

Compliance Assessment Report

Report ID:
CAR_NRW0032386

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

Site	European Metal Recycling Ltd	Permit Ref	FP3094VP		
Operator/Permit holder	European Metal Recycling Ltd				
Regime	Waste Operations				
Date of assessment	11/10/2017	Time in	10:30	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	Infrastructure, waste storage, security and amenity				
Lead officer's name	Sherratt, Kelly				
Accompanied by	Moggridge, Lara				
Recipient's name/position	Richard Day/ TCM cover	Date issued	02/11/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
A1 - Specified by permit	X	
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B4 - Infrastructure - Containment of stored materials	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Routine site visit with Senior environment officer Lara Moggridge

Met with Richard Day who is covering holiday leave as TCM for Kevin Watkins

Arrived on site 10.30am-

Due to site re allocation I will taking over the regulation of the site my details are

kelly.sherratt@cyfoethnaturiolcymru.gov.uk

03000 653080

07766111923

There are 3 permits active within the boundary for EMR, Roath Dock. This permit, reference EPR/FP3094VP is for two standard rules permits relating to waste metals.

SR2009No7 for the storage of furnace ready scrap metal for recovery and SR2008No21 for a metal recycling site.

The inspection on this day consisted of a site walk around and discussion with the operator representative.

Action under B1 - Engineering for prevention and control of emissions:

There were two areas identified during the inspection where officers queried the state of the infrastructure. The first was the area underneath the first processing stockpile, to the left as you enter site. It was unclear what the infrastructure was in this area, as it looked to be dipped below the surrounding concrete area and so it was queried as to whether there was no infrastructure or if the infrastructure was in need of repair. The second area was towards the back of the site where the current concrete infrastructure ended. It was queried whether there were any intentions to continue the laying of concrete in this area and if so timescales for this work to be completed. It is noted that during the inspection there were some metal wastes stored on this area, although not large amounts.

Action - please could you update NRW to the status of the infrastructure in these two areas for information, by the 24th November.

Action under A1 - Specified by permit

Officers alerted the acting TCM to a number of complaints received from concerned residents in relation to stockpile heights, since the opening of the new fly over which runs alongside the site. The acting TCM agreed to review the heights of the stockpiles and work to spread the footprint of the waste to reduce heights to alleviate concerns. It was noted that the large build up of waste was due to a backlog in relation to a reprocessing site being on shutdown for two weeks, and the TCM assured NRW that waste stockpiles would be vastly reduced once the site could start removing waste. Please note that we would expect your management systems be updated to address your new location and the new issues and risks which could arise as a result of your changing location, due to the opening of the new road.

As you will be aware from correspondence sent in July, the standard rules permits have been reviewed and updated. You must ensure you can comply with the new standard rules conditions relating to SR2008No21, which were released in August. The amended conditions came into effect on the 1st November, so must be complied with from now on. If you cannot comply you will need to apply for a bespoke permit.

A copy of the new standard rules sets and accompanying generic risk assessments can be found at the link:
<http://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-for-a-new-standard-permit-for-waste-operations/?lang=en>

In addition to this, your standard rules set SR2008No21 is affected by the Fire Prevention and Mitigation Plan (FPMP) guidance, you will need to manage and operate your activities in accordance with a written FPMP (produced in accordance with the guidance) - this is in line with condition 3.4 of the amended standard rules conditions. You will note that the guidance covers issues such as stockpile widths and heights, and so these issues will need to be addressed in the plan. The relevant guidance can be found at the link: <http://naturalresources.wales/permits-and-permissions/environmental-permits/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en>

During our next inspection we will be looking to assess the management systems and FPMP, and will attend site with our

colleague from the FRS to identify areas of concern in relation to fire risk.

Action - ensure you are compliant with the new standard rules sets and manage and operate activities in accordance with an FPMP, with immediate effect.

EPR Compliance Assessment Report

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Operator/Permit holder	European Metal Recycling Ltd	Date	11/10/2017

Section 3 – Enforcement Response

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
B1	X	Update NRW to the status of infrastructure in areas identified within section 2	24/11/2017
A1	X	Ensure you are compliant with the new set of standard rules conditions, including managing and operating activities in line with an FPMP	02/11/2017

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 verbally or 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 that 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 Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW 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 (eg. 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
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW 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 NRW 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 fifteen 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 officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.