

First Inspection Checklist

Topics for regulatory officers to discuss with operator on first site inspection of a newly permitted waste operation (internal document only)

Environmental Permit number (EPR): CB3698ZW

Operator: Towy Metals Limited

Site contact: Mr. Michael Murphy (director)

Date of inspection: 16 November and 1 December 2022

Officers Name: Jeremy Goddard

Please see below an outline of the topics discussed with Mr. Michael Murphy on 16 November and further elaborated on 1 December 2022.

Topic	Officer Initials	Comments/actions
Technical guidance – How to comply with your Environmental Permit (include any sector specific guidance – TGNs etc)	JG	How to comply with your Environmental Permit can be found at the following link: How to comply with your environmental permit (naturalresources.wales) Please take time to read the relevant sections of this document.
Environmental Management System – obtain a copy: Is it adequate? (see guidance in how to comply and specific guidance produced on waste storage).	JG	I have briefly seen a hard copy of the EMS in the site office. Please ensure that an electronic version is submitted to NRW for full review. This has been actioned in your Compliance Assessment Report for the visit undertaken on 1 December 2022.

<p>Technical competence – obtain copies of certificates: Discuss continuing competency; presence on site etc.</p>	<p>JG</p>	<p>We have an in date WAMITAB certificate covering End-of Life Vehicle (ELV) for the site's named technically competent manager, Mark Tymkiv. Mr. Tymkiv's certificate expires on 15/09/2023.</p> <p>The technically competent manager must be able to direct activities on the site. This will be reflected in the operator's management system and operational procedures. <u>There is a minimum site attendance of one hour a week on all operational sites.</u> This includes in-house facilities taking their own waste. A week runs from Sunday at midnight and ends on the following Sunday at midnight.</p>
<p>Waste Returns – frequency, format, EWC codes, our escalation system etc.</p>	<p>JG</p>	<p>The site's permit requires annual waste return submissions. The return is due by the 31 January for the previous 12-month period 1 January to 31 December. For 2022 we will require was returns from, 21 October (the date the permit was issued) until 31 December 2022. Further detail on Waste Returns can be found at the following link: Natural Resources Wales / Submit your waste return. There is a link on this page to further information on European Waste Catalogue (EWC) codes.</p>
<p>Compliance/CCS scores – how non-compliances affect subsistence. See overleaf¹</p>	<p>JG</p>	<p>As explained on site each time the site is assessed by NRW officers we will review operations against the conditions of the permit. Non-compliances with permit conditions will accumulate a non-compliance score. The more permit non-compliances, the higher the score and the lower the performance banding of the site for that year. The lower the banding the greater the subsistence fee you will pay. On the reverse the better the performance the better the score. Band A performers will at present get a small percentage discount on their fees, whilst Band F performers will pay significantly more for their subsistence fees.</p>

		Permits can be partially suspended, suspended or even revoked in certain instances for poor performance and compliance.
Compliance Assessment Report (CAR) – Go over the CAR (use the NRW CAR guidance to help you). Explain and discuss enforcement options that we can use. e.g. notices etc.	JG	Each time NRW assess the site against the conditions of its permit a Compliance Assessment Report (CAR form) will be generated detailing our findings, any actions and associated scores. A CAR form can be generated even when we haven't physically attended site, such as when we review your Fire Prevention and Mitigation Plan or your waste return submissions remotely.
Public Register – explain what documents are held	JG	All CAR forms generated we be held on our public register and are available to members of the public. Other information associated with the site permit is also available to members of the public such as waste return data. Some information, containing sensitive information such as personal contact details or matters of corporate confidentiality will be withheld or redacted before being made public register.
Duty of Care – explain requirements: Including waste hierarchy, SIC, adequate written description of actual waste with EWC.	JG	<p>As you produce, import, carry, keep, treat or dispose of waste you have legal responsibilities for this waste. This is known as your duty of care.</p> <p>Further information on duty of care can be found at the following link: Natural Resources Wales / Waste duty of care for organisations</p> <p>Information regarding the completion of waste transfer notes including European Waste catalogue (EWC) codes, and Standard Industry Codes (SIC) can be found at the following link: Natural Resources Wales / Completing waste transfer notes</p> <p>You should keep waste to a minimum. Do everything you reasonably can to prevent, reuse, recycle or recover waste, rather than dispose of it. This is known as</p>

		applying the waste hierarchy. Further information can be found at the following link: Waste hierarchy guidance (publishing.service.gov.uk)
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Hazardous Waste Regulations – explain the requirements as a producer and a consignee. If a consignee the need to submit returns to us and producer returns	JG	<p>Waste containing hazardous properties is classified as hazardous waste. An example will be an un-depolluted End-of-Life vehicle which is hazardous due to the oils etc contained within it. You will need to produce hazardous waste consignment notes if you are collecting any hazardous waste from non-domestic sources. You will also need to use consignment notes for any onward movement of hazardous waste from the Smithy site, such as when you send your waste oils off for recovery. In addition to your permit, you will need to register the premises as a hazardous waste producer. You will be sent consignee returns for any onward movement of hazardous waste from the Smithy site. You will also need to issue consignee returns to the producer of any hazardous waste you have received on a consignment note. Consignee returns must also be sent to NRW (there is a fee associated). Please read over the following information and act accordingly:</p> <p>Natural Resources Wales / Register or renew as a hazardous waste producer</p> <p>Natural Resources Wales / How to complete a hazardous waste consignment note</p> <p>Natural Resources Wales / Submit your hazardous waste return</p>
Other topics stated within permit - Site drainage; Monitoring requirements; Incident management	JG	<p>You have specified that there is a sealed drainage system in place. Any liquids collected in your sump will need to be disposed of at an appropriately permitted site. As there could be oil contamination within the drainage water, it may be</p>

		<p>classified as hazardous waste so should be tested to see if it exceeds the threshold and is classified as hazardous before being disposed of appropriately. No discharge to surface water can be made from the sump serving the ELV de-pollution bay and the concreted waste storage area.</p> <p>You have installed a sign with your incident contact number and also that of NRW to the entrance gate of the site. You need to ensure that your Environmental Management System (EMS) is adequate in terms of incident response procedures. As requested can you please forward NRW an electronic copy of your EMS for assessment and our records.</p> <p>There are no set monitoring requirements within the SR2012 No14 standard rules environmental permit.</p> <p>You must submit annual calendar year waste returns by 31 January of the following year.</p>
<p>Making changes to permit - i.e. variation, transfer, TCM, company details etc.</p>	JG	<p>You must inform NRW if there is a change in technically competent manager (TCM) for the site, evidence of qualification must also be submitted.</p> <p>If you want to change any aspect of the permit then you must apply for a variation. This includes if the name of the permit holder changes from Towy Metals Limited. There are associated fees for permit variations as well as permit transfers and permit surrenders. As you have a standard rules permit you are limited in what can be varied, not much more than permit holder name and permitted area. If you wanted to change the operation you undertake then you may have to add another standard rules set for a different activity or vary the permit into a bespoke permit. There are associated costs around this and it will be</p>

		<p>more expensive to have a bespoke permit than a standard rules one.</p> <p>There are fees associated with making changes or surrendering your permit.</p>
<p>Sector specific topics, e.g. bioaerosol risk management, odour management etc.</p>	JG	<p>Other than the requirement to have a written and fit for purpose Environmental Management System and Fire Prevention & Mitigation plan there is no current requirement for any other specific management plans or systems. However, your permit does allow provision for NRW to ask for odour and noise management plans to be produced should either of these issues be deemed at a level likely to cause pollution outside the site by an authorised officer of NRW.</p>
<p>Fire Prevention and Mitigation Plan (FPMP) - Regulating officer to ensure the FPMP has been assessed using the FPMP assessment checklist and is being implemented on site.</p>	JG	<p>You have produced a FPMP and have submitted an electronic copy to NRW. This will be assessed in due course, and you will be advised if any changes are required.</p>
<p>Landowner/leasing agent details - Obtain full contact details of the landowner and/or Leasing Agent.</p> <p>Establish if the operator has notified the landowner that a waste operation has been permitted on the land.</p>	JG	<p>Mr. Murphy has informed officers that they are the landowners.</p>

<p>Ensure a copy of the first CAR and details of where the permit can be viewed by the landowner.</p> <p>Send a copy of the notification letter to the landowner including a copy of the CAR form.</p>		
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Operator confirmation that all topics were discussed and understood

Operator

Signature:

Print Name: Michael Murphy (director, Towy Metals Limited)

Waste Regulation Officer

Signature:

Print Name: Jeremy Goddard (Team Leader, Waste and Enforcement Team – Mid Wales)

Notes:

* How CCS scores affect subsistence charges

CCS Category	Description	Score
1	Breach with a potentially major environmental effect	60
2	Breach with a potentially significant environmental effect	31
3	Breach with a potentially minor environmental effect	4
4	Breach with no potential environmental effect	0.1

Accumulation of scores over a compliance calendar year:

OPRA band	A	B	C	D	E	F
CCS points	0	0.1 – 10.0	10.1 – 30.0	30.1 – 60.0	60.1 - 149.9	150 +
Fee payable	95%	100%	110%	200%	300%	500%
Example fee (£1000/yr)	£950	£1000	£1100	£2000	£3000	£5000

Note: Ensure that you have consulted NRW Fees and Charges scheme for any updates to %