

## Compliance Assessment Report CAR\_NRW0045413

**Permit being assessed:** BB3298HN.

**For:** Green Steel Works Ltd, **held by:** Green Steel Works Ltd

**At:** Unit 6, Capital Valley Eco Park, Rhymney, Tredegar, Caerphilly, NP22 5PT.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 07/10/2024 between 11:00 and 12:00.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Greg Gardner, accompanied by Chris Burge, Jodie Baskerville.

**Report sent to:** Mr. Milo THOMAS, Technically Competent Manager, on 17/10/2024.

### 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	C4 No impact	4.2.2
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W2D - Waste - Operations - The site	Assessed (A)	
W3A - Waste - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
W3C - Waste - Emissions and monitoring - Odour	Assessed (A)	
W3G - Waste - Emissions and monitoring - Fire	Assessed (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
W4B	Submit outstanding waste returns to NRW. Waste returns	31/10/2024

Criteria	Action needed	Complete by
	must be submitted even if a null return and must be submitted to NRW on time and in full by the deadline dates as outlined within the CAR form.	

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

This compliance assessment report (CAR) details the unannounced site inspection conducted on 07/10/24 by Natural Resources Wales (NRW) Officers at: Unit 6, Capital Valley Eco Park, Rhymney, Tredegar, Caerphilly, NP22 5PT. Permit EPR-BB3298HN.

NRW Waste Regulation Officers Greg GARDNER and Chris Burge with Senior Waste Regulation Officer Jodie BASKERVILLE arrived at 11:00 and met with the site manager. The site was operational at the time of the inspection. The weather conditions were dry and mild during the time of inspection however it had rained the previous day.

The purpose of the site inspection was to check compliance with a Regulation 36 Notice of the Environmental Permitting (England and Wales) Regulations 2016 which was issued to Green Steel Ltd on 24/07/24 as well as conduct a routine site inspection of Green Steel Ltd.

**ACTIONS FROM PREVIOUS SITE INSPECTION - 15/07/24 - CAR\_NRW0042981**

Compliance Criteria	Result	Conditions	Action Required	Remedial Action	Due Date
(W1A) General management	(C2) A non-compliance which could have a significant environmental effect	1.1.1	Ensure EMS is current and all activities on site are reflected within the EMS. Ensure the EMS is followed and all staff are made aware of the procedures within the EMS and adhere to them at all times.	Improve operations	06/09/2020
(W2A) Permitted activities	(C2) A non-compliance which could have a significant environmental effect	2.3.1	Remove non-compliant waste(s) from areas outside the buildings. The activities shall be operated using the techniques and, in the manner, described in Table 2.3 of your environmental permit.	Improve operations	04/10/2020
(W3A) Emissions to water, air or land	(C2) A non-compliance which could have a significant environmental effect	3.1.1	Unblock drainage systems in both units and ensure these do not overflow. A suitable maintenance schedule to empty and clean these systems must be implemented as part of a daily site checklist,	Improve operations	30/08/2020
(W3G) Fire	(C2) A non-compliance which could have a significant environmental effect	3.4.1	Reduce stockpiles of mattresses and implement a suitable fire break in line with current FPMP.	Improve operations	04/10/2020

**GENERAL OBSERVATIONS**

Upon arrival NRW Officers noted that the previously identified stockpiles of waste(s) located outside at Green Steel had been removed and placed within the unit - see photos 1-6. NRW officers were satisfied that Green Steel Ltd had complied with this element of the Regulation 36 Notice. The outside flooring infrastructure where the waste(s) had been previously stored was in good condition with no offensive odours and / of excessive noises present. As a reminder to the operator to always ensure all waste(s) that are **NOT** classified as 'specified waste(s)' must be stored inside on an impermeable surface as per section 2.3 of your environmental permit.



**Photo 1 - Stockpiles of waste(s) removed from outside storage area**



**Photo 2** - Stockpiles of waste(s) removed from outside storage area



**Photo 3** - Stockpiles of waste(s) removed from outside storage area

Waste(s) stored inside the unit were in compliance with the sites Fire Prevention and Mitigation Plan (FPMP) in relation to stockpile sizes and with sufficient fire breaks present. Again, the flooring infrastructure was in good working condition with no visible defects. There were no offensive odours, excessive noise and / or large quantities of unwarranted dust witnessed by NRW officers within the unit. Housekeeping was to a good standard with no excess litter / debris present. As a reminder to the operator, please ensure you remain within waste stockpile height / width limits as identified in your site FPMP.



**Photo 4** - Stockpiles of waste(s) stored inside unit



**Photo 5** - Stockpiles of waste(s) stored inside unit



**Photo 6** - Stockpiles of waste(s) stored inside unit

Whilst continuing the site inspection, it was noted that the onsite drainage channels located within the main processing unit building were clear and maintenance on these drains had been undertaken, see photos 7 and 8. There was some residual dirt / mud located around the drains however during the site inspection on site vehicle movements were witnessed causing this to occur however there were no issues identified. The site manager indicated to NRW officers that the drains are maintained twice weekly and are part of the daily checks and within their Environmental Management System (EMS). Again, NRW officers were satisfied that the site had complied with this element of the Regulation 36 Notice.



**Photo 7** - Drainage channels at Green Steel Ltd



**Photo 8** - Drainage channels at Green Steel Ltd

In one of the units, unprocessed mattresses were being stored in readiness for further processing. At the time of the site inspection Green Steel Ltd were not processing any mattresses. These mattresses were stored with sufficient firebreaks in place as well as stored in compliance with the sites Fire Prevention and Mitigation Plan (FPMP) in relation to stockpile dimensions - see photos 9 and 10. Following the site inspection, further work has been undertaken to reduce stockpile sizes. As per the previous unit, there were no offensive odours, excessive noise and / or large quantities of unwarranted dust witnessed by NRW officers within the unit. Again, housekeeping was to a good standard with no excess litter / debris present.

As a reminder to the operator, please ensure you remain within waste stockpile height / width limits as identified in your site FPMP. Again, NRW officers were satisfied that the site had complied with this element of the Regulation 36 Notice



**Photo 9** - Unprocessed mattresses at Green Steel Ltd



**Photo 10** - Unprocessed mattresses with fire break at Green Steel Ltd

In summary, NRW officers were satisfied that Green Steel Ltd had complied with their Regulation 36 Notice of the Environmental Permitting (England and Wales) Regulations 2016. NRW officers appreciate the work that has been undertaken by Green Steel Ltd employees to bring the site back into compliance in response to the issuing of the Regulation 36 Notice. Please continue this good work to ensure the site remains in compliance with their environmental permit. Following the compliance of the Regulation 36 Notice, NRW will be issuing Green Steel Ltd with a warning letter.

**WASTE RETURN SUBMISSIONS**

According to NRW records, Green Steel Ltd last submitted waste return to NRW was for quarter 3, 2023. Within the sites environmental permit (condition 4.2.2), waste returns are to be submitted to NRW even if a null return.

Permit condition 4.2.2. states that *‘Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter’.*

As a reminder to the operator, please see below the waste return submission deadlines:

**Waste Return Submission Deadline**

Quarter	Period	Deadline
1	1 January to 31 March	30 April
2	1 April to 30 June	31 July
3	1 July to 30 September	31 October
4	1 October to 31 December	31 January

Waste returns must still be submitted to NRW even if it is a null return. Site management

need to put in place measures to ensure that the Return data is submitted diligently every quarter. This can be done by setting calendar reminders or having a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance.

## **CATEGORY 4 BREACH – PERMIT CONDITION 4.2.2**

### **(W4B) – REPORTING**

*"Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter."*

- Green Steel Ltd have failed to submit any waste return data since quarter 3, 2023.

Please see report content for further justification

**ACTION:** Submit outstanding waste returns to NRW. Waste returns must be submitted even if a null return and must be submitted to NRW on time and in full by the deadline dates as outlined within the CAR form.

NRW Officers Greg GARDNER, Chris BURGE Jodie BASKERVILLE left site at 12.00pm the same day.

If you have any issues with this report, please contact Greg Gardner on [greg.gardner@naturalresourceswales.gov.uk](mailto:greg.gardner@naturalresourceswales.gov.uk)

I look forward to working with the site in the future.

Thank you.

***In this document 'Natural Resources Wales' means the Natural Resource 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.