasionally brought to the site by the public. If they have not yet been depolluted they are taken to Benfleet's site in Basildon to be depolluted there. They are consigned as hazardous waste when leaving the site.

Summary

Overall the site was compliant at the time of the inspection.

There were no issues with odour, vermin, dust, or noise detected, on the site or its surroundings, during the inspection.

Total non-compliance score this inspection - 0 CCS points, which makes you a **Band A** operator. For more information about how your band affects your subsistence charge, see our scoring guidance - <https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance>

Photograph 1 - Metal Bay Piles



Photograph 2 - Sealed Curbing



Photograph 3 - Pressurised Tanks



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			

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 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.

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?

You must notify your local officer within 28 days of receipt if, you wish to challenge any part of 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.