

## Compliance Assessment Report CAR\_NRW0045301

**Permit being assessed:** EB3038RW.

**For:** Lelo Metal Recycling Ltd, **held by:** Lelo Metal Recycling Ltd

**At:** Craig Lelo Works, Gwyddelwern, Corwen, Denbighshire, LL21 9SD.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 27/09/2024 between 10:10 and 11:20.

**Parts of permit assessed:** General management, storage, noise .

**NRW Lead Officer:** Boguslawa Pierzchala, accompanied by Steven White.

**Report sent to:** Gari Jones, owner, on 11/10/2024.

### 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	Permit condition 1.1.1 and 1.7 of EMS
W3D - Waste - Emissions and monitoring - Noise and vibration	Assessed (A)	

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
W1A	Action: please ensure all storage areas are compliant with the storage of waste detailed in section 1.7 of the EMS. Please comply by the 18th of October. Once completed please submit photographic evidence to NRW.	18/10/2024

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 Friday the 27<sup>th</sup> of September 2024 waste regulation officers attended at Lelo metal recycling Ltd.

This was a planned, unannounced site inspection.

The officers met Gari Jones, site manager who accompanied officers throughout the inspection.

The inspection began with a discussion in the site office, where current activities, plans and issues were discussed.

**(W3D) Noise and vibration** – The site was operational at the time of inspection with several machines being operated. The noise deemed to be at acceptable levels.

#### **W1 General management- Depollution area**

The depollution area was checked, as there was no activity taking place at the time of the inspection. No issues were observed.

#### **W1 General management - storage**

##### **Indoor area.**

The indoor storage area was well organised with several waste streams stored in separate containers.

##### **Outdoor storage areas.**

The outdoor area looked in need of reorganising in places.

Officers noted that a large amount of oily parts were stored in a pile on the ground and also overspilling from a metal container.

Any oily parts/ engines or other waste that may be source of pollution due to being exposed to the elements need to be stored under cover or in a weatherproof container to prevent the impact of any remnants of oils etc.

Officers could see oily sheen on the ground next to the pile.

Please see the below photos.



container with overspilling oily parts



A pile of oily parts stored next to the concrete bays.



Oily sheen seen next to the storage of the oily parts

This is a breach of the permit condition 1.1.1.

### 1. General Management

Section 1.1.1 states The operator shall manage and operate the activities:

(b) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and (...)

The storage arrangements were not as described in section 1.7 of the site Environment Management System.

Subsequently a **category 3 non-compliance** score has been issued which will be **consolidated** with the below described waste storage breaches.

Some of the waste stored in the concrete bays were overspilling onto the yard.

This has been assigned and consolidated into one CCS 3 score.

Please see the below photos.



Storage bays an immediate storage area

Officers also noted that oversize metal waste and un-depolluted vehicles were stored next to the storage bays. Please see the below photo.

Mr Jones discussed this with officers and the vehicles were to be moved immediately. In regard to the oversize metal waste Mr Jones had organised contractors to accommodate the disposal of this particular waste.



Un-depolluted vehicles and oversize metal waste.

This has been assigned and consolidated into one CCS 3 score.

The storage of waste by the storage bays and next to the main building looked overcrowded.

The storage of the containers made the quarantine area smaller than what is described in the site EMS.

Please ensure that the quarantine area is well defined and kept clear at all times and the storage is compliant with the site's EMS.



Storage containers encroaching on the quarantine area.

As a result of the above permit breaches a **consolidated** category 3 non-compliance score has been issued.

**Action:** please ensure **all** storage areas are compliant with the storage of waste section (1.7) of the EMS. Please comply by the 18<sup>th</sup> of October. Once completed please submit photographic evidence to NRW.

Thank you for your time during the visit please find my contact details below.

Kind regards,

Boguslawa

Email: [boguslawa.pierzchala@naturalresourceswales.gov.uk](mailto:boguslawa.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](mailto: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](mailto: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.