

Compliance Assessment Report CAR_NRW0042283

Permit being assessed: HB3490HK.

For: Abertawe Metals Recycling Ltd, held by Abertawe Metal Recycling Limited

At: Dyffryn Close, Swansea Enterprise Park, Swansea, Swansea, SA6 8QG.

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

On 09/08/2023 between 11:22 and 12:22.

Parts of permit assessed: Site

NRW Lead Officer: Cathy Lloyd, accompanied by Hugh Martin.

Report sent to: James Larnar, Operator on 21/08/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	C3 Minor	2.2.1
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.3.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	4.2.2
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
C2 - General Management - Management system and operating procedures	C3 Minor	3.4.1
A1 - Specified by permit	C3 Minor	2.1.1
C1 - General Management - Staff competency/training	C2 Significant	1.1.1 b

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

Total number of non-compliances recorded	Total non-compliance score
7	55

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
C3	Stop accepting WEEE and Textiles. Contact NRW in writing by 7/09/2023 to provide a date for our agreement, that you expect to be able to remove all non-compliant waste from site.	07/09/2023
B4	Store all waste materials as required by permit conditions.	07/09/2023

Criteria	Action needed	Complete by
	Please contact NRW in writing to provide a date that you expect to be able to complete this action.	
G4	Provide a date in writing, for our agreement, that you expect to provide all waste returns	07/09/2023
C2	Provide a date in writing, for our agreement, that you expect to provide an updated EMS	07/09/2023
C2	Provide a date in writing, for our agreement, that you expect to provide a FPMP.	07/09/2023
A1	treatment of cables can only be carried out using hand held cutting equipment.	07/09/2023
C1	Provide details of the technical competent manager for the site	07/09/2023

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

An unannounced site visit was carried out on 9 August 2023. I was accompanied by Hugh Martin, NRW. Weather conditions: Dry and sunny. None of the directors of the company were on site at the time of the inspection. Abertawe Metal Recycling Ltd. hold a Standard Rules Permit SR2012 No14, Metal recycling, vehicle storage, depollution & dismantling (authorised treatment) facility (ref. HB3490HK).

The purpose of the visit was to determine if the actions had been completed listed in the compliance report NRW_CAR0041634. These actions should have been carried out by 1 August 2023.

ACTION: Removal of WEEE and textiles from site. Provide waste documentation showing its removal.

The action in the CAR was to remove all the WEEE from the site and provide the waste transfer notes showing its removal. NRW did not receive any documentation showing that WEEE had been removed. During our visit, WEEE was noted on site and was also accepted at the site during the inspection. This activity is not authorised by your permit.



Textiles remained at the site, some were being processed inside the building and was also being stored outside on permeable ground. We did not receive any documentation showing the removal of Textiles. You must stop accepting waste that is not listed in 22a and 22b of your permit and remove waste that you are not authorised to accept.



Please contact NRW in writing by 7/09/2023 to provide a date that you expect to be able to complete this action.

A category 3 non-compliance has been recorded against Condition 2.2.1 of the

Environmental Permit (Ref:C3) for the acceptance of nonconforming waste.**ACTION: Store all waste materials as required by permit conditions**

End of Life Vehicles were being stored on permeable ground.



Metal waste must be stored on a sealed drainage system.



Engines, one leaking oil, were not being stored on a sealed drainage system.



Please contact NRW in writing by 7/09/2023 to provide a date that you expect to be able to complete this action.

A category 3 non-compliance has been recorded against condition 2.3.1 of the Environmental Permit (ref:B4) for not storing waste as required by permit conditions.

ACTION: Maintain the drainage system and provide copy of the hazardous waste consignment note produced from maintenance of the oil interceptor

Pooling of surface water, contaminated with oil was again noted on site. The drains were blocked. NRW did not receive the HWCN from maintaining the interceptor.

**ACTION: Provide all outstanding waste returns**

No waste returns have been received.

Please contact NRW in writing by 7/09/2023 to provide a date that you expect to be able to submit all outstanding waste returns.

A category 4 non-compliance has been recorded against condition 4.2.2 of the Environmental Permit (ref:G4) for failing to provide all waste returns.

ACTION: provide a copy of the updated Environmental Management System and Fire Prevention and Mitigation Plan

NRW did not receive an updated Environmental Management System (EMS). NRW has been informed that environmental consultant has been contacted to produce the EMS. An updated EMS written in line with the permit conditions must be provided.

Please contact NRW in writing by 7/09/2023 to provide a date that you expect to be able to complete this action.

A category 3 non-compliance has been recorded against condition 1.1.1 of the Environmental Permit (ref:C2) for failing to provide an updated EMS.

NRW did not receive a copy of the Fire Prevention and Mitigation plan.

Please contact NRW in writing by 7/09/2023 to provide a date that you expect to be

able to complete a FPMP.

A category 3 non-compliance has been recorded against condition 3.4.1 of the Environmental Permit (ref:C2) for failing to provide a FPMP.

ACTION: stop using mechanical equipment to treat cables

The Standard Rules permit does not authorise mechanical treatment of cables. There was evidence that this activity is continuing at the site.

A category 3 non-compliance has been recorded against condition 2.1.1 of the Environmental Permit (ref:A1) for mechanically treating cables.

Technical Competent Manager

James Lerner has not completed his continuing competence assessment and you have not provided any evidence that a TCM is employed on site.

NRW considers lack of TCM supervision for the site is a root cause for the site's poor performance.

Action: Provide details of the TCM by 07/09/2023

A category 2 non-compliance has been recorded against condition 1.1.1 b of the Environmental Permit (ref:C1) for failing to provide evidence of employing a TCM.

Abertawe Metal Recycling Ltd. has failed to carry out any of the actions required to bring your site into compliance with your permit conditions. Some of the activities carried out on site are not authorised under the Standard Rules Permit SR2012No14. Abertawe Metal Recycling Ltd. must consider either stopping these activities or varying the permit to allow these activities to take place.

Natural Resources Wales is now considering taking enforcement action against you and we will be serving a Regulation 36 notice to ensure compliance with your permit conditions.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

End of Report

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012. You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st

April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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 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

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.