

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

Site	Morris & Co (Handlers) Ltd	Permit Ref	BB3394CL		
Operator/Permit holder	Morris & Co (Handlers) Ltd				
Regime	Waste Operations				
Date of assessment	18/02/2020	Time in	12:40	Out	13:30
Assessment type	Audit				
Parts of the permit assessed	Permitted activities				
Lead officer's name	Wakeford, Sally				
Accompanied by	Kinkead, James				
Recipient's name/position	Martin George/Joanne Mcanulty/ Site Manager/Compliance Manager	Date issued	03/03/2020		

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
A1 - Specified by permit	X	
C1 - General Management - Staff competency/training	C2	1.1.1 (a) & (b)
C3 - General Management - Materials acceptance	C4	2.3.2(a)
C4 - General Management - Storage, handling labelling and Segregation	C2	2.1.1
D1 - Incident Management - Site security	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	3	Total compliance score (see section 5 for scoring scheme)	62.1
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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

On 18 February 2020 a routine site inspection was carried out by NRW officers Sally Wakeford and James Kinkead. This was an unannounced first inspection to assess compliance with the permit.

Martin George accompanied the officers around the site.

The inspection was carried out during periods of intermittent heavy rainfall.

Storage of Waste.

C4 – Storage, Handling, Labelling and Segregation – CAT 2 – Permit Condition 2.1.1

You have been given a Category 2 - Significant breach of the above permit condition as during the inspection it was observed that you are storing waste outside. There were three large piles consisting of treated incinerator scrap, non-ferrous/aggregates, and fines. There were also several bales of cans stored outside the building. All wastes must be stored and treated inside a building. Outside storage is of quarantined wastes in a sealed skip only.

Permit Condition 2.1.1 states: The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

Table S1.1 activities: All non-hazardous waste must be stored and treated inside a building on an impermeable surface with sealed drainage.

ACTION: Ensure all waste is stored in line with permit conditions by 31 August 2020.



Photo 1. fines/dust and non-ferrous/aggregates stored outside.



Photo 2. Incinerator scrap and fines/dust stored outside

Photo 2. Incinerator scrap and



Photo 3. baled cans stored outside.



building.

Photo 4. wastes stored outside the

C1 – Staff Competency and Training – CAT 2 – Permit condition 1.1.1(a) & (b)

You have been given a Category 2 - Significant breach of the above permit condition as during

the inspection it was observed that the root cause of storing the waste not in compliance with permit conditions was due to the management of the site being unaware that waste should only be stored inside the building and not following the written management system. The permit was not readily available, although found when discussed on the computer system, and had not been seen before the inspection was undertaken.

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises the 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.

(b) using sufficient competent persons.

ACTION: Ensure staff are aware of the permit conditions and the Environment Management System, and how these should be implemented on site.

Treatment threshold.

Martin estimated 10-12 loads of waste were both incoming and outgoing on a daily basis. With an estimated load size of approximately 25t, an estimated daily throughput of 250 tonnes of incinerator scrap and cans per day.

There is a daily limit in your permit of 75 tonnes per day to be shredded. This refers to the incinerator scrap only. Cans are only re-baled.

A review of your waste returns submission for 2019 has been undertaken.

The permit was issued on 26 July 2019. The returns submitted only include information on loads in and out of the site from this date (confirmed by Joanne Mcanulty). At 6 days per week for 22 weeks & 3 days, taking into account 3 bank holidays this includes 132 working days.

13,698.66 tonnes of incinerator scrap (waste code 19 01 02) has been accepted onto site, and 11,035.67 removed.

There is a large pile still on site, and also an estimated 30% loss from the incinerator scrap in fines, non-ferrous and aggregates.

Using the incoming figure of incinerator scrap which would have all been processed through the shears for recovery or a mix of recovery and disposal in total, the 13698.66 tonnes over 132 days averages **103.8 tonnes per day**. **This constitutes a breach of permit.**

Permit Condition 2.1.1 states: The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")

*Schedule 1 table S1.1 (the "activities"): The maximum quantity of metal waste that can be treated in shredders for recovery or a mix of recovery and disposal in total at the site shall not exceed **75 tonnes per day**.*

A1 – Specified by Permit - Permit Condition 2.1.1. - ACTION

You have been given a Category 3 - minor breach of the above permit condition, however, as this permit condition (2.1.1) has already been scored in this CAR form under C4, the CAT 2 score above under C4 criteria also covers this breach. This has been marked as an ACTION under A1. The 75-tonne limit is in place as any treatment over this would be captured by the Industrial Emissions Directive (IED) and require an installations permit. Your Environment Management System estimated a throughput of 3T per hour for the 10 hour working day (30 tonnes per day).

ACTION: Ensure compliance with the 75 tonne limit by reducing throughput of the shredder and confirming with productions records as stated in your EMS.

Alternatively, apply for an installation permit to be able to continue to process the current volume of incinerator scrap through the shredder.

Please contact NRW regarding your preferred option by 31 March 2020.

Pre-application advice can be sought from NRW if required.

<https://naturalresources.wales/permits-and-permissions/environmental-permits/pre-application-advice-for-environmental-permits/?lang=en>

Waste Returns.

C3 – Waste Acceptance – Permit Condition 2.3.2(a) – CAT 4 breach

You have been given a Category 4 - no impact breach of the above permit condition as during a review of your waste returns it is noted that you have accepted waste coded as 20 01 40. Although this waste code is recorded as beverage cans, which are a waste listed within your permit, the beverage cans have been miscoded. The 20 code in EWC specifically exclude packaging waste from them and should be coded under 15 01 04 and 19 12 02 depending on their origin.

Permit condition 2.3.2 (a): Waste shall only be accepted if: it is of a type and quantity listed in schedule 2 table S2.1

Table S2.1 Permitted waste types and quantities for mixed metal recycling activity

Maximum quantity	The maximum quantity for waste to be accepted on site shall not exceed 150,000 tonnes per year.
Exclusions	Notwithstanding the waste types set out in this table, wastes having any of the following characteristics shall not be accepted: <ul style="list-style-type: none">• consisting solely or mainly of dusts, powders or loose fibres
Waste code	Description
15	WASTE PACKAGING, ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED
15 01	packaging (including separately collected municipal packaging waste)
15 01 04	metallic packaging (consisting only of beverage cans)
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 01	wastes from incineration or pyrolysis of waste
19 01 02	ferrous materials removed from bottom ash (consisting only of incinerator scrap)
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 02	ferrous metal (consisting only of beverage cans)

ACTION: Ensure the only waste accepted onto site are coded correctly and are listed in Table S2.1.

Other Observations.

The permit number listed on the front entrance notice board is not the EPR permit number of your Environmental Permit. It should read EPR/BB3394CL. All other information appeared correct.

The site was well maintained and tidy, Martin George appeared knowledgeable about the operations on site and the business in general.

The Incinerator scrap is shredded to produce cleaner incinerator scrap along with non-ferrous and aggregate mix and fines. The ferrous goes to the steelworks, the ash goes via train to a concrete plant in Doncaster, the non-ferrous/aggregate mix goes to the company's other site in Doncaster for further processing.

The site is accessed by a single lane haulage road, with a traffic light and queuing system for incoming lorries. The CCTV system was noted to be in operation and the site appeared secure.

The weighbridge was in operation and automatic receipting system was observed in operation.

The Technically Competent Managers WAMITAB certificate was up to date.

Thank you to Martin for taking the time to accompany officers around the site.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the

Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036407**

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

Site	Morris & Co (Handlers) Ltd	Permit Ref	BB3394CL
Operator/Permit holder	Morris & Co (Handlers) Ltd	Date	18/02/2020

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
C3	C4	Ensure the only waste accepted onto site are coded correctly and are listed in Table S2.1.	31/03/2020
C1	C2	Ensure staff are aware of the permit conditions and the Environment Management System, and how these should be implemented on site.	31/03/2020
C4	C2	Ensure all waste is stored in line with permit conditions by 31 August 2020.	31/08/2020
A1	X	Ensure compliance with the 75 tonne limit by reducing throughput and confirming with productions records as stated in your EMS. Alternatively, apply for an installation permit to be able to continue to process the current volume of incinerator scrap through the shredder.	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.