

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	14/02/2020	Time in	14:00	Out	15:00
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Lee, Jonathan				
Accompanied by	Bowder, Alex				
Recipient's name/position	Milo Thomas/ TCM/Company Director	Date issued	27/02/2020		

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
C1 - General Management - Staff competency/training	A	
C4 - General Management - Storage, handling labelling and Segregation	X	
D2 - Incident Management - Accidents, emergency and incident planning	X	

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

Compliance Assessment Report – Green Steel Works Limited

Officers Jonathan LEE and Alex BOWDER in attendance of Green Steel Works Limited, Rhymney to complete a routine compliance inspection of the permit **EPR-BB3298HN**. It was raining at the time of the inspection. Officers met with site manager Milo Thomas and Colleen Andrews on site.

Improvements on previous Compliance Breaches

The previous compliance inspection was completed by officer Jonathan LEE on the 28/11/2019. Two non-compliances were scored during this inspection (CAR_NRW0036028). The actions required to remedy these non-compliances are given below: -

- Move the stockpiles of scrap metal 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 – **ONGOING**.
- Ensure that no further waste is burnt on site – **COMPLETE**.

Compliance Observations

The following compliance observations were identified during the inspection.

C1 – General Management - Staff competency and training – Compliant

Permit condition 1.1.4 requires the operator to comply with the requirements of an approved competence scheme. A previous site inspection on the 25/09/2019 required the submission of evidence that Mr Milo Thomas, has completed the appropriate WAMITAB qualification to be the Technically Competent Manager of the site.

Evidence of technical competency has been submitted to Natural Resources Wales (NRW), confirming compliance with permit condition 1.1.4. Please see that any future changes to the TCM of the site are

notified to NRW.

C4 – General Management – Storage, handling, labelling and segregation – Action only

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

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| <ol style="list-style-type: none">1. Unless stored or treated outside as specified waste³:<ol style="list-style-type: none">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. |
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At the time of the inspection, it was evident that the operator had made significant efforts to act on a non-compliance scored during the previous inspection for storing non-specified wastes outside of the building on site. Previously stored stockpiles of EWC 190102 *ferrous materials removed from bottom ash* (and the subsequently treated fractions) had been either moved into the building on site, removed from site, or moved to an area outside of the permitted boundary which was noted as having an S2 Waste Exemption registered (*reference NRW-WME039665*). In addition, the operator was no longer treating waste outside at the time of the inspection. A small stockpile of treated metal waste was being stored outside of the building on site. However, it was noted by officers that this was to be moved into the building as soon as operations allow.

Action – Move remaining stockpiles of non-specified wastes into the building on site. Ensure that permit Table 2.3. is complied with.

A deadline of the **31st March 2020** has been set for this action to be completed.

A further permit breach has not been scored on this occasion as action has been taken. Whilst a further permit breach has not been scored on this occasion, should any future non-compliances be observed regarding the above, further compliance breaches may be scored.

S2 Exemption – NRW-WME039665

At the time of the inspection, it was noted that a stockpile of EWC 190102 had been removed from the permitted boundary to an area with an S2 Waste Exemption 'storage of waste in a secure place' registered.

An exemption can be registered within close proximity to a permitted waste operation. However, NRW expect these activities to be clearly separated with documentation to demonstrate this. You must be able to demonstrate to NRW whether an activity is being carried out under an exemption or under your permitted activities. Paperwork should document this, for example, waste transfer notes.

An S2 Exemption places the following requirements on the storage of waste scrap metal: -

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
020110, 160117, 160118, 170401, 170402, 170403, 170404, 170405, 170406, 170407, 170411, 191202, 191203	scrap metal	15,000 tonnes	6

- the storage place has sealed drainage
- the waste is stored at a dock before being exported or after being imported

An S2 Waste Exemption **does not** allow for the storage of EWC 190102.

Since the inspection, photographs have been supplied to NRW demonstrating that the stockpiles of 190102 have mostly been exported from this area.

NOTE: - An S2 Waste Exemption should not be used for these storage activities. At present, NRW are issuing you with a **warning** regarding this matter as since the compliance inspection the stockpiles have been removed from the site. Ensure that **all** remaining material is removed from this area.

D2 – Incident Management – Accidents, emergency and incident planning – Action only

Permit condition 3.4.1 requires the operator to manage and operate the activities in accordance with a written fire prevention plan using current, relevant fire prevention plan guidance. A previous site inspection on the 25/09/2019 required the submission of a Fire Prevention and Mitigation Plan (FPMP).

An FPMP was submitted to NRW, reference 'CRM 097 001' and dated June 2019. This plan was reviewed prior to the site inspection by officers, please find below initial comments on this document.

- The document has evidently been written in line with the Environment Agency fire guidance. This guidance

does not apply to sites in Wales. Ensure that the NRW guidance documents is used when developing an FPMP.

- Several appendices and images in the document submitted are not visible, ensure that all relevant appendices and any site plans/images are up to date and included in the FPMP.
- The document submitted contains several references to a company/site which is not Green Steel Works Ltd.
- The document is out of date in that it does not accurately reflect current site activities. For example, the document states that activities to only the processing of waste mattresses. It is important that all site activities are accounted for in the FPMP.
- Table 4.5.1 does not list height/width/length/depth measurements for each stockpile of wastes on site.
- There is limited evidence to support the quantity of water available on site in the event of worst-case scenario incident.
- The review period is specified as 4 years or after following a fire-related incident. This is not sufficient and is recommended that the document is reviewed on a more routine basis.
- The contact details in the event of an incident for NRW are not correct.

During the inspection it was noted that a stockpile of waste mattresses present on site was exceeding the 4-metre height requirement of the FPMP guidance. A permit breach has not been scored on this occasion, as it was stated that this would be quickly rectified.

Action – Submit updated FPMP which is written in accordance with the current FPMP guidance. Ensure that site activities are managed and operated in accordance with the FPMP guidance.

A deadline of the **17th April 2020** has been set for this action to be completed. It is understood that an updated FPMP will be submitted as part of the intended permit variation application (see below for further details).

Please advise your regulatory officer if this deadline will be unattainable.

Permit Variation

It was noted by officers during the inspection that the operator is intending to submit a permit variation application to NRW. It is intended that the current Standard Rules Permit will be varied to a bespoke permit which allows the storage and treatment of non-specified wastes outdoors.

Relevant advice on the forms and associated documents required for this application has been sent separately to this CAR form.

If you have any questions regarding this application or its requirements, please contact your regulatory officer.

Summary

Two points requiring action have been raised in this CAR form.

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

**Report ID:
CAR_NRW0036403**

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	Date	14/02/2020

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			
D2	X	Submit updated FPMP which is written in accordance with the current FPMP guidance. Ensure that site activities are managed and operated in accordance with the FPMP guidance.	17/04/2020
C4	X	Move remaining stockpiles of non-specified wastes into the building on site. Ensure that permit Table 2.3. is complied with.	31/03/2020

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.