

## Compliance Assessment Report CAR\_NRW0041001

**Permit being assessed:** AB3891FT.

For: Celsa Swansea Scrap Yard, held by Celsa Manufacturing (UK) Ltd

At: Celsa Swansea Scrap Yard, Swansea Docks, Lockhead/Kings Dock, Swansea, SA1 1QR.

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

On 16/01/2023 between 10:30 and 11:10.

Parts of permit assessed: General Site inspection

**NRW Lead Officer:** Sally Wakeford, accompanied by David Ellar.

**Report sent to:** Ian Cresswell, Site Manager on 27/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	2.1.1
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
B3	Maintain drainage, impermeable pavement and bunds to a satisfactory state	31/07/2023

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

An unannounced site inspection was conducted by Sally Wakeford and David Ellar on 16 January 2023. Officers were accompanied on site by Ian Cresswell, the site manager, and discussion held with Mike Kethro following a site walkover.

### Drainage

There are issues with the drainage in the newer part of the yard. The impermeable pavement is broken, and in various places around the site the bunds around the edge of the site are missing or damaged.

Ponding on site is likely to overtop the bunds with more rain. There are plans in place to utilise an old diesel tank to be able to keep on top of the ponding, over pumping to go through the interceptor to dock. The tank fills quickly, and is currently being tankered away.

Celsa also have plans in place regarding the condition of the impermeable pavement.

### **B3 – Site Drainage engineering (Clean and Foul) – Permit Condition 2.1.1 - CAT 3.**

You have been issued with a Category 3 breach of permit condition 2.1.1 due to the issues noted above with the drainage and impermeable pavement in the newer part of the site.

2.1.1 Table S1.1 states:

*All waste must be stored and treated on an impermeable surface with sealed drainage.*

*Drainage consisting solely of clean, rainfall dependant run-off from the impermeable surface from areas of the site used to store and/or treat waste via a full retention, 5 chamber oil/water interceptor*

**ACTION: Maintain drainage, impermeable pavement and bunds to a satisfactory state by 31 July 2023 or unless otherwise agreed in writing with NRW.**





### **Oil and Fluid storage**

It has been recognised by Celsa that the oil and fluid storage does require being stored under cover, as the containment areas for the oils fills with rainwater

It is noted that Celsa have already identified this as an issue and have on order new tanks which should solve this issue.

If a spill were to occur from failure of the tanks the oils are stored in, it may be necessary for NRW to insist on formal sampling of the inceptor discharge.



**Technically Competent Manager**

Kevin Connell is the named TCM for the site. Certificates were provided via email. Other staff on site are also currently undergoing the training. Please provide the certificates once complete.

**EMS & FPMP**

Versions of the FPMP and EMS were provided by Mike Kethro via email during the inspection.

Current versions:

ECP 38 – Environmental Management Plan Revision 5 – June 2021.

ECP 40 – Fire Prevention & Mitigation Plan Revision 10 – June 2021.

If these are updated, please can you ensure you provide copies to NRW.

Thank you for your time on site.

END

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.