

Compliance Assessment Report CAR_NRW0044764

Permit being assessed: AP3798FB.

For: E.J. Metals Recycling Ltd, **held by:** EJ METALS RECYCLING LTD

At: Creuddyn Bridge, Lampeter, Ceredigion, SA48 8BA.

Type of assessment: Site Inspection,

Reason: Routine.

On: 02/07/2024 between 13:00 and 14:15.

Parts of permit assessed: All.

NRW Lead Officer: Malcolm Dines, accompanied by Christopher Gilbey.

Report sent to: Evan Jones, TCM, on 19/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4B - Waste - Information - Reporting	Assessed (A)	
W1A - Waste - Management - General management	Assessed (A)	
W2A - Waste - Operations - Permitted activities	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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 was a routine announced compliance visit carried out by Malcolm Dines and Chris Gilbey, to assess compliance with the storage of hazardous wastes. The weather was overcast and warm and there was good visibility. The officers met with the owner and Technically Competent Manager, Evan Jones, who accompanied them for the duration of the compliance visit.

You are currently in the process on improving the site infrastructure by extending the impermeable surface to include the whole of the yard in front of the depollution building and down the eastern side of the same building. This will include replacing drains and all this new surface will drain to the interceptor. You were hoping that the work would be completed in the next couple of months. It does mean that you have much less operational space at present so you must ensure that undepolluted waste vehicles are only stored on the current area of impermeable pavement served with sealed drainage. Any vehicles and equipment on the concrete pad that are not part of the waste activity and may need to be moved to make space while the improvement works are on-going.

You also mentioned that your entire site is off-grid through solar panels and a wind turbine and that you have enough self-generated power to manage even during the shortest days of the year.

There was no depollution work being undertaken on the day of this compliance visit as the member of staff who depollutes ELVs was not working that day and therefore the next compliance visit will be looking at the depollution process. All waste oils and liquids are stored in Intermediate Bulk Containers within the depollution building. This is compliant with your permit as in the event of a spill or leak, the oil will be contained within the depollution building. In the event of any oils or liquids escaping the building there is a gutter drain across the doorway that would collect and divert the oil to the interceptor.

Please note that although the Oil Storage Regulations are applied directly and so do not form part of permit compliance, under those regulations Intermediate Bulk Containers are not considered to be suitable for the storage of oils. It is recommended that you replace these containers with purpose made tanks that meet the requirements of the Oil Storage Regulations.

You had exported a consignment of batteries on the morning of this compliance visit and you showed a hazardous waste consignment note for this shipment.

Your technical competence is in date, but you will need to complete your continuing competency assessment in August. You had written a reminder for this clearly on your technical competency certificate pinned to the documentation board in your office. This is a really good way of ensuring you are up to date with this qualification.

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.