

Compliance Assessment Report CAR_NRW0044596

Permit being assessed: ZB3793HN.

For: Dragon Works, **held by:** City Metals (U K) Limited

At: Saltney, Chester, Cheshire, CH4 8RW.

Type of assessment: Site Inspection,

Reason: Routine.

On: 25/06/2024 between 11:35 and 11:50.

Parts of permit assessed: management system, security, waste returns.

NRW Lead Officer: Boguslawa Pierzchala, accompanied by Joe Weatherley.

Report sent to: Mike Green, Owner, on 12/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	Condition B Part 3 (1) of The Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018.
W1A - Waste - Management - General management	Action only (X)	
W4B - Waste - Information - Reporting	C4 No impact	Condition 7.2.2 of your permit requires you to submit within one month of the end of each quarter a summary of waste quantities and types accepted on to and removed from site for that quarter
W2E - Waste - Operations - Waste acceptance	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
2	4.1

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
W1A	Please update and submit your EMS for assessment	09/08/2024
W1A	Please store all oily parts in an appropriate, weatherproof container available on site.	12/07/2024
W4B	Please submit the missing waste returns.	02/08/2024
W2E	Please dispose of the WEEE item appropriately	26/07/2024

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

On Tuesday the 25th of June 2024 Natural Resources officers attended at City Metals UK Limited to conduct an unannounced site inspection.

The site is operational.

The gate was open; however, the manager was not present and no activities were taking place at the time of the inspection.

The weather was dry and sunny.

W1A General Management

The depollution area was being used for non-permit related activities.

The storage area to the right was checked and a small amount of mixed metal was seen. Officers also saw a washing machine on top of mixed waste. Please see photo below.



WEEE seen on top of mixed waste pile.

This waste stream is not listed on the permit and therefore should be removed to a suitable site.

Action: Please remove the washing machine and dispose of it appropriately.
Please comply by the **19th of July 2024**.

Tyres were seen stored in metal containers.

Impermeable storage area.

Only a few vehicle were stored in the left-hand site storage area.

Oily parts were mainly stored in an appropriate, weatherproof, lockable container. Officers noticed a couple of parts stored on the ground. Please see the below photos.



parts stored directly on the ground

Action: Please place all oily parts in the weatherproof container available on site to ensure they are stored in appropriate manner. **For immediate compliance.**

Environment management system - EMS

A draft Environment Management System (EMS) was received from the operator and assessed as insufficient. Comments were sent back to update the draft and re-submit for further assessment.

During the last site inspection the EMS was discussed with the site manager. An action detailed in the CAR form NRW0041603 required the operator to submit an updated version of EMS for assessment by the 28th of April 2023. This action has not been completed.

All waste permits holders whose permits were granted before 6th April 2008 are now required to have an environmental management system as per Part 3 (1) of The Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018.

An operator should have an appropriate management system for the activities that they are undertaking, they should also review the system at an appropriate frequency.

It has subsequently been scored as a **C3 breach**.

Action: Please submit an updated version of the EMS for assessment by no later than the **9th of August 2024**.

(W4B) Reporting

Waste returns:

Condition 7.2.2 of your permit requires you to submit within one month of the end of each quarter a summary of waste quantities and types accepted on to and removed from site for that quarter.

A review of the waste returns submissions for permit ZB3793HN has been completed.

Q4 2022, Q1 – Q4 2023, Q1 2024 have not been submitted, this has subsequently been scored as a C4 breach against the relevant permit condition.

It has subsequently been scored as a **C4 breach**.

Action: Please submit the outstanding waste return by no later than the **2nd of August 2024**

Should you have any questions or wish to discuss the report, please find my contact details below.

Kind regards,

Boguslawa Pierzchala Waste regulation Officer (Waste Regulation Team)

Email: boguslaw.pierzchala@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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 2012.

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.