

Compliance Assessment Report CAR_NRW0043905

Permit being assessed: FP3795LX.

For: G Lock Scrap Metal Processors, **held by:** Philip Lock

At: Llandygai Ind Est, Llandygai, Bangor, Gwynedd, LL57 4YH.

Type of assessment: Site Inspection,

Reason: Incident Response (Incident number 2404101).

On: 27/03/2024.

Parts of permit assessed: see below.

NRW Lead Officer: Daniel Grant.

Report sent to: Philip Lock, Director, on 16/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2F - Waste - Operations - Technical requirements	Action only (X)	
W3A - Waste - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.1

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

Total 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
W2F	Employ somebody with relevant TCM qualification to manage the site	24/05/2024
W3A	Review site treatment activities and prevent production of emissions from site.	18/04/2024

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 the 27th of March 2024 Natural Resources Wales (NRW) were made aware of and received footage of emissions arising from G LOCK SCRAP PROCESSORS LTD's (G LOCK) site.

This was logged as incident reference number: 2404101.

Upon being made aware of the incident officer Daniel Grant (Hazardous Waste Regulation Officer) rang G LOCK and spoke with the site operator Rebecca Lock.

The footage NRW received showed large red plumes of smoke arising from site.

Rebecca confirmed that G LOCK had accepted an old valve on site which was being cut open using a blow torch (Figure 1). This valve was largely metal waste but contained phosphorus within the valve which was causing the emissions from site when it was in contact with the blow torch.

You should be aware that igniting phosphorus produces dense, white, irritating smoke containing mixed phosphorus oxides. The exposure of phosphorus in amounts can be toxic to human health and the smoke alone from burning phosphorus can be harmful to the eyes and respiratory tract. Further information on workplace exposure limits can be found on the Health and Safety Executive's website here:

<https://www.hse.gov.uk/pubns/priced/eh40.pdf>

Rebecca Lock confirmed that she had stopped the treatment activity as soon as the telephone conversation had finished. Photographs showing the waste and full details of the incident was provided to NRW soon after.



Figure 1. Photograph taken by Rebecca LOCK of the waste on the 27th March 2024 after treatment activities were stopped.

As per condition 2.1.1 of your permit (SR2008 No21) the treatment activity of cutting metal waste for recovery is permitted, however, this treatment activity should not give rise to any emissions. Giving rise to any emissions from your site is a non-compliance with condition 3.1 of your permit. Further details about this non-compliance can be found below.

You should also be aware that condition 3.1.2 also makes it a requirement to submit to Natural Resources Wales for approval an emissions management plan should any activity give rise to emissions.

Technically Competent Manager (TCM) requirements

As has been discussed recently, TCM requirements on site are currently not being met. This is because nobody holds a suitably approved qualification for this requirement on site.

We have since liaised with CIWM (WAMITAB) to ensure that the correct qualification is chosen for you. G LOCK currently hold a bespoke environmental permit which includes a combination of two standard rule permits:

- SR2008 No20
- SR2008 No21

Each of these permits would require different qualifications to be attained in order to meet TCM requirements. As a result two qualifications would be required for the TCM at your site moving forward. We have recommended both qualifications of MRC01 and MRC02. Further details of these can be found on CIWM (WAMITAB)'s website here:

<https://ciwmquals.co.uk/competence/operator-competence/>

In the meantime, in order to ensure compliance you must look at employing somebody with the relevant qualification requirements to carry out the TCM requirements on site. Please ensure that this requirement is

met.

Non-compliances

Condition 3.1.1

“Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution”.

Evidence obtained showed emissions being produced from the site on the 27th March 2024.

As a result of this non-compliance with condition 3.1.1 a CCS breach 3 has been assigned

Action- do not carry out any treatment activities that may give rise to emissions from site.

Deadline- immediate

Summary

Your overall score for this post-incident report is 4.

Further details about scoring can be seen in the table at the end of this report.

Actions and deadlines in order to bring you back into compliance has been provided above.

If you have any further questions about the contents of this inspection report, please do not hesitate to contact us.

Yours sincerely

Daniel Grant

Hazardous Waste Regulation Officer

E-mail: daniel.grant@naturalresourceswales.gov.uk

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.

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.