

Compliance Assessment Report

Report ID:
CAR_NRW0032704

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

Site	Llanelli Tin Recovery Works	Permit Ref	BM2381IQ			
Operator/Permit holder	AMG Resources Ltd					
Regime	Installations					
Date of assessment	19/12/2017	Time in	10:00	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	See Agenda					
Lead officer's name	Jenkins, Nicholas					
Accompanied by	Gibson, Paul					
Recipient's name/position	Paul Tobin/ Management Accountant	Date issued	14/02/2018			

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	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

Attendees

Paul Tobin - AMG Resources Ltd

Sara Jones - Environmental Compliance Ltd

Sarah Burley - Environmental Compliance Ltd

Paul Gibson - Natural Resources Wales

Nick Jenkins- Natural Resources Wales

Agenda

1. Introductions
2. Proposed Permit Variation
3. Fire Incident 03/11/17
4. Site Tour

Introductions

Paul Gibson is the South West Industry Regulation team leader of which Nick Jenkins is an officer. Nick has taken over the regulation of the site following Richard Taylor's departure. Sara Jones is employed by Environmental Compliance Ltd (ECL) and consults AMG Resources Ltd (AMG) on permit compliance. Sara will be leaving her post temporarily and this will be covered by Sarah Burley, who has extensive knowledge of the site. Paul Tobin is the management accountant but also the point of contact for AMG, Llanelli.

Proposed Permit Variation

Recent discussions between NRW and AMG have focussed around the proposal to vary its existing Schedule 1 operation from the processing of scrap and the recovery of tin by electrolytic activities to a more representative operation that reflects what AMG have been undertaking since around 2014. AMG no longer use chemicals nor does it use the electrolyte recovery process to produce tin. A more relevant Schedule 1 operation is **5.4(A)(1)(b)(iv)** - treatment in shredding metal waste exceeding 75 tonnes per day.

We requested a date for submission of the variation application and AMG advised that it would look to submit in the 'new year' but around the end of January 2018. AMG wanted to ensure that the permit would reflect proposed operations but also allow for some flexibility. We raised the question as to whether the variation would invoke new plant standards under the waste treatment Best Available Techniques Reference document (BRef) and we are waiting on a formal response from the sector group. Our thinking is that as the plant has been operating to date without any changes to the process, replacement of equipment etc then it is likely that it would be classed as existing plant and therefore not invoke the new plant requirements under BAT conclusions including more stringent emission limits etc.

Action - AMG to clarify that the existing plant standards apply to its current process by end of February 2018.

AMG submitted a summary of the minutes following a meeting with NRW 20 July 2017. In that report it identified the relevant legislation applicable to the proposed inclusion of the Schedule 1 operation. The waste treatment BRef was referenced but outlined that metal recycling was not part of the report. The waste treatment BRef is currently in the final draft stages but there is extensive descriptions of the mechanical treatment of scrap and the associated BAT conclusions http://eippcb.jrc.ec.europa.eu/reference/BREF/WT/WT_Final_Draft1017.pdf. These should be referenced in any documentation submitted with the permit variation application.

We recognise that investment in the plant is critical to ensure longevity of the operation. This is particularly true with the imminent publication of the waste treatment BRef and the likelihood that improvements will have to be made within the four year window. We need to work with AMG to ensure that any investment is spent in the right areas and to do this we would recommend that AMG considers where its operations will sit against its environmental permit particularly its operating techniques i.e. table S1.2. To do this we recommend AMG produces a gap analysis which can be presented at the next opportunity but no later than end of May

2018, that will consider the risks and costs associated with the identified gaps.

Action - AMG to produce a gap analysis against its proposed operating techniques by end of May 2018.

Fire Incident 03/11/17

We were informed of a fire at the AMG site, which we attended at the request of the Fire and Rescue Service (FRS). Its main concern was the runoff from the firewater could have discharged into the adjacent river Lliedi, Loughor Estuary. We were satisfied at the time that the water did not have the potential to escape into the surface water system one - because the water was pooling on the surface and two - because AMG confirmed that the pathway between the installation surface water system and the river Lliedi was broken. In addition there was a concern the chemicals in the wash baths and in onsite tanks could have been affected by the fire but since 2014, AMG has not used or does not store chemicals in significant volumes.

The FRS advised that the source of the fire was accidental and confirmed that the incident had been reported by a security guard of an adjacent site.

Fortunately there were no casualties but the incident had impacted on AMG's operation of the shredding process for around 4-5 days.

Action - AMG to submit a fire prevention plan with its proposed variation (discussed above).

Site Tour

We walked around the site starting at the offices and heading around to the waste acceptance area, shredding operation and viewed the indoor currently non-operational processes i.e. chemical baths and tin ingot moulding. We noted the site was busy and a large amount of waste was being stored on site. The sound from truck movements was reduced due to the apparent removal of reversing sirens. We have discussed complaints allegedly affecting a resident NE of the installation and these relate to reversing alarms. We were not able to substantiate on the day of the complaint (13 December 2017) or identify any alarms during our walk around. Where vehicles are without reversing alarms, we would recommend that they are fitted with appropriate broadband/white noise alarms.

AMG advised that there are possible other sources including the new school development but also work on the Delta lakes, all of which could generate such a sound source. On the day of the complaint, AMG noted that works on the school development started at 07:15hrs.

There is a substantial amount of used can contraries/fluff on the site which AMG are in the process of identifying possible recovery/disposal sites including to an authorised landfill. AMG estimate that around 100-200 tonnes will be generated per month. Richard Taylor had previously requested the submission of WAC analysis (CAR NRW0031560) and we would recommend this is completed so that AMG can liaise successfully with potential receptors including waste from energy plants and disposal sites. WAC is specific for intention to disposal at a landfill but a WM3 assessment would better suit the potential recovery of the waste.

Action - AMG to produce and submit a WM3 assessment to substantiate the EWC coded material 19 10 01 as known as 'fluff/used can contraries' by end of March 2018.

Actions from last audit 11/04/17 - CAR NRW0031560

Although this wasn't discussed in the meeting, it is important to include actions from the last audit. Some of the actions are closely linked to the actions presented above:

Action 1	The Operator is required to evaluate the current 2.2 activity with a view to surrendering this part of the permit - ONGOING
Action 2	The Operator is required to evaluate the assertion by NRW that the site activities are more represented by EPR Regs (2016) 5.4 Part A (1) (b) (iv) - COMPLETED
Action 3	Site to estimate the capacity of the proposed containment area - ONGOING
Action 4	Site to submit a WAQ analysis for the material currently consigned to landfill under EWC code 19 10 01 - ONGOING
Action 5	Site to update their Management plan REF 'Operational control and maintenance procedure EAP04' which takes into account the points raised in points 3a -c above - ONGOING

Where actions have not been duplicated, or where time frames were not outlined in the previous CAR form, we expect these to be completed and presented no later than:

Action 1 - end of April 2018

Action 3 - end of April 2018

Action 4 - end of March 2018

Action 5 - end of April 2018.

[END]

EPR Compliance Assessment Report

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Operator/Permit holder	AMG Resources Ltd	Date	19/12/2017

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.

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			

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.