

Compliance Assessment Report

Report ID:
CAR_NRW0036101

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

Site	European Metal Recycling Ltd	Permit Ref	FP3094VP			
Operator/Permit holder	European Metal Recycling Ltd					
Regime	Waste Operations					
Date of assessment	12/12/2019	Time in	10:30	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	A, B, C, F and G					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Nicola RUSHTON, Martin CROSSMAN and James CROSS/ Environmental Coordinator. TCM. Area Manager	Date issued	18/12/2019			

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	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Officer Alex BOWDER attended European Metal Recycling Limited (EMR), Dowlais Wharf at 10:30 on Thursday 12 December 2019 to carry out a routine inspection of permit **EPR-FP3094VP**. Met with business representatives Nicola RUSHTON, Martin CROSSMAN and James CROSS who accompanied the Officer around the permitted area and explained the operational procedures on site. The weather conditions were wet at the time of visit.

PREVIOUS CAR FORM ISSUES

- Weakened infrastructure in need of repair
- Excessive Stockpile height storage

GENERAL OBSERVATIONS

The Officer discussed operations for the two held Standard Rules Permits under **EPR/FP3094VP**:

- SR2009No7 for the storage of furnace ready scrap metal for recovery and
- SR2008No21 for a metal recycling site.

The Officer went through the CAR Form **CAR_NRW0035630** actions and discussed any changes to operations since the last inspection.

INSPECTION FINDINGS

It was apparent that there was less material on site than last inspection. Stockpiles dimensions were smaller and lower in volume at the time of visit. Housekeeping was generally good across the yard with metal waste streams separated into respective piles.

Due to the room on site, some neighbouring piles were merging at the bottom, allowing minimal **separation distance** between stacks. The site should be establishing gaps between stockpiled waste on site for good waste management practise.

The Officer was shown the area at the rear of the yard where the metal shearer sits - no issues apparent.

TECHNICALLY COMPETENT MANAGER (TCM)

The designated TCM for the site is Mr. Martin CROSSMAN who accompanied Officer around the permitted area. The business has stated that it will send the updated continuing competency certificate once completed.

DRAINAGE SYSTEM

CONTAINMENT

The Officer raised the point about ensuring the site boundary is fully sealed and that run-off does not flow into the water from the slab. The site stated that there is a gradient in the flooring profiled to direct water away from the edge; this was touched on last inspection. No surface run-off was entering the water at the time of inspection.

There are three interceptors that complete the drainage system for the yard. These are maintained biannually. There were no issues apparent with the system at the time of inspection.

INFRASTRUCTURE

The Operator incurred a B1 Category 3 Breach for infrastructure issues on the CAR Form **CAR_NRW0035630**. The fractured areas in the centre on the yard were in the same condition with metal plating covering the weakened area.

The Operator stated to the Officer how the repair works for this area has been allocated under next year's budget; the work is intended to be carried out within the first half of 2020. It was also stated that the business chose to repair the top end of the yard first as it was in worse condition - this was done in early 2019.

ADVISORY NOTE

Please ensure the weakened infrastructure areas are repaired in the new year as soon as possible, to

ensure the site is fully sealed.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

The business' EMS comprises of various documents and systems that is updated accordingly. On the last CAR Form **CAR_NRW0035630**, the Officer spoke about condensing the system for practical use. It was stated that the business is happy with their ISO accredited system and can easily navigate the document when necessary.

FIRE PREVENTION AND MITIGATION PLAN (FPMP)

The site submitted its FPMP earlier this year. The Plan is still to be formally assessed by NRW and the Fire and Rescue Service (FRS). The Officer spoke about conducting a visit with a Waste Fire Officer from the FRS in 2020 - the site saw the mutual benefit of this activity. We will look to coordinate this joint visit in 2020.

QUARANTINE AREA

The allocated area in the yard seemed suitable to hold 50% of the largest stockpile at the time of inspection. The area is still dynamic and can move around based on operations at the time. Please ensure staff are aware of this area and that is always kept free.

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

The business stated that it intends to deal with less WEEE going forward, as it can be labour intensive. WEEE is segregated, bulked up and then sent to another facility for fragmentation.

WASTE RETURNS

The business' next Waste Return is due in 31 January 2020. Please ensure the most recent Return template is filled out, that captures the competent person certification on the site information tab - this can be downloaded from our website.

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

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

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036101**

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Site	European Metal Recycling Ltd	Permit Ref	FP3094VP
Operator/Permit holder	European Metal Recycling Ltd	Date	12/12/2019

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.

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			
B1	X	Ensure the weakened infrastructure areas are repaired in 2020.	18/04/2020

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.