

## Compliance Assessment Report CAR\_NRW0040367

**Permit being assessed:** AB3596CH.

For: Massey Metals Ltd, held by Massey Metals Ltd

At: River Lane, Saltney, Chester, CH4 8RH.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 16/08/2022 between 10:20 and 10:55.

Parts of permit assessed: Specified by Permit; Containment of stored materials; Management System and Operating procedures; Storage, handling labelling and segregation; Site security; Accident emergency and incident planning; Reporting and notification

**NRW Lead Officer:** Boguslawa Pierzchala.

**Report sent to:** Darren Massey, owner on 09/09/2022.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	C3 Minor	WEEE items are not listed on the site permit
B4 - Infrastructure - Containment of stored materials	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
A1 - Specified by permit	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Condition 4.2.2 of your permit requires you to submit within one month of the end of each year, a summary of waste quantities and types accepted on to and removed from site during the previous year.

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	4.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

## 2. What action is required?

Criteria	Action needed	Complete by
C2	Please display a site notice board and include the following details: Name of facility and address Name of environmental permit holder Telephone number of permit holder and site Emergency contact name and telephone number Hours of opening for receipt of wastes Natural Resources Wales Environmental Permit number Address of Natural Resources Wales Telephone number of Natural Resources Wales	14/09/2022
C3	Please remove all WEEE items from site and dispose off them appropriately	26/09/2022
B4	Please place all oily parts in a suitable container	07/10/2022
C4	Please ensure cars are fully depolluted with the fluids removed to a suitable container for collection	08/09/2022
A1	Please update your EMS and FPMP and sent to NRW for approval	18/11/2022
C1	Please ensure TCM's attendance complies with the permit and record it in the site diary	08/09/2022
G4	The missing annual returns for 2017, 2018, 2019, 2020 and 2021 must be submitted to waste.returns@cyfoethnatriolcymru.gov.uk	09/09/2022

Action criteria codes are listed in the 'Important information' section below.

## 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

## 4. Details of our assessment

On Tuesday the 16<sup>th</sup> of August 2022 waste regulation officer Boguslawa Pierzchala attended the site.

This was an unannounced routine inspection.

Site manager Darren Massey was present during the inspection.

On entering the site, it was noted that the Site information board was not displayed.

**Action:** Please display a site notice board and include the following details:

Name of facility and address

Name of environmental permit holder

Telephone number of permit holder and site

Emergency contact name and telephone number

Hours of opening for receipt of wastes

Natural Resources Wales Environmental Permit number

Address of Natural Resources Wales

Telephone number of Natural Resources Wales

Please comply by the **14<sup>th</sup> of September 2022**

Several Waste Electric and Electronic Equipment (WEEE) were seen on site. Please see the photos below



WEEE stored on site

This has been pointed out previously and it's a breach of the site permit.

This issue has been discussed with the site owner who decided to vary the permit in order to accept WEEE items.

This has been scored against the site permit as a CCS C3 breach.



**Action:** Please remove all WEEE items from site and dispose off them appropriately and stop accepting WEEE until a variation of your permit is in place. Please comply by the **26<sup>th</sup> of August 2022**.

**Storage of engines and oily parts**

A large number of de-polluted engines and other oily parts was seen on site stored on impermeable surface. It is advised that the engines and oily parts will require a suitable storage container or weatherproof to ensure the minimal amount of rain ingress and subsequent contamination. This has been discussed with the site owner who will arrange a metal container with suitable cover to store the afore-mentioned parts

**Action:** Please place all oily parts in a suitable container by the **7<sup>th</sup> of October 2022**



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**Depollution**

Several coolant tanks/containers were stored on the ground. Some still containing fluids.



**Action:** Please ensure all cars are fully depolluted with the fluids removed to a suitable container for collection. **For immediate compliance.**

**Environmental Management System /Working plan**

Both Environmental Management System /Working plan ( EMS) and Fire Prevention and Mitigation Plan (FPMP) for the site are dated 2017. Guidance has been sent to the site separately.

**Action:** Please update your EMS and FPMP and sent to NRW for approval. Please comply by **the 18<sup>th</sup> of November 2022.**

TCM (Technically Competent Manger)

At the moment the site benefits from an external TCM cover. The amount of time the TCM should attend your site can be calculated using the below link: [How to comply with your environmental permit \(naturalresources.wales\)](https://naturalresources.wales/naturalresources.wales).

Current TCM attends the site once a month which falls below the minimum requirement.

This has been discussed with the site owner who stated he is looking into obtaining the relevant certificate to act as the site TCM

**Action:** Please ensure your TCM's attendance complies with the permit and record it in the site diary. **For immediate compliance**

Waste returns

Waste returns were checked for the site - there are no waste returns on our database for Massey Metals since the permit was issued in October 2017. This has been raised during previous inspections.

Condition 4.2.2 of your permit requires you to submit within one month of the end of each year, a summary of waste quantities and types accepted on to and removed from site during the previous year.

**Action Required:** The missing annual returns for 2017, 2018, 2019, 2020 and 2021 must be submitted to [waste.returns@cyfoethnatriolcymru.gov.uk](mailto:waste.returns@cyfoethnatriolcymru.gov.uk) no later than the 9<sup>th</sup> of September 2022. This has been scored against the permit as a CCS C4 breach.

Thank you for your time during the inspection, please find my contact details below.

**Boguslaw Pierzchala**

**Waste regulation Officer (Waste Regulation Team)**

Email: [boguslaw.pierzchala@naturalresourceswales.gov.uk](mailto:boguslaw.pierzchala@naturalresourceswales.gov.uk)

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.*

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

**What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

**Full list of Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

## Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

## Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

## Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.