

Compliance Assessment Report

Report ID:
CAR_NRW0036028

This form will report compliance with your permit as determined by an NRW officer

Site	Green Steel Works Ltd	Permit Ref	BB3298HN		
Operator/Permit holder	Green Steel Works Ltd				
Regime	Waste Operations				
Date of assessment	28/11/2019	Time in	11:25	Out	11:50
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Lee, Jonathan				
Accompanied by	Burge, Chris				
Recipient's name/position	Milo Thomas/ Director/TCM	Date issued	05/12/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C3	2.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Introduction

Officers Jonathan LEE and Chris BURGE in attendance of Green Steel Works Limited, Rhymney in response to incidents reported to Natural Resources Wales relating to smoke emanating from the permitted facility.

Weather was cool with light rain. In responding to the incident reported, officers also completed a brief inspection of the permitted facility.

Burning of waste

Upon arriving at the facility, officers witnessed light grey smoke rising from the outdoor yard area to the rear of the site. Upon driving past the entrance gates to the facility, officers could see a small pile (approximately 1 metre square) of waste mattress springs on fire. This fire was releasing grey smoke. At this point there was no attempts by workers being made to extinguish the flames. After officers exited their vehicle and entered the yard area, a member of staff had retrieved a hose pipe and was attempting to extinguish the fire.

After this the site supervisor at the time of the visit, Mr Piers Thomas, greeted officers. Mr Thomas stated that a small fire had started in a hopper in the shredding machine present in the building on site, and that the burning material had to be removed to the outdoor area to be watered down.

Officers inspected the hopper of the machine, there did not appear to any evidence of a fire in this machine.

You are NOT permitted to burn waste. A permit breach has been scored.

Compliance Breaches

The following permit breaches were identified during the inspection.

A1 – Specified by permit – Category 3 breach – Permit Condition 2.1.1

Permit condition 2.1.1 states that the operator is only authorised to carry out activities specified in Table 2.1.

Permit Table 2.1 does not permit the burning of wastes.

As described above and as shown in Photo 1 below, it was evident at the time of inspection that the burning of waste mattress springs was taking place. You should have management procedures in place to ensure that this activity does not take place.

You have been scored a **Category 3 breach** of permit condition 2.1.1. for the burning of waste.

Action – Ensure that no further waste is burnt on site.

Deadline – On receipt of Compliance Assessment Report.

If any further reports of burning of waste on site are substantiated by officers, an escalation in Natural Resources Wales' enforcement response will be considered.



Photo One – Burnt waste mattress springs.

C4 – Storage, handling, labelling and segregation – Category 3 breach – Permit Condition 2.3.1

Permit condition 2.3.1 states that the activities shall be operated using the techniques and in the manner described in Table 2.3 (as shown below).

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste³:
 - a) all bulking, transfer or treatment of waste shall be carried out inside a building;
 - b) all waste shall be stored in a building or within a secure container.
 - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

During the inspection it was evident that a large stockpile of non-ferrous metal (EWC 19 12 03) and other smaller stockpiles of treated wastes were being stored and treated outside of the building on site (as shown in Photo 2 below).

Non-ferrous metal (EWC 19 12 03) is **NOT** a specified waste and therefore all storage, bulking, transfer and treatment of the site waste must be carried out inside a building.

You have been scored a **Category 3 Breach** of permit condition 2.3.1 for failure to ensure that non-specified waste(s) are only stored and treated within the building on site.

Action – Move the stockpiles of 19 12 03 and other non-specified wastes into the building on site. Ensure that permit Table 2.3 is complied with.

Deadline – Friday 20th December 2019 (for moving of 19 12 03 into building on site).

The current management system document for the site is 'Environmental Management System Plan (EMS 2019)'. Section 2.2. Drainage systems of this document states that 'there are no open drains within the building used for the facility and all material will be stored internally on skips, containers, bins, pallets on the concrete floor. **There will be no leakage from the material into the drainage system.**

It was noted in the visit that contaminated water was running off the stockpiles of waste being stored outside and towards a drainage gully in the middle of the yard (as shown in Photo 3 Below). This contaminated run-off was pooling in the middle of the yard. Whilst this area does benefit from a mostly impermeable surface, officers were unsure as to the drainage arrangements in this area of the site. This run-off has potential to flow towards the surface water network. It is vital that the operations of the site are better managed to ensure that any impact to the water environment does not occur.

This observation has been noted as a non-compliance under the breach of permit condition 2.3.1 above. However, should further management failures be observed during future compliance inspections, permit breaches relating to site management may be recorded.

Action: - Ensure that all future site operations are carried out in accordance with the site management system document.



Photo Two – Stockpiles of waste, burnt mattress springs.



Photo Three – Contaminated water entering drainage gully.

Summary

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at jonathan.lee@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.

EPR Compliance Assessment Report

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Site	Green Steel Works Ltd	Permit Ref	BB3298HN
Operator/Permit holder	Green Steel Works Ltd	Date	28/11/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C4	C3	Move the stockpiles of 19 12 03 and other non-specified wastes into the building on site. Ensure that permit Table 2.3 is complied with. Ensure that all future site operations are carried out in accordance with the site management system document.	20/12/2019
A1	C3	Ensure that no further waste is burnt on site.	05/12/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.