

Compliance Assessment Report CAR_NRW0043218

Permit being assessed: CP3795FY.

For: Newport Metal Site, **held by:** Sims Group U K Ltd

At: South Dock, Alexandra Dock, Newport, Gwent, NP20 2WE.

Type of assessment: Unknown,

Reason: Other.

On: 23/01/2024.

Parts of permit assessed: 4.3 Notifications.

NRW Lead Officer: Luke Burton.

Report sent to: Georgina Sidney, EHS Partner – UK South & Central Europe , on 23/01/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4C - Information - Notification	C4 No impact	4.3.5 (a)

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

Total non-compliances recorded	Total non-compliance score
1	0.1

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
IR4C	Notify NRW via email when the trial has started and ended	30/01/2024

Compliance 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

This Compliance Assessment Report (CAR) has been produced following a proposal from the operator to make a change in the nature or functioning of the activities.

The change is a small scale trial at the Newport Metal Site to test the suitability of a piece of mobile size reduction equipment to shred pre-treated Small Mixed Waste Electrical and Electronic Equipment (WEE).

The mobile shredder is currently based at the Newport Metal Site.

The need for the shredder to be moved to the operators other site and the trial has arisen due to a combination of extenuating circumstances: Planned shutdown at the operators one site and an unplanned shutdown due to a fire at their other site, both of which are in England.

The trial will prove the suitability of the shredder to size reduce the waste, before the mobile shredder is moved to its host site in England.

The trial will be limited to the the following:

- Small, mixed WEEE will be pre-treated at one of the operator's English facility to remove the following: SMW/ Components, containing fluids, toner cartridges, CFCs, HFCs, HFCs and HCs, TV's and monitors, Fluorescent lamps and switches containing mercury, Hazardous Batteries, Asbestos, Refractory ceramic fibres, Radioactive substances, and Other non WEEE hazardous items (e.g. gas cylinders).
- 5 tonnes of the small, mixed pre-treated WEEE (waste code 20 01 35*) will be transported and consigned to the Newport Metal Site.
- All of the small, mixed pre-treated WEEE will be size reduced in the mobile shredder. The shredding will take a total of approximately 30 minutes. Dust control and fire suppression methods will be available, if required.
- The small, mixed pre-treated, shredded WEEE will be transported and consigned from the Newport Metal site and consigned back to one of the operators English sites.
- If the trial is successful, the mobile shredder will then be transported to one of operators English sites.

Condition 4.3.5 of the permit states:

Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

(a) Natural Resources Wales shall be notified at least 14 days before making the change;

and

(b) the notification shall contain a description of the proposed change in operation.

The above described trial/change in operation has been approved under condition 4.3.5 of the permit, subject to the following conditions.

- The trial takes place within one week from the date of this CAR.
- If the trial threatens to cause immediate significant adverse effect on the environment, the operator must immediately suspend the trial and notify Natural Resources Wales (NRW).

NRW has not been notified of the trial at least 14 days before the change has been made.

NRW have to score all non-compliances with permit conditions.

The notification therefore represents a non-compliance with permit condition 4.3.5 (a).

This non-compliance has been scored category 4 - A non-compliance that cannot foreseeably have any impact on the environment, people and/or property.

Action: Notify NRW via email when the trial has started and ended.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.